

REPORT OF THE

POST-ARMISTICE KOREAN SERVICE REVIEW

DECEMBER 2005



Australian Government
Post-Armistice Korean Service Review

Honours and Awards
T-4-11
Department of Defence
CANBERRA ACT 2600

The Honourable De-Anne Kelly BE, MP
Minister Assisting the Minister for Defence
Parliament House
CANBERRA ACT 2600

Dear Minister

We are pleased to present the report of the independent Review which you established on 14 June 2005 into the level of recognition of service following the Armistice in Korea in 1953.

As required by our Terms of Reference, we have consulted widely with veterans, their associations and other relevant parties. In keeping with our commitment to find an appropriate outcome to issues of concern, we have also extended the Review to consider how those who died during this service should be honoured.

We have conducted the Review in a way that was open, public and impartial. We have not prejudged any issue, and for the thoroughness of our Review we have pursued all reasonable options.

We would like to thank all those who have assisted the Review for their time and contributions.

Yours sincerely

Ian Crawford
Rear Admiral AO, AM (Mil), RAN (Retd)

Garry Nehl AM

Co-Chairs

Gordon Jones AM
Brigadier (Retd)

Colleen Thurgar AM

Members

20 December 2005

CONTENTS

	Title	Page
	Table of Contents	v
	Members of the Working Party	vii
	Terms of Reference	ix
	Executive Summary	xi
	Recommendations	xiii
	Introduction and Acknowledgments	xv
Chapter		
1.	Background to the Review	1–1
2.	Methodology and Principles	2–1
3.	History of Medal and Badge Recognition for Australian Post-Second World War Deployments	3–1
	Annex 3A Table of Clasps Awarded with Medals	3A–1
4.	Summary of Previous Reviews	4–1
	Annex 4A Principles of the Committee of Inquiry into Defence Awards (CIDA)	4A–1
	Annex 4B 2005 Health Study – Statistical Analysis	4B–1
5.	Australia in Korea 1950–1957: the War and Post-Armistice Service	5–1
	5.1 Structure of the Chapter	5–1
	5.2 Summary of the Combat Period, 25 June 1950 – 27 July 1953	5–3
	5.3 Strategic Overview of the Post-Armistice period	5–5
	5.4 July 1953 – November 1954	5–7
	5.5 December 1954 – April 1956	5–47
	5.6 May 1956 – August 1957	5–62
	5.7 Overall Conclusions	5–66
	Annex 5A Graph: Estimated Total Combatant Strengths, Korea 1953–55	5A–1
	Annex 5B Maps	5B–1
	Annex 5C Photographs	5C–1
	Annex 5D Report of DMZ incidents, mid-1955	5D–1
	Annex 5E Extract from Defence Joint Planning Committee Report—Force reductions in Korea	5E–1
6.	Legal issues: the distinction between terms used for military discipline jurisdiction, medal recognition and veterans’ entitlements	6–1
7.	Case for Medal and Badge Recognition	7–1
8.	Broader Policy Options relating to the Award of Medals	8–1
9.	Commemoration of Those who Died	9–1
	Annex 9A List of Australian Servicemen who Died in Korea or Japan	9A–1
	Annex 9B Photographs	9B–1
10.	Conclusions	10–1
Appendix		
1.	Explanation of Terms	
	Part 1 Definitions and Glossary	
	Part 2 Acronyms and Abbreviations	
2.	Public Notices	
3.	List of Submissions	
4.	List of Hearings and Witnesses	
5.	Text of Formal Opening and Closing Statements used at Public Hearings	
6.	Documents relating to the Award of Medals and the RASB	
7.	Text of Legal Advising	
8.	Chronology of Key Events	
9.	Bibliography	

Table of Contents

MEMBERS OF THE WORKING PARTY

The Minister Assisting the Minister for Defence (the Honourable De-Anne Kelly BE, MP) appointed as Co-Chairs of the Working Party for the Review:

- Rear Admiral Ian Crawford AO, AM (Mil), RAN (Retd); and
- Mr Garry Nehl AM.

As members of the Working Party for the Review, the Minister appointed:

- Ms Colleen Thurgar AM; and
- Brigadier Gordon Jones AM (Retd).

TERMS OF REFERENCE

The working party is to investigate, review and report on the level of recognition of Australian service in Korea between 28 July 1953 and 26 August 1957, following the armistice.

The working party is to make specific recommendations concerning the appropriateness of the award of the *Australian Active Service Medal 1945-75* with clasp 'Korea' and the *Returned from Active Service Badge* for this period of service.

The determination of the nature of service during this period is to include the nature of operations and hostilities.

Without being limited by those prescribed, the deliberations and recommendations of the following source references are to be considered in the conduct of the review:

- The 1993/94 Committee into Defence and Defence Related Awards (Gration Review);
- The 2002/03 Independent Review of Veterans' Entitlements (Clarke Review);
- The 1975 Independent Enquiry into the Repatriation System (Toose Report);
- The 2000 Review of Service Entitlement Anomalies in respect of South-East Asian Service 1955-75 (Mohr Report);
- The Mortality Study 2003: Australian Veterans of the Korean War and the 2005 Korean War Veterans Health Study;
- Past and current precedents; and
- Past and current Government policy.

In presenting recommendations, the working party shall include written consideration of the wider implications of suggested changes to current policy.

The working party is to consult widely with veterans organizations, government authorities and other interested parties.

De-Anne Kelly

14 June 2005

EXECUTIVE SUMMARY

1. This report addresses the outcome of the Post-Armistice Korean Service Review. The Review was undertaken in accordance with the wish of the Honourable De-Anne Kelly BE, MP, in her capacity as Minister Assisting the Minister for Defence, to be advised on the level of recognition of Australian service in Korea between 28 July 1953 and 26 August 1957, following the Armistice.
2. On 14 June 2005 the Minister appointed Rear Admiral Ian Crawford AO, AM (Mil) RAN Retd and Mr Garry Nehl AM as Co-Chairmen, and Brigadier Gordon Jones AM Retd and Ms Colleen Thurgar AM as members of the Working Party to make specific recommendations concerning the appropriateness of the award of the Australian Active Service Medal 1945-75 with clasp 'KOREA' and the Returned from Active Service Badge for this period of service.
3. The Minister directed that a number of source references and past and current precedents; and past and current Government policy were to be considered in the conduct of the Review.
4. The Working Party took as its objective to recommend to the Minister how those Australian Servicemen and women who served in post-Armistice Korea should be recognised in terms of awards of campaign and operational medals within the Australian Honours and Awards System; whether they should be awarded the Returned from Active Service Badge; and, taking note of her wish that the Working Party should interpret the Terms of Reference freely, how those who died during this service should be commemorated.
5. The approach to the Review was a combination of consultation and research. Notices were placed in major metropolitan newspapers and a local newspaper for the region where veterans advocating recognition were located; and letters were written to veteran associations with Korean service membership calling for written submissions. Later notices were placed in the same newspapers and letters were written to those who had made submissions providing information about public hearings.
6. These public hearings were programmed to take account of the interest in the Review demonstrated by the submissions. They were held in Canberra, all State capitals and Nowra, NSW and those giving evidence were veterans of both the combat period of the Korean War and also the post-Armistice Korean service period, as well as government officials representing the views of the Department of Defence and the Department of Veterans' Affairs. Unsolicited comment after the public hearings gave the impression that the conduct of the hearings generally was welcomed by the veterans participating.
7. The Working Party was at pains to stress throughout the hearings processes that the Review was independent and would be open, public and impartial. It was also made clear that, collectively and individually, the Working Party had not prejudged any issue, and for the thoroughness of the Review would pursue all options.

8. From submissions the Working Party was aware of the variety of views on the issues to be addressed and the different recollections of events and conditions experienced 50 years ago. In order to reach an objective opinion on the way conditions experienced related to criteria of eligibility for recognition it was necessary to consult contemporary records. The need for objectivity was reinforced by the recognition of the importance of the interests of veterans of the combat period of the Korean War as much as those of the post-armistice Korean service period.

9. Some records were found amongst Australian archival material in a variety of Australian sources but, in the light of the way Australian units were located in higher formation structures of the United Nations Command it was recognised at an early stage of the Review that it would be necessary to access archival material from British and US sources. The access processes from the different international sources were complex and time-consuming but the outcome was rewarding and helpful to the perceptions that influenced the conclusions of the Review. In addition the Working Party now has custody of records relevant to the period under review, some of which have not been evaluated even in the country of origin. This should be an important contribution to Australian archival material for the Australian Korean service experience.

10. At the outset the Working Party was aware of the way the advocates of recognition relied on interpretations of legislation and terms used in a range of official documents to confer the recognition they sought. For this reason it was necessary to obtain a legal advising on the relevance of the referenced legislation and terms and this has contributed to the outcome of the Review.

11. In addition the examination of earlier reviews and inquiries, although not directed to the matters under consideration in this Review, included principles and judgements that have guided the Working Party in its deliberations.

12. The outcome of the Review is encapsulated in Chapter 10 (Conclusions) and in the list of recommendations which follows this Executive Summary.

RECOMMENDATIONS

Below is a list of all the recommendation of this Review, in the order of the chapters in which they appear. The recommendation number identifies the chapter and serial letter within that chapter.

Chapter 7, Case for Medal and Badge Recognition

Recommendation

- 7A. The Working Party recommends that the AASM 1945–75 should not be awarded for post-Armistice service in Korea.
- 7B. The Working Party recommends that the Australian Government should be advised to proceed to establish conditions of eligibility for the award of a newly-instituted Australian General Service Medal for Korea for service in Korea during the period from 28 July 1953 until 19 April 1956 with a period of eligibility of 30 days in the prescribed operation.
- 7C. The Working Party recommends the demanding service in Korea during the period from 28 July 1953 to 19 April 1956 warrants recognition by the Returned from Active Service Badge.

Chapter 8, Broader Policy Options relating to the Award of Medals

Recommendation:

- 8A. The Department of Defence and the Department of Veterans' Affairs should work closely together to raise public awareness of the clear distinction between medals eligibility and veterans' entitlements. This could be achieved in plain English information to explain the workings of the conditions of service package and the relationship between elements of the package, to include veterans' entitlements and medals.
- 8B. The Department of Defence should examine options for modifying the medal system's rule-making and making it more transparent and reviewable for the future. In this process it should produce more plain English material to explain it.
- 8C. An independent part-time military honours tribunal should be established.

Chapter 9, Commemoration of those who died

- 9A. The Working Party recommends that it should be accepted that the inclusion on the Roll of Honour at the Australian War Memorial of the names of those who died in post-Armistice Korean service is not within the current criteria of the Australian War Memorial, and that it is not feasible to change these criteria.

9B. The Working Party recommends that:

- a. consideration should be given to a national plaque with the names of all Australian Servicemen who died in post-Armistice Korean service and are buried and commemorated overseas but not on the Australian War Memorial Roll of Honour, to be established in the AWM Sculpture Garden in Canberra, with Commonwealth Government and veteran support;
- b. the Department of Veterans' Affairs should update the Nominal Roll for the Korean War to record the deaths of those who died in post-Armistice service; and
- c. further research should be undertaken with a view to identifying how to appropriately recognise in Australia those Servicemen and women who have been buried and commemorated overseas and are not currently recognised in Australia.

INTRODUCTION AND ACKNOWLEDGMENTS

Introduction

1. This Report examines and makes recommendations on the appropriate level of recognition of Australian post-Armistice service in Korea, in accordance with the Terms of Reference given to the Working Party by the Minister Assisting the Minister for Defence (see page ix).

2. It is important to appreciate that the Working Party has had access to information, much of which has not seen the light of day for over 50 years. Certainly it has never been, and probably never will be again, brought together for the purpose for which this Review was tasked. The circumstances reported are exceptional. No one person and no authority could have been expected to reach conclusions or make recommendations that this Working Party has been able to achieve, unless they had been tasked to do so, and had had access to the research material of this Review. We have been privileged to address a phenomenon of armed forces history that so often has been overlooked through attitudes and a focus on perceived priorities of the day.

3. The period reviewed by the Working Party has many unusual features, some unique to the record of Australia's involvement in overseas operations. At a time of heightened tension between the power blocs confronting each other in the Cold War, there was an uncertain truce in the Korean War with massive forces facing each other across a demilitarised zone, readied to meet, but in the case of the United Nations Command forces, uncertain about the likelihood of a renewal of hostilities. Other unusual factors in Australia's deployment of forces included the way that Australia had engaged Servicemen to meet the operational commitment and the conditions of service offered.

4. When it came to recognition of service, Australia (as with many other countries of the British Commonwealth) was in the shadow of the Second World War and its standards of service recognition. When the time came for a closer review of recognition of past operations—and this has happened in all Commonwealth countries—new regimes of awards and campaign medals in Australia had created an intractable position whereby access to an appropriate medal was no longer possible and an easy solution would have been to find that recognition was no longer possible. This outcome would not have done justice to the Servicemen and women involved and the conditions they experienced. It has become a challenge to the Working Party and those in government to seek to use existing authorities with some flexibility to meet the circumstances.

Chapter 1 of this Report sets out the background to the Review and summarises the main outcomes sought by the various participants in the process.

Chapter 2 is a statement of the principles and methodology which the Working Party developed to guide its deliberations, drawing on the work of earlier reviews as appropriate.

Chapter 3 summarises the history of the relevant medals and badges for the various operational deployments from the Second World War to date. This is important in setting the scene and establishing the precedents for medal and badge recognition.

Chapter 4 is a summary and analysis of the findings of relevant earlier reviews in relation to post-Armistice service in Korea. Most of these earlier reviews are mentioned in the Terms of Reference for this Review.

Chapter 5 is a key section of the Report which examines afresh the conditions experienced in post-Armistice Korean service from original documents. Relatively little has been written about this period by other authors. The Working Party undertook an intensive research program to find out from contemporary sources about conditions experienced by our land, sea and air forces in the Korean theatre between 1953 and 1957.

In the command structure in Korea, Australian units were committed to formations within the UN Command. For all three Australian Services, these higher command formations were British and American. The chain of command led to the British Far East Fleet, the US I Corps/8th Army through the 1 British Commonwealth Division, or the USAF 4th Fighter Interceptor Wing/5th Air Force.

The Working Party sought original research material from overseas sources in order to gain a further understanding of the conditions experienced, through threat assessments, rules of engagement and operational reports at the level of these higher command formations. On completion of this Review, this original research material not previously available in Australia will be deposited with the Australian War Memorial.

In addition, the Working Party and Secretariat examined hundreds of original source documents within Australia, with the expert help of the information services staff at the Australian War Memorial, the National Archives of Australia and the Parliamentary Library. These documents included unit reports, Government and Parliamentary proceedings, files, military records, transcripts of interviews, maps and photographs. Much of this information had not been seen by previous researchers.

The Working Party also appreciated the first-hand accounts of service in Korea from the many veterans of all three Services who provided submissions and gave evidence at public hearings. We thank them for giving us the benefit of their research and experience. The lists of submissions and witnesses are at Appendices 3 and 4.

Maps and special map overlays illustrating the Korean theatre and the Australian areas of operations post-Armistice are in Annex 5B at the end of this Chapter. Some of the overlays are taken from unpublished contemporary sketch maps made in the field.

Photographs illustrating post-Armistice activities and the conditions experienced by post-Armistice Australian forces are reproduced in Annex 5C at the end of this Chapter, with the kind permission of the Australian War Memorial.

The books and reports which the Working Party consulted are listed in **Appendix 9, Bibliography**.

Chapter 6 addresses the legal issues raised by several veterans and their representatives. This Chapter draws on the legal advice provided to the Working Party by Professor Robin Creyke, the full text of which is at **Appendix 7**.

Chapter 7 is the critical development of the argument for medal and badge recognition for post-Armistice veterans. The Working Party is aware that some veterans have raised the matter of flow-on of eligibility for the Infantry Combat Badge. This matter is outside the terms of reference and is better left to the administrative processes within Army.

Chapter 8 explores some broader policy options drawn from the Review, relating to the system of campaign awards.

Chapter 9 extends the Review to consider how those who died during post-Armistice service should be honoured. Although not specifically mentioned in the Terms of Reference, the Working Party was satisfied that it had sufficient authority from the Minister to address the many concerns quite properly expressed by veterans in submissions and evidence on this important issue. We are confident that this Chapter gives a definitive account of the final resting places and existing commemoration of the dead. We go on to propose initiatives which we hope will bring some comfort to surviving relatives, friends and the veteran community.

Chapter 10 summarises the conclusions of the Working Party on the issues put before it.

References to this Working Party

5. In order to identify the work of this Review from other reviews, where the work in connection with this Review is reported, the term ‘this Working Party’ is used. For other reviews, the term ‘committee’ or the name of the review Chairman is used.

Korean place-names

6. Korean place-names in the Report are given in the form in use in the 1950s, eg ‘Pusan’ rather than ‘Busan’.

Acronyms and abbreviations

7. This Report uses acronyms and abbreviations for common terms throughout. Readers should refer to **Appendix 1**, Explanation of Terms, for their meaning.

Acknowledgments

8. The Working Party would like to acknowledge the assistance of the following individuals and organisations during the course of the Review. Many others were also involved in providing material, administrative support and guidance in the course of the Review.

Individuals

Roger Bacon	Secretariat support
Tim Bloomfield	Background briefing
Reverend J B Brownbill	Background briefing
Professor Robin Creyke	Legal advice
H Robert Downey	Background briefing
Quentin Evans	IT advice
Colonel Dianne Gallasch	Research support
Professor Jeffrey Grey Australian Defence Force Academy	Research advice
Bill Harris, HQ US Pacific Air Forces, Hawaii	Research support
Professor David Horner Australian National University	Research advice
Major-General J C Hughes AO, DSO, MC	Background briefing
John Hunter	Transcription of evidence from public hearings
Major Tim Kemp	Research support
Judith Russo	Administrative support
Teena Schumacher	Administrative support
Associate Professor Malcolm Sim Monash University	Advice on the 2005 Korean War Veterans Health Study
Margaret Sloan	Secretariat support
Rene Steele	IT support
John Sullivan, HQ US Air Forces in Europe	Research advice
Brigadier David Webster	Background briefing
Brigadier Colin Wilson	Background briefing

Organisations

Air Force Historical Research Agency, USA	Provision of source material
Australian Embassy, Tokyo	Photographs of the British Commonwealth Forces Cemetery, Yokohama, Japan
Australian Government Solicitor's Office	Legal advice
Australian War Memorial	Provision of source material and research advice
British National Archives	Provision of source material
Central Army Records Office, Melbourne	Provision of source material
Defence Honours and Awards	Policy advice and administrative support
Defence Library Service	Research support
Defence Personnel Executive	Policy advice and administrative support
Defence Imagery and Geospatial Organisation	Mapping support
Defence Publishing Service	Printing and graphics support
Department of Finance and Administration	Parliamentary Office hearing rooms in Sydney, Brisbane and Perth
Department of Veterans' Affairs	Advice and source material
Historians of the Navy, Army and Air Force	Research advice
National Archives of Australia (Canberra and Melbourne)	Provision of source material and research advice
Office of Australian War Graves	Policy and research advice
Parliamentary Library	Provision of source material and research advice
Presiding Officers of the Commonwealth, Victorian, South Australian and Tasmanian Parliaments	Parliamentary committee rooms
Staging Connections Pty Ltd, Fyshwick, ACT	Audio technical support at public hearings
US Army Center for Military History	Provision of source material

CHAPTER 1

BACKGROUND TO THE REVIEW

Origins of the Review

1.1 The Working Party is aware that for many years those who served after the 27 July 1953 Armistice felt the distinction between service during the combat period and the later service in the Korean theatre. Previous reviews of medal entitlements have commented on aspects of post-Armistice Korean service, in response to the number of Ministerial representations which have been received on this subject over a long period. Chapter 4 sets out the Working Party's summary of these earlier reviews.

1.2 In August 2004, the then Minister Assisting the Minister for Defence (the Honourable Fran Bailey MP) announced a review to resolve the specific issue of appropriate recognition of Korean post-Armistice service. Following the Federal Election and the appointment of the current Minister (the Honourable De-Anne Kelly BE, MP), the current Working Party was established in 2005. Relevant media releases by the Minister and public notices issued by the Working Party are in Appendix 2.

1.3 Much of the impetus for the Review came from the Korean War Veterans of Australia Recognition Committee (KWVARC), based at Nowra NSW.

Summary of the outcomes sought by veterans and their representatives

1.4 The majority of post-Armistice veterans who submitted their views to the Working Party have joined in a three-point claim for recognition. In the words of the KWVARC:

"It is essential if justice is to be done that the Review panel must be instructed to properly address each one of the 3 following issues, namely the legal entitlement of Australian Korean War Veterans who were allotted to, and served in, the Korean Area of Operations between 28 July 1953 and 19 April 1956, to:

- a. The returned from Active Service badge, and
- b. The Australian Active Service Medal 1945–1975, with Korean clasp, and
- c. Approval and recognition of those Korean War Veterans deaths during their allotment to and service in the Korean Operational Area between 28 July 1953 and 19 April 1956 to:
 - (i) Their deaths being listed as war-caused deaths on active service and their next of kin awarded their entitlements,
 - (ii) Their names being included in official Honour Rolls and Memorials including those at the Australian War Memorial in Canberra and the United Nations Cemetery at Pusan, Korea.
 - (iii) Their bodies, if located, to be buried at the United Nations Cemetery at Pusan, Korea or
 - (iv) If their bodies cannot be located their names to be added to the Unit Bronze Plaques on the British Commonwealth Memorial at the United Nations cemetery at Pusan, Korea."

1.5 In their submissions, there is frequent reference to 'consistent, long-standing, binding Federal legislation'.

1.6 Similar views were put by the many supporters from all around Australia of an increased level of recognition for post-Armistice veterans:

“And it’s the position of the Committee that it is anomalous that if there was operational service, that the men and women who served were not given a Returned from Active Service Badge, or not awarded the Australian Active Service Medal 1945–75. The position that we adopted is that it is our belief that as it’s operational service... that these Veterans should be awarded the Active Service Medal and Returned from Active Service Badge.”

“... our Sub-Branch is appalled that servicemen and women who served in Korea were not provided with a Medal and the Active Service Badge. These personnel who laid their lives on the line should receive all the entitlements of others who fought operationally.”

“... may I request that these 1953–1957 Veterans be awarded the recognition their service to country and United Nations so richly deserves.”

“... my purpose in appearing before the Committee is to support the submission made for the acceptance of service post the Armistice in 1953 as being recognised as being operational service and eligible service for recognition by the awarding of the Returned from [Active] Service Badge and the appropriate campaign medal.”

“It would be nothing short of a national disgrace for any more of these men to pass away without the rightful recognition they both deserve and as far as I am concerned, are entitled to.”

“I believe that when the Government granted campaign medals for pre Armistice service and refused them for later service it created a clear anomaly that should now be corrected.”

“Our original thoughts were that the [medal] criteria should stand... Through our ignorance of [the number of post-Armistice deaths] we now feel that our original decision is flawed and we humbly ask that your committee disregard our previous correspondence and we give our support to this cause.”

“And I think it’s very unfair that our mates that served up there after the ceasefire didn’t get their proper recognition, especially the Returned from Active Service Badge. It’s something with a Digger that gives him pride... I think we’d be poor mates if we weren’t fighting here today for what we want to achieve. And gentlemen, have it in your hearts as to why we’re fighting. I don’t think there’s a member here that hasn’t got his rights. We’ve all got our Returned from Active Service Badge. We’ve all got our gongs. We’re not appearing here from a selfish, self-motivated point of view. We’re appearing here because we owe something to our mates that served up in Korea with us.”

“The [ASM] doesn’t cover (I believe, really) what the service put in.”

“Ian Crawford:

Your position on the matters under review, the award of the Returned from Active Service Badge and the Medal?

“Witness:

Well, I say that for the conditions we served under, and the work that we did and the risks we took, we’re fully entitled to it. And I don’t see why we should not be given it.”

“Garry Nehl:

Because having read your initial submission and the next one, I think I understand, but you are opposed to the proposition for the AASM and the Returned from Active Service Badge being extended after the ceasefire?

“Witness:

Perhaps I might have come on a little heavy there. I am not opposed to the Returned from Active Service Badge being issued, not at all. I think they should be issued with that. I am merely speaking for many who were on active service and they treasure the Australian Active Service Medal as being something which was earned in action. Now I believe they deserve some form of recognition.”

“Ian Crawford:

Now, you’ve made your statement earlier on that you believe that the Returned from Active Service Badge and the Australian Active Service Medal...

“Witness:

Oh definitely, there is no doubt in my mind. And I’m only here just to speak for the chaps that... mates of mine and that. Sir, I can only speak for my Battalion at that period of time. But we all thought we were on active service and the dangers were there.”

“What would it take—after considering all the facts—to decide on the positive by this review panel and decide, yes, these men do qualify for:

1. The Returned from Active Service Badge.
2. The Australian Active Service Medal 1945—1975 with ‘Korea’ Clasp.
3. Recognition of the deaths of Korea War Veterans who died during their allotment to the Korean operational area between 28th of July 1953 and the 19th of April 1956 as war caused deaths.

“I feel they’re not begging for special treatment, but I plead on their behalf that this panel look within their own conscience and concur that they only seek a just resolution for the few that are still alive today.”

1.7 The KWVARC have also received support for their cause from their local Federal and State Members of Parliament—Mrs Joanna Gash MP (Federal Member for Gilmore) and Mrs Shelley Hancock MP (State Member for South Coast).

1.8 However, the views within the veteran community are far from unanimous. Opinion appears fairly evenly divided between those who strongly support the claim and those who strongly oppose it. There are differences of view between (and in some cases within) various veterans’ associations. Many army veterans from the pre-Armistice period, and even some from the post-Armistice period, do not support

the claim for the AASM and RASB. In general, many veterans seek to maintain a clear distinction between those who were on 'war service' (as they see it) and those who were not.

1.9 Counter-views put to the Working Party included these from veterans' associations:

"Our Association is somewhat divided on this matter however providing there was a distinct difference in Medal identification you would have our full support."

"The decision of the Meeting was that 'Active Service' concluded on July 27th 1953 with the signing of the Cease Fire. This decision was reached with the full support of a number of members who served between the Cease Fire and April 1956. ... We believe that on a matter of principal [sic], there must be a DISTINCTION for 'Active Service' between those who served from June 25th 1950 until July 27th 1953 and those who served after the Cease Fire. This is with due respect."

"[We] are united in our rejection of the proposal that service following the Armistice in Korea in 1953 should be awarded any recognition other than the AUSTRALIAN SERVICE MEDAL, nor should it be the ACTIVE SERVICE BADGE for that period of service."

"We don't believe the military situation in Korea after July 1953 warrants the award of the Australian Active Service Medal, nor the Returned from Active Service Badge."

"The answer is no to the Returned from Active Service Medal."

"General consensus amongst the membership is that the service post-Armistice was of a peacekeeping nature and not of a warlike nature... Amongst the members of the post-Armistice contingent of our unit, I have had told to me by the persons concerned that they have written to the inquiry rejecting the award of the AASM and the Returned from Active Service Badge. These are not members who served pre-Armistice."

"The membership of this sub-branch (600 members), including our Korean veterans, is strongly of the view that the medal/badges that you are considering should only be awarded for operational service and that that operational service ended with the armistice. To depart from this principle is to downgrade the medals already awarded to those who actually had such operational service."

and these from individual veterans:

"To grant [the AASM] to Johnny come laterly [sic] it would be an insult to the 320 that lay in forian sole [sic] Pusan Korea... Don't cheapen the AASM for those that came when it was all over."

“I find it difficult to support any attempt to award the Australian Active Service Medal with clasp KOREA and the Returned From Active Service Badge for service between 28 July 53 and 26 August 57... any attempt to award these soldiers for service in Korea during the period of the armistice would make a mockery of the award system.”

“If [the RASB] was to be awarded to Post 27th July 1953, then this alone would open the flood gates for those of WWII and all others, who saw no action to make their claim for the Badge... With regards to the Australian Active Service Medal being awarded to Post-Armistice 27th July 1953 some 50 years after the event is out of the question, the Medal is for what it is named ‘Active Service’.”

“I wish to register my opinion that to award the ‘Australian Active Service Medal 1945–75 with clasp KOREA’ would be absolutely inappropriate.”

[From a 1957 Korea veteran] “... the Active Service medal should be issued only to those who serving [sic] in these areas during the actual conflicts. For the rest like myself we should be issued with the General Service Medal for the area or areas served.”

“... I still find myself overwhelmed by my first feelings of outrage, at the fact that this step is even being seriously considered... we have earned [our medals] the hard way. Believe me, I have the greatest respect for those who came after us... They... should be recognized in some way, but not at the expense of degrading the medals paid for, by so many of our gallant lads who still lie in Pusan Cemetery.”

“Yes.. it would be acceptable for the proposed awards to be granted to the Korean vets... BUT only up till July 1954... I think going to 1957 is rather drawing a long bow.”

“...certainly not a Returned from Active Service [Badge] nor an Infantry Combat Badge.”

“I believe that the post-Armistice people, now they have the Gold Card and they have an Australian Service Medal with a ‘Korea’ Bar on, have been well enough looked after. And it would not in my opinion be proper for them to be put on the same footing as those who had active service in World War Two, Korea, Malaya, Vietnam....”

“Without denigrating the service of post-Armistice 1953 servicemen and women the medal, in my mind, should be reserved for the active service period 1950–53.”

The Department of Defence view

1.10 The Department of Defence administers the Honours and Awards System for all members of the Australian Defence Force, past and present. The Secretary of the Department, Mr Ric Smith AO, PSM, provided the Working Party with a written

submission. The Working Party was advised that the matter had been discussed with the Chief of the Defence Force and Service Chiefs, who concurred with the response.

1.11 The submission included helpful background information on the evolution of the Australian campaign medals system and the meaning of terms used.

1.12 The Department's overall position can be summarised as seeing no need for change in the current recognition of post-Armistice service in Korea:

"From a Defence perspective, the award of the *Australian Service Medal* with Clasp 'KOREA' was a good result as it ensured that this previously unrecognised service was recognised."

1.13 The submission referred to "a number of reviews over the past decade which have had an effect on Defence awards". It noted that the recommendations which flowed from them "have created increased pressure from many ex-Service members to have similar service recognised". The Secretary went on to express a concern about the possible flow-on effects of the Working Party's deliberations:

"I therefore ask that in your considerations of post-Armistice service in Korea, you take into account any precedents that could be established if the level of recognition were increased and the concern that other service should not be devalued by any new decisions made."

1.14 These key points were reiterated in evidence that representatives of the Department put to the Working Party at a public hearing in Canberra. After referring to the findings of earlier reviews which indicated that the current recognition of post-Armistice service was appropriate, the representatives went on:

"Regardless of the decision you arrive at, Defence believes there are two principles which need to be considered. The first principle concerns the matter of precedents. Defence asks that in your considerations of the post-Armistice service in Korea, you take into account any precedents that could be established if the level of recognition for this service were to be increased. That's the first principle. The second principle concerns the matter of value, and specifically Defence is of the view that service in other operations in the past should not be devalued by any new decisions that are made."

1.15 In response to a question at the Public Hearing in Canberra, one of the Department of Defence representatives later provided a very helpful letter of explanation. Other aspects of the Defence submission and evidence are considered in other relevant chapters of this Report.

Conclusions

1.16 Three things are clear from the issues presented in this Chapter.

1.17 First, the question of appropriate recognition of post-Armistice Korean service is both complex and sensitive. This is why the Minister established this Review.

1.18 Second, it will be impossible for the outcomes of the Review to satisfy everyone. The Working Party must concentrate on finding a fair and reasonable approach, taking account of the concerns expressed.

1.19 Third, this is probably the last opportunity to resolve the question of appropriate recognition in a systematic way within the lifetime of our surviving veterans of Korean service.

CHAPTER 2

METHODOLOGY AND PRINCIPLES

2.1 In any task such as the Post-Armistice Korean Service Review, it is helpful to the Working Party and to those who make use of the Report to have available a methodology (or approach to the Review) and the principles guiding the work of the Review. A statement of methodology gives confidence to those reading the report that the approach to the Review has been properly structured. A process linking methodology and principles is that it is prudent to clear principles with the authority tasking the review to ensure that there is a shared perception of what the Review is seeking to achieve.

Objective

2.2 To recommend to the Minister how those Australian Servicemen and women who served in post-Armistice Korea should be recognised in terms of awards of service medals within the Australian Honours and Awards System; whether they should be awarded the Returned from Active Service Badge; and how those who died during this service should be honoured.

Methodology

2.3 The Working Party noted the requirement to include the nature of operations and hostilities in determining the nature of service during the period under review. Since 'nature of service' is a term introduced since the Korean War, there would have been no defined 'nature of service' for Korea. The Working Party therefore decided that the essentials of the Review are to examine the criteria of eligibility for the Australian Active Service Medal and the Returned from Active Service Badge and to determine whether these criteria of eligibility have been met by the conditions and experience of those who served in Korea after the 27 July 1953 Armistice. Here it is necessary to take note of what the Government had in mind when it established new medals, even though the definitions and criteria of eligibility may not be clear in the light of more recent determinations.

2.4 In this process it will be necessary to identify words, which are defined and used in other contexts of military service, to determine the appropriateness of the use of the same words as criteria of eligibility. The term 'active service' in particular requires careful examination. A legal advising was sought (see Chapter 6 and Appendix 7).

2.5 The methodology needs to establish through research and submissions, tested through evidence at public hearings, the circumstances under which sailors, soldiers and airmen served in Korea after the Armistice and their physical and mental experience.

2.6 Tasks included:

- a. researching a range of material, including the reports of relevant reviews, contemporary records, the evolution of current service awards and the nature of service;
- b. determining areas of consultation, including legal advice and centres of expertise such as the National Archives of Australia, the Australian War Memorial, the Department of Veterans' Affairs, the Office of Australian War Graves, specialist historians, Defence Honours and Awards, and overseas sources;
- c. establishing contact to give notice of the Review to stakeholders through media releases, advertisements in national newspapers, letters and personal approaches;
- d. inviting all stakeholders to prepare submissions and to give evidence at public hearings; and
- e. conducting public hearings around Australia and creating a documentary record of the evidence given.

Principles

2.7 The Working Party established the following principles to guide its deliberations:

- a. Australia has an obligation to recognise its Servicemen and women through service medals appropriate to the nature of the service and the conditions experienced for the deployments to which they were assigned.
- b. The Review needs to be aware that, in the light of the complexity and variety of deployments of Australia's armed forces since the Second World War, definitions and conditions of eligibility for service medals may not have an enduring relevance to the strategic circumstances and in-theatre conditions of later deployments.
- c. The Review needs to have in mind the interests of those who served in Korea before the Armistice as well as the interests of those who served after the Armistice.
- d. The Review should attempt to achieve stability for any future award of service medals; and consistency with those already awarded under the Imperial Honours and Awards System and the Australian Honours and Awards System.
- e. The Review must take note of what the Government had in mind when it established new service medals, even though the definitions and criteria of eligibility may not be clear in the light of more recent determinations.

- f. Australia's strategic and national circumstances, and in-theatre physical and mental conditions, have changed since the more conventional battlefield environment of the Second World War. The Review therefore needs to be prepared to challenge accepted definitions of the nature of service.
- g. The Review should take note of, but not necessarily seek to achieve, the same recognition as service medals awarded by other UN Command countries, particularly those with which Australia was closely associated in Korea, notably the United Kingdom, New Zealand, Canada and the United States of America; and particularly the criteria of eligibility, such as in-theatre conditions and situations, noting also that medals awarded by these countries will reflect different national cultures of service recognition.
- h. The Review should examine the changing nature of service through the period under review, in order to evaluate the service against recognition criteria.
- i. The Review should take account of the importance of recognition as a factor of morale of the present-day Defence Force and the peace of mind of veterans of all ages and deployments.
- j. The Review should be cognisant of principles established by previous reviews.

CHAPTER 3

HISTORY OF MEDAL AND BADGE RECOGNITION FOR AUSTRALIAN POST-SECOND WORLD WAR DEPLOYMENTS

Introductory observations

3.1 The period 1945–75 that is included in the titles of the two medals, which are reviewed by the Working Party for their appropriateness as recognition of service in Korea after the Armistice, is a period with quite distinct characteristics in Australian medal history. This period requires special and discrete attention. Servicemen and women joining the Armed Forces after 1945 were modelled through training, Service life and the culture of heroic achievement, on the generations that fought the Second World War.

3.2 This image included a focus on medal recognition, with the many campaign and operational medals of the Second World War perceived as the standard. The tempo of military activity after 1945 could never replicate the operations of 1939–45 and the medal recognition available from the six years of war.

3.3 Yet in the period 1945–75, which covered the confrontations of the Cold War and the conflicts of Afro-Asian decolonisation, the armed forces of Australia were committed to a range of operations that gave access to campaign medals comparable in number to those awarded to earlier generations. But many, if not most, Australian Servicemen and women, in the main those not making the Services their career, were committed to only one (or at the most two) operational deployments giving access to medals.

3.4 In the Anzac Day culture of the bemedalled veterans with their coveted array of Second World War and later conflict campaign medals, there developed an obsession with medal recognition. Through veterans' political persuasion, governments were pressured to commission reviews of perceived anomalies, which led in many cases to outcomes that exposed further anomalies, despite the forlorn hope that reviews could achieve some medal stability.

3.5 It should not be surprising, therefore, that the period 1945–75, with its range of overseas deployments, which included operations that varied widely in the conditions experienced by Servicemen and women, has been notable for medal claim activity. The variety of conditions experienced, as well as making it impractical to equate one operation to another for the purposes of medal recognition, has created an environment that encourages the identification of anomalies to give justification for claims for medals and, therefore, medal instability.

3.6 This has been exacerbated by the institution of the Australian Active Service Medal (AASM) 1945–75, which, as well as compromising the principle of double-medalling, has also contributed to the erosion of the value of the Australian Service Medal (ASM) 1945–75 for the purpose for which it was introduced.

3.7 The period after the Second World War was also characterised (among other things) in the veteran community by the wide practice of wearing the Returned from Active Service Badge (RASB). This has also influenced attitudes among the veterans of the 1945–75 period concerning the RASB.

Development of the Australian Honours and Awards System

3.8 Before the Australian Honours and Awards System was introduced on 14 February 1975, Australia had access to the Imperial Honours and Awards System. From recent advice provided by the Chief General Counsel, Australian Government Solicitor's Office, it appears that Australia's access to the Imperial System did not amount to 'ownership' but was clearly the process for Australian Government recognition of the service of Australian citizens. It is also clear that any Australian variation of the conditions of eligibility of awards within the Imperial System would require consultation with the British Government. Because it is no longer acceptable for the sovereign state of Australia to consult the British Government on these matters, taken with the fact of the establishment of the Australian System, and taking account of the authoritative statements made by the Prime Minister of the day and the express wish of Her Majesty the Queen on how Australia would recognise its citizens, it is clear that Australian access to the Imperial System is no longer available.

3.9 Under the former Imperial System, it was nevertheless accepted that all awards made on the recommendation of an Australian government were Australian awards, as until 1975 there was no other Australian System. On 5 October 1992, Prime Minister Paul Keating announced that the Australian Federal and State Governments had agreed to make no more recommendations for Imperial honours. "Consequently, Imperial awards made nowadays to Australians by the British Government are regarded as foreign awards in the same manner as those made by other foreign governments".¹

3.10 On 27 September 1995 the Shadow Minister for Veterans' Affairs, Defence, Science and Personnel, Wilson Tuckey released the Coalition's policy on military medals and awards. Even though the Labor Government had agreed to accept the recommendations of the 1993/94 Committee of Inquiry into Defence and Defence Related Awards (CIDA), the Coalition Opposition believed the Government had "...been dragging the chain in its implementation of its own initiatives."²

3.11 The Coalition's medals policy statement promised to implement a number of initiatives immediately following their election. These initiatives included:

- acceptance of all 39 recommendations of the CIDA review; and
- extending those recommendations to the issue of the ASM 1945–75 and appropriate clasp to Australian personnel who served overseas between 1945 and 1975, including:
 - Berlin Airlift Personnel
 - British Commonwealth Occupation Forces (BCOF), Japan

¹ Maton, *The national honours and awards of Australia*.

² Wilson Tuckey, media release dated 27 September 1995.

- Korean War
- New Guinea
- Malayan Emergency
- Far East Strategic Reserve (FESR)
- Indonesian Confrontation.

3.12 Mr Tuckey said, “This decision will ensure that all eligible service personnel will be presented with a distinctly Australian service medal in addition to any Imperial or United Nations medals that they may have already received.” Mr Tuckey also stated: “Receiving medals does not entitle veterans to automatic service pensions. The eligibility for medals and benefits are considered entirely separately and will remain so under a Coalition Government”.³

3.13 Labor Government announcements in early 1994 stated that medals they had approved would be issued by early 1995. However as this had not occurred by September 1995, the Coalition was prompted to announce its policy on medals and awards in response to the ‘Australia Remembers’ year, as a gesture of appreciation for the contribution made to Australia by veterans. The policy development was preceded by extensive discussions with the ex-Service community. There were a number of other initiatives announced in the Coalition’s policy statement, which are too numerous to list here but Mr Tuckey concluded his announcement by saying “The Coalition will continue to monitor the issue of military awards and will ensure that any genuine anomalies, brought to its attention, are rectified”.⁴

3.14 Following the Coalition’s election in 1996, the new Minister for Defence Industry, Science and Personnel, Bronwyn Bishop, announced the creation of the new AASM 1945–75, on 24 September 1997. Mrs Bishop announced “The Government’s decision reaffirms and delivers on its election promise to have a distinctly Australian award for recognition of warlike service between 1945 and 1975 and is further evidence of the Government’s continued commitment to recognise the service and sacrifice of Australia’s Defence forces”.⁵

3.15 This action indicated the new Government’s considered approach to making a clear distinction between service in warlike and non-warlike operations through separate awards.

POST-ARMISTICE KOREA

3.16 Until 1994, the only recognition that existed for service by Australian personnel in post-Armistice Korea—and only until 27 July 1954—was the United Nations Service Medal (Korea) (the UN Service Medal). After this date, there was no medal recognition for these Australian Servicemen and women until the institution of the ASM 1945–75 with clasp ‘KOREA 1953–56’.

3.17 In 1993/94 the Committee of Inquiry into Defence and Defence related Awards (CIDA) chaired by General Peter Gratton, recommended the establishment

³ Wilson Tuckey, media release dated 27 September 1995.

⁴ Wilson Tuckey, media release dated 27 September 1995.

⁵ Bronwyn Bishop, media release dated 24 September 1997.

of a new ASM 1945–75 to recognise service in prescribed peacekeeping or non-warlike operations for the period 1945–75, where recognition had not previously been given through an award. It is awarded with clasps denoting areas of specific service. CIDA recommended the ASM 1945–75 with clasp “KOREA 1953–56” for post-Armistice service in Korea from 28 July 1953 until the withdrawal of the last of the Australian troops on 26 August 1957. The clasp was eventually amended to ‘KOREA’.

3.18 One of the results of this recommendation was that a strong lobby from Korean veterans’ associations considered that those who served in the Korean War (that is, the combat period) felt they had not been recognised by a uniquely Australian medal, as had their post-Armistice colleagues. Servicemen and women who served from 1 July 1950 until the Armistice on 27 July 1953, had been recognised by the Korea Medal (instituted as an Imperial medal) and the UN Service Medal (Korea). While the UN medal has been identified as a foreign award, the Korea Medal was considered an Australian award even though it had been awarded under the conditions of eligibility of the Imperial System that existed at the time.

3.19 In 1997, the Government established the AASM 1945–75, to provide unique Australian recognition for ‘warlike’ service over the 1945–75 period. Initially it was Government policy that it be awarded in recognition of service during the Korean War 1950–53, Malayan Emergency 1948–60, Indonesian Confrontation 1962–66 and Vietnam War 1962–73. In 1998 the conditions of the award were determined to be that a member must have qualified for one or more of the following campaign medals:

- the Korea Medal;
- the Naval General Service Medal (NGSM) 1915–62 with clasp ‘MALAYA’;
- the General Service Medal (GSM) 1918–62 with clasp ‘MALAYA’;
- the GSM 1962 with either clasps ‘SOUTH VIETNAM’, ‘BORNEO’ or ‘MALAY PENINSULA’;
- the Vietnam Medal; or
- the Vietnam Logistic and Support Medal.

3.20 During 1999–2000, the Review of Service Anomalies in Respect of South-East Asian Service 1955–75 was conducted by Mr Justice Mohr. His report recommended the upgrading of certain service to warlike status and the issuing of appropriate medals. This included RAN service during the Malayan Emergency, RAAF service at Ubon in Thailand 1965–68 and activities on the Thai-Malay border from 1960–63. The AASM 1945–75 was extended to cover this service.

UNITED NATIONS SERVICE MEDAL (KOREA)

3.21 The United Nations Service Medal is an international military award which was instituted in accordance with General Assembly resolution 483 (V) on 12 December 1950. The United Nations Service Medal is awarded to any military service member of an armed force allied with South Korea who participated in the defence of Korea from North Korean aggression between the dates of 27 June 1950 and 27 July 1954.

3.22 In the case of Korea, a decision was taken on 12 September 1951, to award this medal to eligible personnel who served for a period of at least thirty days from or after 27 June 1950.

3.23 On 17 October 1955, a termination date for award of this medal was set. In the case of Australia and for most other countries, a termination date of 27 July 1954 was agreed which was one year after the Armistice began. It is perhaps relevant that it is also the practice of the USA to continue the period of eligibility for a campaign medal for one year after the cessation of the conflict. There were three exceptions to this date: the Netherlands, which had a termination date of 1 January 1955; and Thailand and Sweden, which had a termination date of 27 July 1955. These countries requested an extension but why the UN allowed the extensions is not known.

3.24 In a message dated 19 November 1954, the US representative to the UN advised the UN Secretary-General, regarding the UN Service Medal for Korea

“... It has also been the general practice for the Department of Defense to end the period of eligibility for service awards to its military personnel one year after the conclusion of hostilities so as to preserve the significance of such awards.”⁶

3.25 On 22 November 1961 the United Nations officially changed the name of the United Nations Service Medal to the United Nations Korean Medal. This was as a prelude to the creation of a large number of subsequent United Nations medals which are granted for various operations around the world.

3.26 Over the years there have been a number of representations to have the period of eligibility extended, but the UN has advised that it will not be extending the eligibility date for the award. On 19 November 2004, Australia received notification from the United Nations that in respect of retrospective awarding of UN medals “Initial retroactive issue must be requested within one year of departure from the Mission area”.

THE KOREA MEDAL

3.27 The Korea Medal was instituted in July 1951 under the British Imperial Honours and Awards System, to recognise service in Korea from 2 July 1950 until 27 July 1953. As well as British service personnel, the Governments of Canada, Australia, New Zealand and South Africa were offered this award for their service personnel who had participated in the Korean War. It applied only to those who had served in Korea and excluded those who had served in Japan in support of the Korean War operations.

3.28 It is of interest to note that in 1951, the Canadian Government instituted its own national Canadian Korea Medal, with the same conditions of eligibility and similar design features to the Imperial medal. However, the medal has the addition of the word ‘Canadian’ and is made from a different metal, so that its appearance is different from the Imperial medal. There is no public reference in Canadian official

⁶ National Archives of Australia, A1838, 852/20/4/5/1 Pt 3.

sources to the fact that the Canadian Korea Medal is derived from the Imperial medal.

3.29 On 20 November 1951, the Defence Committee noted:

“It will be recalled that Australia has agreed with the institution of an award to be known as the Korea Medal. Australia also concurred in the participation of Australian defence forces and approved civilian categories therein.”⁷

3.30 War Correspondents accredited to the British Commonwealth Occupation Force, Japan, or British Commonwealth Forces, Korea, who served an aggregate of 30 days in Korea itself with the forces after 2 July 1950, were also eligible for the Korea Medal. Other Commonwealth civilians eligible for this award included Cable and Wireless detachments, the British Red Cross Society, the Order of St John, the Salvation Army, and the YMCA.

3.31 Recommendation was made to the Defence Committee (Australian) in 1952 by the Commander-in-Chief, British Commonwealth Occupation Forces, to amend the eligibility criteria to include all members of the British Commonwealth Forces stationed in Japan and Korea who were certified by the British Commonwealth Command as belonging to a unit, the major portion of whose activities was directly in support of the Korean operations. The recommendation was not supported by Australia’s Chief of Naval Staff or the Army’s Chief of the General Staff, but was supported by the Chief of Air Staff for the RAAF attached to No. 91 (Composite) Wing. The recommendation was not adopted.

THE AUSTRALIAN ACTIVE SERVICE MEDAL (AASM)

3.32 The AASM was established by Letters Patent on 13 September 1988 and is awarded for one day’s service in prescribed warlike operations since February 1975. Its establishment was published in *Gazette* S336 of 2 November 1988 and it is not issued without a clasp. Recognition of service in specified areas is made through the issue of one clasp for each prescribed theatre of operation. Once the medal has been awarded, no further AASMs are issued for service in other areas. Service in subsequent areas is recognised by the issue of individual clasps. A Serviceman or woman may display the medal with a number of different clasps if he or she has served in a number of different areas.

THE AUSTRALIAN SERVICE MEDAL (ASM)

3.33 The ASM was established by Letters Patent on 13 September 1988 to recognise participation in relatively minor operations and was published in *Gazette* S335 of 2 November 1988. The ASM is granted for service in non-warlike situations.

3.34 Recognition of service in specified areas is made through the issue of one clasp for each prescribed theatre of operation. Once the medal has been awarded, no further ASMs are issued for service in other areas. Service in subsequent areas is recognised by the issue of individual clasps. A Serviceman or woman may display

⁷ National Archives of Australia, A5799, 331/1951, Defence Committee Minute No. 256/1951.

the medal with a number of different clasps if he or she has served in a number of different areas.

THE AUSTRALIAN SERVICE MEDAL 1945–75 (ASM 1945–75)

3.35 This award was established following recommendations made by the 1993/1994 Committee of Inquiry into Defence Awards (CIDA, Gration Review) and was designed to recognise service in prescribed peacekeeping or non-warlike operations for the period of 1945–75 where recognition had not been extended previously through another award.

3.36 The ASM 1945–75 is normally awarded for 30 days' service and is not issued without a clasp.

THE AUSTRALIAN ACTIVE SERVICE MEDAL 1945–75 (AASM 1945–75)

3.37 The AASM 1945–1975 was established in 1997. It is awarded for operational service during the Korean War, the Malayan Emergency, the Confrontation with Indonesia and the Vietnam War. This medal is not issued without a clasp.

3.38 In 1997, the Government established the AASM 1945–75, to provide unique Australian recognition for 'warlike' service over the 1945–75 period. Initially it was Government policy that it be awarded in recognition of service during the Korean War 1950–53, Malayan Emergency 1948–60, Indonesian Confrontation 1962–66 and Vietnam War 1962–73. In 1998 the conditions of the award were determined to be that a member must have qualified for one or more of the following campaign medals:

- the Korea Medal;
- the NGSM 1915–62 with clasp 'MALAYA';
- the GSM 1918–62 with clasp 'MALAYA';
- the GSM 1962 with either clasps 'SOUTH VIETNAM', 'BORNEO' or 'MALAY PENINSULA';
- the Vietnam Medal; or
- the Vietnam Logistic and Support Medal.

3.39 The regulations for the AASM 1945–75 are identical to the regulations for the AASM as the AASM 1945–75 was introduced after the AASM and modelled on the contemporary AASM.

RETURNED FROM ACTIVE SERVICE BADGE (RASB)

3.40 In examining the claim for recognition of service in Korea after the 27 July 1953 Armistice through access to the RASB, the Working Party researched the history of the RASB and its conditions of eligibility over the years since its introduction for service in the Second World War.

3.41 Among the Second World War veterans, the period after 1945 was characterised by the wide practice of wearing the RASB. This practice has probably influenced attitudes to the RASB among the veterans of the 1945–75 period.

3.42 The RASB had its origins in the First World War's Discharged Returned Soldiers and Sailors Badges. It appears that the basis for introducing the Badges in the First World War was to protect people who were wearing civilian clothing and had rendered, or had good reasons for not rendering, overseas service at a time when community feelings ran high about the obligation of every able-bodied man to serve the country.⁸

3.43 The current RASB was instituted in June 1940. The conditions of eligibility at the time of its institution included restriction to members of the Navy, Army, Air Force and Nursing Service, who had returned from active service. This was amplified to include the qualification of having embarked for service or duties abroad.

3.44 The award of the RASB is not governed by statute and it has been the practice of Australian Governments to determine conditions of eligibility for each conflict in accordance with circumstances in existence at the time. [CIDA p.162] The current authority for the RASB rests with single-Service instructions.

3.45 There is a danger of relying on the inclusion of the words 'active service' in the title of the RASB to confer eligibility. The legal advising to this Review draws attention to this weakness because the words 'active service' do not appear in the criteria for the award of a Badge and the conditions of eligibility are specific to particular wars or campaigns.

3.46 Since World War II the RASB has been issued for service in several conflicts in South East Asia and Korea. All members who fulfil the conditions of qualification are eligible for the award of the RASB except that where a RASB has previously been awarded, a second Badge will not be issued.

3.47 To qualify for the RASB for service during the Korean War between 1 July 1950 and 27 July 1953 inclusive, a member must have:

- a. served one day or more on the posted strength of a unit or formation on land in Korea;
- b. carried out one operational sortie over Korea or Korean waters;
- c. served 28 days or more afloat in Korean waters; or
- d. served at least 30 days, continuous or aggregated, on official visits, inspections or other occurrences of a similar nature on temporary duty in Korea, or in ships or craft engaged in operations off the Korean coast.

3.48 On 22 December 1953, the Department of Defence issued the following message to the Service Departments:

⁸ Based on advice from Sir Arthur Tange to the Minister for Defence, 17 September 1970.

“... The date of termination of eligibility for the RAS Badge in respect of operations in Korea should be the same as for the British Korea Medal, i.e. 27 July 1953”.⁹

3.49 The RASB was issued to personnel in Malaya who were permanently assigned for duty with a unit participating in the anti-bandit operations in Malaya or who served within the territorial limits of, or in the waters immediately adjacent to or in the air over the Federation of Malaya or the Colony of Singapore for any period between 19 June 1950 and 31 July 1960.

3.50 The inherent feature of qualifying service for the RASB in previous campaigns was the requirement for continuous active duty with an emphasis on operational service. This was seen to link with allotment for special service in a special area, so that in order to qualify for the RASB since 31 July 1962, a member had to be allotted to special service (ie special duty in a special area), as defined under the *Repatriation (Special Overseas Service) Act 1962*.

3.51 The conditions for the RASB are in the course of being codified to reflect current policy and practice with a view to promulgation as a Defence Instruction (General). In a Ministerial approval to a CDF proposal on 8 November 1994, all future awards of the RASB would be linked to an award of the AASM. As a policy, this has been extended to include the AASM 1945–75. This is confirmed in the content of the draft Defence Instruction (General), which notes that “in addition to the criterion of the link to repatriation benefits, the award of the RASB is connected to awards of the AASM 1945–75 and the current AASM”.

3.52 Notwithstanding the stated link of the RASB to the AASM, it should be noted that this Badge was awarded to those employed on Vietnam logistic and support operations before the Vietnam Logistic and Support Medal was awarded, and, therefore, it is only through the award of this medal that there was a link to the AASM. It would appear, therefore, that the RASB was awarded without a concomitant entitlement to the AASM 1945–75.

3.53 It is evident that there has been a wide range of conditions of eligibility among wars and campaigns for access to the RASB. The history of the RASB includes many refinements of the conditions of eligibility and this history and the random use of AASM or repatriation eligibility links would suggest that the conditions of eligibility are not yet firmly settled.

3.54 The Working Party is aware that a Defence study into nature of service has been proceeding for some years. The outcome of this study would be helpful in determining the conditions for the award of the RASB for a defence force that reflects the changed circumstances since the Second World War.

3.55 Over the years, there has been a shift in the concept of the RASB. In the First World War there appears to have been a concept of introducing a Badge to protect people who were wearing civilian clothing and had rendered, or had good reasons for not rendering, overseas service. When the RASB for the Second World War was introduced, there was a focus on having been engaged on overseas service. From 31 July 1962, the conditions of eligibility stated a link with repatriation benefits, and

⁹ National Archives of Australia, A649, 156/600/125 Pt 2.

now the Working Party is aware that since 1975 there has been a link with the award of the AASM. What is not clear is whether the link with the AASM or the current VEA provisions which replace the Repatriation (Special Areas) Regulations is the more authoritative prevailing condition for retrospective application.

3.56 The RASB is worn with civilian clothing and is not to be worn by Servicemen and women when in uniform.

OTHER BRITISH (IMPERIAL) AWARDS

The Naval General Service Medal 1915–1962

3.57 The NGSM 1915–62 was instituted in 1915 for service in minor naval warlike, non-warlike and peacetime operations for which no separate medal was issued. The medal was not issued without a clasp. The following clasps have been issued to ADF members:

- 'PALESTINE 1945–48'
- 'SOUTH EAST ASIA'
- 'MINESWEEPING 1945–1951'
- 'BOMB AND MINE CLEARANCE 1945–1953'
- 'BOMB AND MINE CLEARANCE'
- 'MEDITERRANEAN'
- 'YANGSTE 1949'
- 'MALAYA'
- 'NEAR EAST'.

The General Service Medal 1918–1962

3.58 This medal was instituted in 1923 as a contemporary to the NGSM for service on land or in the air in minor warlike, non-warlike and peacetime operations for which no separate medal was issued. The medal is not issued without a clasp. The following clasps have been issued to ADF members:

- 'SOUTH PERSIA 1918–19'
- 'KURDISTAN'
- 'SOUTH EAST ASIA 1945–46'
- 'PALESTINE 1945–48'
- 'BOMB & MINE CLEARANCE 1945–56'
- 'MALAYA'
- 'BRUNEI'.

The General Service Medal 1962

3.59 The GSM 1962 supersedes both the NGSM and the GSM and may be awarded to ADF members from all three Services. The following clasps have been issued to ADF members:

- 'BORNEO'

- 'MALAY PENINSULA'
- 'SOUTH VIETNAM'
- 'RAID ON DANANG'.

Retrospective recognition under the Imperial Honours and Awards System

3.60 Although the Working Party is aware of stated British Ministry of Defence policy "that it will not consider the belated institution of awards and medals for service given many years earlier", we are also aware that on 11 June 2003, the British Prime Minister announced:

"Following a recommendation from the sub-committee chaired by Lord Guthrie, we are pleased to announce that Suez veterans who served in the Canal Zone between 1951 and 1954 are to be awarded the GSM."

3.61 While this is of interest to the scope for retrospective recognition within the Imperial System, this outcome is not available to Australia, which can no longer access the Naval GSM 1915–62 and the GSM 1918–62 of the Imperial System.

THE NEW ZEALAND GENERAL SERVICE MEDAL 1992

3.62 This medal was instituted in 1992. It is issued in silver to recognise service in warlike operations for which no separate New Zealand or British Commonwealth campaign medal was issued. By the time it was replaced in 2002, four clasps had been issued for warlike operations between 1956 and 1991 in the Suez Canal region, Malaya, Vietnam and Kuwait. The medal was awarded with a clasp to describe where an individual served. It is worn as a war medal, in order of date of qualification. It was subsequently replaced by campaign medals for each operation.

3.63 The New Zealand GSM has also been issued in bronze for non-warlike operations. The full title of this medal is the New Zealand GSM 1992 (Non-warlike). There are 12 clasps to this medal and regulations have been issued for each clasp; included among the clasps is 'KOREA 1954–57'.

USA AWARDS

3.64 Korean War service medals include:

- the Korean Service Medal
- the Korean Defense Service Medal.

The Korean Service Medal

3.65 The Korean Service Medal was created by President Harry S Truman with Executive Order No. 10179, of 8 November 1950 to commemorate the service of members of the Armed Forces of the United States during operations in the Korean area. Such duty must have been performed between 27 June 1950 and 27 July 1954. It is relevant to note that the period of eligibility extends for one year beyond the Armistice, in accordance with the general practice of the USA.

Sea Duty — Service for one or more days in the designated area while attached to and serving on board a vessel of the Navy or Coast Guard, or other vessel to which regularly assigned for duty.

Shore duty — Attached to and regularly serving on shore in the designated area for one or more days with an organisation that is participating in combat operations or in direct support of combat missions.

Temporary Additional Duty — Service of 30 consecutive days or 60 non-consecutive days in prescribed area is required for personnel on temporary additional duty, except in cases wherein a vessel, aircraft, or unit engages in combat with, attacks, or is attacked by enemy forces, at which time all United States naval personnel serving in the vessel, aircraft, or other unit shall immediately become eligible for the medal without reference to time limit.

Passengers — No individual en route in a purely passenger status, ie observer, visitor, courier, or escort, shall become eligible for the medal unless the means of conveyance on which he is travelling is attacked by or engages in combat with the enemy. In the latter case he shall become eligible for the medal on the occasion of the attack or combat.

Patients in a hospital ship — Personnel embarked in a hospital ship for passage as a patient shall be considered as attached to the ship.¹⁰

Korean Defence Service Medal

3.66 The Korean Defence Service Medal was created on 2 December 2002. It is a United States military award presented to those service members who have performed Armistice duty from 1954 to the present. The new medal is intended to “give special recognition for the sacrifices and contributions made by members of the US armed forces who have served or are serving in the Republic of Korea”.¹¹

CANADIAN AWARDS

Canadian Korea Medal

3.67 In 1951, the Canadian Government instituted its own national Canadian Korea Medal, with the same conditions of eligibility and similar design features to the Imperial medal. However, the medal is inscribed with ‘Canadian’ and is made from a different metal, so that its appearance is different from the Imperial medal.

Canadian Volunteer Service Medal For Korea

3.68 This medal was established in 1991 for service between 27 June 1950 and 27 July 1954. Qualifying areas included Korea, Japan, Okinawa and Korean waters. Eligibility includes:

- a. was on the strength of an army unit or formation in Korea for at least one day;

¹⁰ www.history.navy.mil/medals/korea.htm.

¹¹ www.ArmyTimes.com, 10 February 2004.

- b. was on active service for at least 28 days on a ship or craft engaged in operations in the qualifying area;
- c. flew one sortie over Korea or over Korean waters in the Yellow Sea or Sea of Japan; or
- d. accumulated at least 28 days in the qualifying area.¹²

AUSTRALIAN AWARDS IN RELATION TO VIETNAM SERVICE

The Vietnam Medal

3.69 The Vietnam Medal was established and awarded under the Imperial System, prior to 1975. It was awarded to personnel who served during the Vietnam War for a minimum of one day on land or 28 days' service at sea.

The Vietnam Logistic and Support Medal

3.70 This medal was awarded for one day's service in support of operations in the Vietnam War.

OTHER MEDALS SINCE 1975

The International Force East Timor Medal (INTERFET)

3.71 This is awarded for 30 days' service with the International Force in East Timor between 16 September 1999 and 10 April 2000. The INTERFET Medal was presented in recognition of professional efforts during peacekeeping operations in East Timor. ADF members provided food, shelter and medical assistance for refugees amid the destruction of Dili and its surrounding areas.

The Rhodesia Medal

3.72 This is awarded for 14 days' service with the Commonwealth Monitoring Force in Rhodesia between 1 December 1979 to 20 March 1980. This Medal was awarded to people in the armed services, the police and to civilians of the small multi-national force on Operation AGILA. The role of the multi-national force was to keep peace between 22,000 guerrillas and the Rhodesian forces during the ceasefire run-up to the 1980 elections. The Medal was initiated by the British Government in consultation with the Governments of Australia, New Zealand, Fiji and Kenya whose forces took part. Each Government treats the Medal as part of its own honours and awards system. Approximately 2,500 medals were issued and recipients of the Medal also received the Zimbabwe Independence Medal.

Afghanistan and Iraq Medals

3.73 These medals were established on 30 September 2004 and have been established to recognise the service of all Australian Defence personnel involved in the International Coalition Against Terrorism and the War on Terror. Personnel who

¹² www.vac-acc.gc.ca/remembers/sub.cfm/copyright/.

serve in relevant operational areas for 30 days or more will qualify for the campaign medals. These medals are in addition to the award of the AASM.

3.74 The Government believes that two medals are warranted to adequately recognise the sustained contribution made by the Australian Defence Force in these two operational theatres. Our Servicemen and women have been at the forefront of combat fighting in very difficult circumstances and are also making a significant contribution to the rehabilitation and future of Iraq and Afghanistan.¹³

¹³ www.defence.gov.au.

CHAPTER 3
ANNEX A

TABLE OF CLASPS AWARDED WITH MEDALS

This Annex is in four Parts. It sets out the details of the clasps which have been awarded with the following medals:

Part 1—Australian Service Medal (ASM) 1945–75

Part 2— Australian Active Service Medal (AASM) 1945–75

Part 3—Australian Service Medal (ASM)

Part 4—Australian Active Service Medal (AASM)

Clasps awarded with medals

PART 1—Table of clasps awarded with the Australian Service Medal (ASM) 1945–75

Clasp	Start date	End date	Length of qualifying service		Gazettal notice
			Allotted/ assigned	Visitor/ temporary duty	
'BERLIN'	26 Jun 48	30 Sep 49	30 days	N/A	S414 of 27 Oct 95
'FESR'	2 Jul 55	30 Oct 71	30 days	30 days	S102 of 27 Mar 01
'GERMANY'	9 May 45	19 Oct 51	30 days	30 days	S408 of 18 Aug 98
'INDONESIA'	1 Aug 47	1 Jan 49	30 days	30 days	S274 of 18 Jul 96
	1 Jan 49	30 Apr 51			
'JAPAN'	3 Sep 45	28 Apr 52	30 days	30 days	S498 of 1 Dec 97
'KASHMIR'	13 Aug 48	13 Feb 75	30 days	30 days	S274 of 18 Jul 96
'KOREA'	9 Jun 50	23 Jun 50	30 days	N/A	S102 of 27 Mar 01
	29 Apr 50	26 Aug 57			
	28 Jul 53	26 Aug 57			
	28 Jul 53	26 Aug 57			
	27 Aug 57	13 Feb 75			
'MIDDLE EAST'	11 Jun 48	13 Feb 75	30 days	30 days	S102 of 27 Mar 01
	3 Jun 74	13 Feb 75			
	25 Oct 73	3 Feb 75			
	11 Jul 58	9 Dec 58			
	4 Jul 63	4 Sep 64			
	9 Jul 52	1 Dec 54			
'PNG'	3 Sep 45	16 Sep 75	30 days	30 days	S350 of 9 Jul 98

Clasps awarded with medals

<p>'SE ASIA'</p> <ul style="list-style-type: none"> • Service on land in Malaysia (excluding Thai-Malay border when warlike) • Service on land in Singapore • Service on land in Thailand (excluding Ubon and Ban Kok Talat) • Service on land in Vietnam • Service on land in Indonesia, Laos and Cambodia • Service on RAN ships with ANZUK force 	<p>1 Aug 60 & 12 Aug 66</p> <p>1 Aug 60 & 12 Aug 66</p> <p>2 Jul 55 & 1 Sep 68</p> <p>2 Jul 55</p> <p>2 Jul 55</p> <p>31 Oct 71</p>	<p>16 Aug 64 & 14 Mar 75</p> <p>16 Aug 64 & 14 Mar 75</p> <p>24 Jun 65 & 31 Oct 71</p> <p>30 Jul 62</p> <p>14 Mar 75</p> <p>13 Feb 75</p>	<p>30 days</p>	<p>30 days</p>	<p>S230 of 29 Jun 01</p>
<p>'SW PACIFIC'</p> <ul style="list-style-type: none"> • Service on islands in SW Pacific area, Dutch East India, Burma and Malaya/Singapore • RAAF service on Morotai Island • RAAF service on Cocos Island with No 2 ACS • RAAF service on Bathurst, Champagny and Sir Graham Moore Islands with Long Range Navigation Stations • Minesweeping service afloat with RAN in: <ul style="list-style-type: none"> • waters off coast of China and SW Pacific • waters off Netherlands Indies • waters off Australia • waters off Solomon Islands 	<p>3 Sep 45</p> <p>25 Nov 45 18 Nov 51</p> <p>3 Sep 45</p> <p>3 Sep 45</p> <p>25 Nov 46 3 Sep 45 25 Nov 46</p>	<p>24 Nov 46</p> <p>10 Jul 48 24 Jan 54</p> <p>24 Nov 46</p> <p>30 Dec 46</p> <p>30 Dec 46 16 Aug 48 16 Aug 48</p>	<p>30 days</p>	<p>30 days</p>	<p>S230 of 29 Jun 01</p>

Clasps awarded with medals

'SW PACIFIC' [cont'd] <ul style="list-style-type: none"> Bomb and mine clearance: <ul style="list-style-type: none"> coast of Queensland Solomon Islands Service with War Graves on Labuan, Ambon and Borneo 	3 Sep 45 25 Nov 46 25 Nov 46	31 May 50 10 Nov 56 20 Sep 47			
'SPECIAL OPS'	3 Sept 45 (CDF specify)	13 Feb 75 (CDF specify)	CDF to determine	CDF to determine	S102 of 27 Mar 01
'THAILAND' <ul style="list-style-type: none"> Service at Royal Thai AF Base Ubon Service with 2 Field Troop, RAE and others at Ban Kok Talat on Operation CROWN 	1 May 62 1 May 62	24 Jun 65 24 Jun 65	30 days	N/A	S102 of 27 Mar 01
'W NEW GUINEA' <ul style="list-style-type: none"> Service with UNTEA 	3 Oct 62	30 Apr 63	30 days	N/A	S337 of 5 Sep 85

Clasps awarded with medals

PART 2—Table of clasps awarded with the Australian Active Service Medal (AASM) 1945–75

Clasp	Start date	End date	Length of qualifying service		Gazettal notice
			Allotted/ assigned	Visitor/ temporary duty	
'KOREA'	1 Jul 50	27 Jul 53	1 day	N/A	S54 of 10 Feb 98
'MALAYA'	16 Jun 48	31 Jul 60	1 day	N/A	S102 of 27 Mar 01
'MALAYSIA'			1 day	N/A	S102 of 27 Mar 01
<ul style="list-style-type: none"> Activities in Brunei, North Borneo and Sarawak 	8 Dec 62	23 Dec 62			
<ul style="list-style-type: none"> Activities in Sabah, Sarawak and Brunei 	24 Dec 62	11 Aug 66			
<ul style="list-style-type: none"> Activities in Malay Peninsula and Singapore 	17 Aug 64	11 Aug 66			
'THAILAND'			1 day	30 days	S102 of 27 Mar 01
<ul style="list-style-type: none"> Royal Thai AF Base Ubon 	25 Jun 65	31 Aug 68			
<ul style="list-style-type: none"> 2 Field Troop, RAE at Ban Kok Talat in Operation CROWN 	25 Jun 65	31 Aug 68			
'THAI-MALAY'			1 day	30 days	S64 of 28 Feb 02
<ul style="list-style-type: none"> Land and air anti-terrorist operations 	1 Aug 60	31 Dec 64			
<ul style="list-style-type: none"> RAAF air operations 	17 Aug 64	30 Mar 66			
'VIETNAM'			1 day	30 days	S64 of 28 Feb 02
<ul style="list-style-type: none"> Recipients of GSM South Vietnam 	24 Dec 62	28 May 64			
<ul style="list-style-type: none"> Recipients of Vietnam Medal 	29 May 64	27 Jan 73			
<ul style="list-style-type: none"> Recipients of VLMS 	29 May 64	27 Jan 73			

Clasps awarded with medals

PART 3—Table of clasps awarded with the Australian Service Medal (ASM)

[Note: Most of the items in the 'Duties' column are based on information in Maton, *The national honours and awards of Australia*. In cases marked with an asterisk (*), the information is derived from the relevant Gazette.]

Clasp	Start date	End date	Allotted service	Visit/temp duty	Gazette	Duties
'KASHMIR'			90 days		GN23 13 June 1990	United Nations Military Observers Group India/Pakistan (UNMOGIP). Formed 1949, reached max of 102 members Oct 1965. Supervised the ceasefire line between India and Pakistan in the state of Jammu and Kashmir.
'MIDDLE EAST'			90 days		GN24 20 June 1990	United Nations Truce Supervision Organisation (UNTSO), United Nations Disengagement Observer Force (UNDOF), 2nd United Nations Emergency Force (UNEF II) and United Nations Interim Force in the Lebanon (UNFIL). These missions set up to supervise ceasefire arrangements between Israel and other Middle East countries.
'SINAI'					GN26 12 July 1989,	Participation in the multinational force and observers. (Amended S237 4 Aug 1993, S56 24 Feb 1994).
'UGANDA'	18/3/82	24/3/84	90 days		GN26 12 July 1989	Service with the Commonwealth Military Training Team in Uganda.
'GULF'	17/11/86 1/11/88	31/10/88 28/2/89	30 days		Approved 14 Oct 1991	ADF personnel serving on exchange with the Royal Navy and US Navy in operations in the Persian Gulf.
'IRAN-IRAQ'	12/8/88	Feb 1991	90 days		GN26 12 July 1989	ADF personnel posted to or serving with UN Iran-Iraq Military Observers Group on the Iran-Iraq border (UNIIMOG). Tasked with verifying ceasefire between Iran and Iraq.
'NAMIBIA'	11/3/89		90 days		GN26 12 July 1989	United Nations Transition Assistance Group (UNTAG). 8,000 at its peak, this group had the responsibility for ensuring the early independence of Namibia through free and fair elections under UN supervision and control.
'PESHAWAR'	16/7/89		90 days		GN16 25 April 1990	ADF serving with the UN Mine Clearance Training Team in Pakistan.

Clasps awarded with medals

'KUWAIT'	2/8/90 1/3/91	16/1/91	60 days		GN48 5 Dec 1990 GN18 15 May 1991	Multinational military deployment in Persian Gulf. Also ADF personnel who were on exchange or secondment with foreign Defence forces were eligible.
'IRAQ'	1/5/91		30 days and a period of not less than one inspection mission associated with the UN Special Commission in Iraq			International Kurdish Relief Operation in Southern Turkey and Northern Iraq. ADF members on secondment or exchange with a foreign Defence force were also eligible.
'WEST SAHARA'	5/9/91		30 days		S298 4 Nov 1991	Activity involved with the UN Mission for the Referendum in the Western Sahara (MINURSO). This was established to verify the ceasefire and cessation of hostilities involving Moroccan troops and the Frente Polisario in the Western Sahara.
'CAMBODIA'	9/10/91		30 days			UN Peacekeeping Mission in Cambodia (UNTAC and UNAMIC). Also included members of ADF on secondment or exchange with foreign forces and those posted to the Australian Diplomatic Mission.
'BALKANS'	14 January 1992		30 days		S244 28 Aug 1992	ADF serving with UN Protection Force in Balkans region (UNPROFOR). When Yugoslavia was dissolved, civil war broke out and UNPROFOR was established to attempt to create conditions of peace and security.
'SOMALIA'	17/10/92	30/4/93	30 days. Service from 10/1/93-21/5/93 with Operation SOLACE was awarded the AASM.		S20 19 Jan 1993 S266 8 July 1994	ADF supporting UN activities (UNOSOM 1 and 11). UNOSOM was set up to resolve internal Somalian conflict and provide humanitarian aid.
'MOZAMBIQUE' *	12 July 1994		30 days or aggregate of 30 days		S48 10 Feb 1995	ADF or contribution to a foreign Defence force, serving as members of the prescribed operation.

'RWANDA' *	29 July 1994		30 days or aggregate of 30 days		S27 23 Jan 1997	Personnel serving as part of the ADF, a foreign Defence force or civilians and civilian contractors from Defence, Red Cross, civilian members of the Australian Customs Service or Australian Quarantine and Inspection Service.
'GUATEMALA' *	15 Feb 1997		30 days or aggregate of 30 days		S498 1 Dec 1997	Personnel supporting UN operations in Guatemala either as part of the ADF, a foreign Defence force or civilian Defence employees, Defence contractors, Red Cross and Salvation Army members.
'BOUGAIN-VILLE' *	20 Nov 1997		30 days or aggregate of 30 days		S53 10 Feb 1998	Members of a Truce Monitoring Group, either ADF or contributing to a foreign Defence force, or civilian Defence employees, Defence contractors, Red Cross and Salvation Army members, employees of the Department of Foreign Affairs and Trade.
'KOREA' *			30 days or aggregate of 30 days		S102 27 March 2001	
'ETHIOPIA/ERITREA'*	15 Jan 2001		30 days or aggregate of 30 days		S230 29 June 2001 p.18	Operation POMELO, ADF or contribution to a foreign Defence force, serving as members of the prescribed operation.
'SIERRA LEONE'*	15 Jan 2001		30 days or aggregate of 30 days		S230 29 June 2001 p.20	ADF members engaged in Operation HUSKY.
'SOLOMON ISLANDS' *	4 Nov 2000	15 March 2002	30 days or aggregate of 30 days		S230 29 June 2001 p.16	ADF members engaged in Operation TREK.
'SE ASIA' *	Malaysia on land 14 /2/75. Singapore on land 14/2/75. RAN14/2/75. Sumatra 6 May 75	Malaysia on land 31 Dec 1989. Singapore on land 30/4/75. RAN 30/4/75. Sumatra 22/8/75	30 days or aggregate of 30 days		S64 28 Feb 2002	Australian, New Zealand, UK forces (ANZUK), Australian army Rifle Company (Butterworth), Five Power Defence Arrangement; Australian Army Survey Operations. Defence Force activities with Operation GADANG 5 on Sumatra.

Clasps awarded with medals

'HAITI' *	1 July 1994		30 days or aggregate of 30 days		S448 27 Nov 2002	Australian Defence Force third country deployments; ADF or contribution to a foreign Defence force, serving as members of the prescribed operation.
'SOLOMON ISLANDS II' *	24 July 2003		30 days or aggregate of 30 days		S421 20 Nov 2003	Operation ANODE. Australian Defence Force third country deployments; ADF or contribution to a foreign Defence force, serving as members of the prescribed operation, or persons who rendered service as part of the Australian element of the prescribed operation.

PART 4—Table of clasps awarded with the Australian Active Service Medal (AASM)

[Note: Most of the items in the 'Duties' column are based on information in Maton, *The national honours and awards of Australia*. In cases marked with an asterisk (*), the information is derived from the relevant Gazette.]

Clasp	Start	End date	Allotted Service	Visit/temp duty	Gazette	Duties
'KUWAIT'	17 Jan 1991	28 Feb 1991	1 day	30 days	31 Mar 1997	ADF members as part of the multinational military deployment in the Persian Gulf; Defence civilians and civilian contractors, Red Cross, Salvation Army.
'SOMALIA'	10 Jan 1993	21 May 1993	1 day	30 days or aggregate of 30 days	S102 27 Mar 2001 p.14	Battalion Group in Operation SOLACE 10/1/93–21/5/93; air and land component of 2nd UN operation in Somalia commencing 1/5/93; other persons under paragraph 4(4)(b) of the Regulations.
'VIETNAM 1975'*	29 Mar 1975	28 April 1975	1 day		S102 27 Mar 2001 p.16	RAAF activities with Transport Support Flight Butterworth or Headquarters Richmond Detachment S to the UN International Children's Emergency Fund in Vietnam; other persons under paragraph 4(4)(b) of the Regulations.
'BALKANS' *	12 Jan 1992	24 Jan 1997	1 day	30 days or aggregate of 30 days	S102 27 Mar 2001 p.10	ADF engaged in activities with the UN and NATO in the Balkans region, or while on secondment or exchange with a foreign Defence force; other persons under paragraph 4(4)(b) of the Regulations.
'CAMBODIA' *	20 Oct 1991	7 October 1993	1 day	30 days or aggregate of 30 days	S102 27 Mar 2001 p.12	ADF personnel engaged in activities in Cambodia and the areas in Laos and Thailand not more than 50 km from the border of Cambodia; or while on secondment or exchange with a foreign Defence force; other persons under paragraph 4(4)(b) of the Regulations.
'NAMIBIA' *	18 Feb 1989	10 April 1990	1 day	30 days or aggregate of 30 days	S303 26 July 2001	ADF engaged with UN Transition Assistance Group activities in Namibia; or while on secondment or exchange with a foreign Defence force; other persons under paragraph 4(4)(b) of the Regulations.

Clasps awarded with medals

'ICAT AND IRAQ 2003' *	11 Oct 2001. FALCONER 18/3/03 CATALYST 16/7/03	1 Aug 2002. FALCONER 22/7/03. CATALYST	1 day	11/10/01– 17/3/03 30 days or aggregate of 30 days or 1 day	S110 7 April 2004	Operation SLIPPER and also Diego Garcia land mass, territorial waters, airspace out to 250 nautical miles or declared Air Defence Identification zone; or while on secondment or exchange with a foreign Defence force; other persons under paragraph 4(4)(b) of the Regulations. Operation FALCONER – ADF contribution to US led military operations to remove the threat of Iraqi weapons of mass destruction; or while on secondment or exchange with a foreign Defence force; other persons under paragraph 4(4)(b) of the Regulations.
'EAST TIMOR' *	Op Faber 16/9/99. Warden 16/9/99. Tanager 20/2/00. Citadel 20/5/02.	Op Faber 23/2/00. Warden 10/4/00. Tanager 19/5/02. Citadel 17/8/03.	1 day	Prescribed period of 1 day or 30 days or aggregate of 30 days	S515 16 Dec 2004	ADF personnel engaged in the area comprising East Timor and the sea adjacent to East Timor out to a distance of 12 nautical miles; or while on secondment or exchange with a foreign Defence force; other persons under paragraph 4(4)(b) of the Regulations.

CHAPTER 4

SUMMARY OF PREVIOUS REVIEWS

4.1 The Working Party examined the principles, logic, research and recommendation outcomes of a number of previous reviews. Parts of these reviews, relating specifically to their considerations of Korea issues relevant to the current Review, are highlighted and summarised below.

1975 Independent Inquiry into the Repatriation System (Toose Report)

4.2 While the Toose Review was concerned with a comprehensive review of the Australian Repatriation System, it provides the historical basis for subsequent reviews, and established a number of enduring principles. In so doing, it touched on a number of issues relevant to the current Review. It used the term 'warlike' (p.105, Part 5.8), but without the comprehensive definition relating to eligibility criteria applied to medals which are the subject of this Review. The Toose report's use of the term 'warlike' is therefore not relevant to the current Review. Similarly the Toose Report, through its use of such terms as 'active service', 'operational service' and 'war service' (p.113, Part 5.12), draws attention to the purpose of these terms for repatriation entitlements, and for this reason this aspect of the report is not relevant to the current Review.

4.3 On page 105 the Toose Report recognises the amendment of the Repatriation Act to encompass Korean service, and on page 388, Part 512.2, the report further states that "For the Korea-Malaya operations service pension was provided, along with war pensions and other benefits when the provisions of the Repatriation Act were extended to those warlike operations". The report does not go on to explain the provision of those benefits after the Armistice on 27 July 1953. This issue is addressed in subsequent reviews.

1994 Report of the Committee of Inquiry into Defence Awards (CIDA)

4.4 In 1993 CIDA was established to review the Australian Honours and Awards System. During its deliberations, CIDA established ten guiding principles which have been accepted as a basis for the awarding of medals for service, particularly when assessing past activities. The Principles are attached at Annex 4A at the end of this Chapter and served to guide this Working Party's deliberations. CIDA made 39 recommendations which were accepted by the then Labor Government and later implemented by the subsequent Liberal Government.

4.5 CIDA examined two distinct periods during which Australian forces served in Korea. The first was the combat period (1950–53), including service in Japan and Okinawa, and the second was from the Armistice in 1953 to the final withdrawal of Australian forces in 1957.

4.6 For the combat period CIDA recognised that the award of the Korea Medal, an Imperial award incorporated into the Australian Honours and Awards System, was sufficient recognition of this service. CIDA stated, however, that:

“Many submissions argued for a new Australian award, like the AASM, in addition to the Korea Medal, for service from 1 July 1950 to 27 July 1953. A number of submissions referred to the Korean War as the forgotten war and saw it as a conflict unrecognised by the Australian Government. The first point is a matter of perception, but the Committee acknowledges that the passage of forty years since the armistice and the historical perspectives of the day may have lessened public awareness of this hard and bitter conflict.

“The Committee, however, does not agree with the second point and refers to its principle number 6, which notes that whereas the Imperial system of honours and awards applied across many countries in the old Commonwealth of Nations, it was administered independently in each country. Awards within the Imperial system were bestowed by each of the governments in question. Those Australians who received Imperial campaign medals like the Korea Medal for active service in the armed forces of the nation received these awards from a grateful Australian government and people. Their service has already been recognised by the nation through an award that is held in high regard.”

4.7 CIDA’s recommendation was consistent with its second principle, that only one medal should be awarded for a period of service.

4.8 CIDA recognised that an anomaly had occurred in relation to service in Korea after the Armistice, when no Australian medal had been awarded. It considered the conditions under which Australian forces served and recommended the provision of the new Australian Service Medal 1945–1975 with clasp ‘KOREA 1953–56’, for the period from the Armistice to the final withdrawal of Australian troops on 26 August 1957. The recommendation was accepted.

4.9 This Working Party makes the following comments in relation to the CIDA consideration of the post-Armistice period and subsequent Government action:

- a. The CIDA Terms of Reference required the application of the terms ‘warlike’ and ‘non-warlike’, which are subject to the definitions regarding the conditions for eligibility used by Defence and consequently by the current Working Party.
- b. The CIDA recommendation and its acceptance adhered to the CIDA principle concerning the award of a single medal for a period of service.
- c. CIDA gave no consideration to any differences in the nature of service between the withdrawal of Australian combat forces by 19 April 1956 and the final withdrawal in August 1957. While in the CIDA recommendations the clasp covers the period 1953–1956, the period of the award extends to 1957. CIDA concluded that service over the period 1953–57 would attract the award of the ASM at the time of the report. In 2001, the clasp was changed to simply ‘KOREA’. However, the subsequent observation of the Clarke Review, drawing on the Cabinet decision that service after 19 April 1956 was peacetime service, is reinforced by the analysis conducted by this Working Party. That service therefore does not attract any form of medal award. In our view, this means that a further anomaly has been introduced by devaluing the ASM 1945–75.
- d. In 1997 the government announced the provision of a new award, not envisaged by CIDA, the Australian Active Service Medal (AASM) 1945–75. The medal was awarded for those actions already subject to campaign

medals for warlike service, thus creating a further anomaly involving a 'double medalling' for most service over the period with the exception of BCOF 1945–52, Korean service after the Armistice and RAAF Ubon (Thailand) service. This action effectively overturned the CIDA principle regarding one Australian medal for each period of service for the period 1945–75.

e. Principle 7 of the CIDA report states that:

"The Committee adheres strongly to the official view that honours and awards given to Australians on the recommendation of Australian governments under the Imperial system are Australian awards."

This Working Party had relied on this view in developing a position that awards incorporated into the Australian Honours and Awards System should be subject to amendment or variation to meet Australia's particular needs, particularly in addressing anomalies. However, later advice from the Chief General Counsel, Australian Government Solicitor's Office, was that honours and awards, which included campaign medals, of the Imperial Honours and Awards System were no longer available to the Australian Government.

f. CIDA did not consider the Returned from Active Service Badge (RASB) since, as a badge, it was outside their Terms of Reference, but it did recognise that the badge is in addition to any medals awarded, that its award is not governed by statute and that it has been the practice of governments to consider the badge's award in the context of the circumstances extant in each conflict.

1997 Defence/DVA Report on Service Entitlement Anomalies Review (Defence/ DVA Review)

4.10 The joint departmental review considered the nature of service appropriate to four specific periods of service over the period 1946–1975 with a view to resolving any outstanding repatriation benefit issues. The review used the terms 'warlike' and 'non-warlike' as the key definitions for eligibility criteria for conditions of service, on the basis that these terms, while of recent origin, reflected the historical principles governing repatriation legislation.

4.11 Part 2 of the review considered, among other perceived anomalies, the circumstances of the Australian component of the Commonwealth Contingent Korea after the withdrawal of combat forces from 19 April 1956, until it disbanded and Australian forces left in August 1957. While the Review concluded that service in Korea after 19 April 1956 was non-operational peacetime service, it also concluded that the fluctuating level of risk for those entering the DMZ involved a degree of hazard above and beyond normal peacetime service, ie it was equivalent to current definitions of hazardous or peacekeeping service. The Defence/DVA Review recommended that equivalent repatriation benefits be accorded for those who served in the DMZ. It also recommended that Australian personnel serving with the United Nations Commission on Korea during the period January 1949–February 1951 be listed as a peacekeeping force.

4.12 On the issue of hazardous service, the Defence/DVA Review acknowledged that the commencement of the VEA in 1986 introduced the term ‘hazardous service’ back to 1972, covering those activities not ‘warlike’, but more dangerous or hazardous than normal peacetime operations. This Working Party recognises that while this term has no legislative cover for events prior to 1972, the legislation only applies to repatriation matters, which do not apply to medals and awards, as these are not subject to legislation. Therefore for medal purposes, the definition of ‘non-warlike service’ can legitimately continue to include reference to ‘hazardous service’ and be applied retrospectively to the period of the Korean deployment.

4.13 This joint meeting reflects an increasingly comprehensive approach to issues of conditions of service and awards evolving between the two departments. Subsequent reviews highlighted the need for closer determination of the nature of service for each deployment. The Working Party notes that this process continues with the current Review of the Nature of Service being undertaken by the Department of Defence, with considerable input from the Department of Veterans’ Affairs.

1999 Report of the Independent Review Panel of the End of War List – Vietnam (Panel)

4.14 The Panel’s Terms of Reference required the recommendation of an End of War List for Vietnam, taking into account the impact of the incorporation of Imperial honours into the Australian Honours and Awards System since 1992.

4.15 While that panel concentrated exclusively on gallantry awards for the Vietnam conflict, the implications for the current Working Party concern the nature of awards in an environment where the Imperial awards may no longer be available retrospectively. Policy directives and advice, from the Panel’s deliberations, relevant to the current Working Party’s deliberations include:

- a. The Australian Order of Precedence of Honours and Awards 1993, which identifies War Medals/ AASM and ASM as part of the Schedule of Honours and Awards.
- b. Appendix 1 to the Panel’s report, The Order for Wearing Australian Honours and Awards 1996, which replaced a. above, changed the name of the Schedule, not the content, other than to include the ASM 1945–75 and one other.
- c. Page 2 of the introduction to the panel’s report, which states:

“Evolution of the Australian system of honours and awards

“The Imperial system of honours and awards, including orders, decorations and medals, had exclusive application in Australia until 14 February 1975 when the Australian system of honours and awards was first introduced.

“In April 1983 the newly elected Hawke Government announced that the Federal Government would no longer make recommendations under the Imperial honours system, and would use only the Australian system of honours and awards. Until this time, the two systems operated in parallel.

“On Australia Day 1986 an announcement was made regarding changes to the Order of Australia as well as the institution of new awards for the Australian Defence Force replacing the Imperial awards for gallantry, distinguished service and campaign and other service.

“A bipartisan agreement announced by Prime Minister Keating on 5 October 1992 recognised the agreement between Federal and State Governments (as well as the Federal Opposition) and Her Majesty Queen Elizabeth II, that all Australian citizens be recognised exclusively in the future by the Australian system of honours and awards.”

- d. Page 23 of the Panel’s report, explaining why the Panel had not sought retrospectivity for Imperial awards (albeit concerned with gallantry awards, but see c. above), and had therefore identified equivalents under the Australian Honours and Awards System:

“Approval sought but deemed inappropriate

“Legal opinion was sought at the time through the Commonwealth Solicitor General, and by this Panel through PM & C. Both opinions coincide in recommending that because of the intervening changes, the Imperial awards were no longer appropriate for Australians. The Acting Solicitor General stated that:

‘there are three reasons:

- ‘(a) the statutes of the relevant orders have been amended to preclude the ability of the Australian government to make recommendations for awards under them or the awards themselves have ceased to exist;
- ‘(b) even if it were legally possible to provide advice to Her Majesty to further amend the statutes to again make the awards possible this would be to contradict and run counter to the situation reached directly as a result of a request by Her Majesty that Australian governments, whatever their complexion, cease to recommend the issue of British honours. This was agreed by the Commonwealth and all State governments in 1993. Any change to this position would obviously have wide reaching ramifications. It would require the consent of Her Majesty;
- ‘(c) it would be incompatible with Australia’s status as an independent nation to contemplate asking the British government to recommend the issuing of the awards, even if the statutes would otherwise allow this in relation to the persons concerned. An award made in these circumstances would have the status of a foreign award made by Her Majesty as Queen of the United Kingdom and not as Queen of Australia.’

“The Panel was informed that the Governor General’s office also made an approach to the Palace, and the response to this action suggested that it would be inappropriate to pursue this issue further.

“Summary

“In reviewing this particular aspect, the Panel satisfied itself that the possibility of the retrospective award of the decorations originally proposed was broached with the Palace, and that the response indicated that this proposal would not succeed.

“This avenue of approach was closed.”

4.16 The Working Party notes that while the Panel was dealing with a routine process and not a situation involving the resolution of an anomaly, it has now been confirmed that any approach for access to Imperial awards is no longer possible.

2000 Review of Service Entitlement Anomalies in Respect of South-East Asian Service 1955–75 (Mohr Review)

4.17 The Mohr Review sought to address possible anomalies in service entitlements affecting ADF members who served in the subject area and period, identifying some specific service deployments.

4.18 The Mohr Review's Terms of Reference did not include Korean service immediately post the Armistice, and with the exception of a few peripheral issues, did not consider Korean service. However, the Review broke new ground by simultaneously considering, in accordance with its Terms of Reference, entitlements to repatriation benefits and service medals. In so doing, it established valuable principles relating to the identification and resolution of anomalies, and the consideration of the meaning and implications of the repatriation term 'incurred danger from the hostile forces of an enemy'.

4.19 The Mohr Review's discussion of the accepted definitions of 'danger' is important to the determination of circumstances experienced by Australians serving in Korea after the Armistice. While the definitions relate to qualification for repatriation benefits, they are also useful in evaluating the criteria for the awards under consideration by this Working Party, particularly in the absence of Rules of Engagement and clear contemporary definition of terms like 'warlike' and 'non-warlike'. Therefore the Mohr Review's discussion of the terms is included below in full, and will be used in subsequent chapters of this report, since it influences the understanding of the mental condition of those serving in Korea between 28 July 1953 and 19 April 1956.

"In essence, Section 7A of the VEA 1986 requires that a veteran must have 'incurred danger from hostile forces of an enemy' before such service becomes 'qualifying service' for the 'service pension'.

"In ***Repatriation Commission v Thompson***, the Full Federal Court decision carried the matter a step further in stating that a 'perceived danger' had to be contemporaneous with an 'objective danger'.

"The judgment in that case was clearly correct in defining the distinction between 'perceived' and 'objective' danger on the facts proved in that case. Although *Thompson* genuinely 'perceived' danger, on a review of the facts no danger of any sort existed. The facts clearly showed that no hostile forces capable of being a danger to him were within hundreds of kilometres of the incident in which he 'perceived' danger. In that case, there was plainly no 'objective danger'.

"In other words the danger he 'perceived' arose from his own fear that he was in danger, but this fear was a delusion in his mind. A serviceman incurs danger when he encounters danger, is in danger or is endangered. A serviceman incurs danger from hostile forces when he is at risk or in peril of harm from hostile forces. A serviceman does not incur danger by merely perceiving or fearing that he may be in danger.

“Although the outcome in the *Thompson* case is clear on the facts provided, it still leaves open the question of how an ‘objective danger’ is to be established.

“To establish whether or not an ‘objective danger’ existed at any given time, it is necessary to examine the facts as they existed at the time the danger was faced. Sometimes this will be a relatively simple question of fact. For example, where an armed enemy will be clearly proved to have been present. However, the matter cannot rest there.

“On the assumption that we are dealing with rational people in a disciplined armed service (ie. both the person perceiving danger and those in authority at the time), then if a serviceman is told there is an enemy and that he will be in danger, then that member will not only perceive danger, but to him or her it will be an objective danger on rational and reasonable grounds. If called upon, the member will face that objective danger. The member’s experience of the objective danger at the time will not be removed by ‘hindsight’ showing that no actual enemy operations eventuated.

“All of the foregoing highlights the inherent difficulty with this concept of perceived and objective danger. It seems to me that proving that danger has been incurred is a matter to be undertaken irrespective of whether or not the danger is perceived at the time of the incident under consideration. The question must always be, did an objective danger exist? That question must be determined as an objective fact, existing at the relevant time, bearing in mind both the real state of affairs on the ground, and on the warnings given by those in authority when the task was assigned to the persons involved.

“During discussion at the Public Hearing in Canberra with representatives of the Departments of Defence and Veterans’ Affairs, it appeared that in deciding the question of whether or not an objective danger existed at any given time, the issue turned on the question of whether or not the service was ‘warlike’ or ‘non warlike’ in nature. It was agreed that there might well be ‘grey’ areas that do not fall clearly on one side of the line or another. Similarly, there may be circumstances in which perhaps, for a short period, a ‘non warlike’ operation can become very ‘warlike’.

“It would seem that there is no difficulty when deployments are declared, prospectively, to be ‘warlike’. In that case all those who subsequently served in the prescribed area would be covered by the ‘warlike’ declaration irrespective of the actual nature of the duties carried out by the personnel of the Service or Services involved. However, even in this case the authorities would know that some personnel within the deployment would not, on examination, incur danger from hostile forces of the enemy and therefore, technically, would not have ‘qualifying service’ for the service pension. Yet all personnel who form part of the deployment are covered automatically by the prospective declaration that service is ‘warlike’.

“This outcome is not new. I understand that in the two world wars, involvement was such that in principle, ‘qualifying service’ for the service pension was not solely related to those in combat service. It had to include a measure of general service which was not service in direct combat, but which was continuous, subject to general service conditions and in respect of which, no satisfactory line of demarcation could be fixed to divide it from combat service.

“With respect, I believe that a similar set of circumstances to the world wars and in the current ‘warlike’ classification existed in those areas now under review and where anomalies are alleged to have occurred. With the prospective declaration of ‘warlike’, it is inevitable that some personnel would have qualifying service for fairly remote participation, and there may not have been any likelihood of their incurring danger from hostile forces of the enemy given the nature of their support services. Within those ADF deployments, there were areas of direct participation in fighting, areas of service involving operational risks but not involved in fighting, and areas of service in support of those undertaking operations.

“It is understandable that these variations of service within an operational area can not be entirely avoided when decisions are taken, prospectively, to declare service as ‘non warlike’ or ‘warlike’. Given this uncertainty, it seems to me then to be quite indefensible to require later on more demanding criteria to be met when examining the nature of service not covered by

the original declaration process. This is especially so when this latter service was conducted in the same period and in the same operational area and equates more than favourably with that of most personnel or units covered by the prospective declarations.

"I believe that in making retrospective examinations on the nature of service many years after the event, as is now the case, the concepts and principles involved should be applied with an open mind to the interests of fairness and equity, especially if written historical material is unavailable for examination or is not clear on the facts. This is the approach that I have taken in addressing the anomalies put forward and to me, it accords with the general Defence classification principles and the benevolent nature of the Veterans' Entitlements Act, and the general principles promoted therein.

"The foregoing remarks are made to point out the many shades of grey and difficulties that arise from the concepts of 'incurred danger', 'perceived danger' and 'objective danger' and in the application of these concepts when considering the nature of service of past overseas deployments of ADF personnel." Chap 2-3

4.20 In addressing the issue of 'incurred danger', 'perceived danger' and 'objective danger', the Mohr Review has made important observations that assist the approach of the Working Party to this Review.

4.21 In the first place, he encourages an "open mind to the interests of fairness and equity, especially if written historical material is unavailable for examination or is not clear on the facts."

4.22 This became important when considering the conditions experienced and the contribution of 'perceived danger' to the mental condition of sailors, soldiers and airmen in Korea after the Armistice until units were withdrawn, as a factor of their demanding service, especially when the command hierarchy has conditioned units to a high state of readiness through presentation of 'worst-case' scenarios.

4.23 The Mohr Review also gave important consideration to the separation of conditions of eligibility for medals and veterans' benefits. One of the major recommendations to come out of the Mohr Review was that:

"... a policy be clearly laid down to ensure that the recommendation for the award of a campaign medal and the subsequent award of such a medal does not carry with it any entitlement to repatriation benefits."

4.24 The Mohr Review indicated there is a clear separation between the awarding of medals and veterans entitlements.

"Much has been made of the fact that:

- it is the Department of Defence that sets the conditions of service for ADF deployments and that these conditions of service subsequently determine the appropriate entitlement to repatriation benefits, and
- the Department of Veterans' Affairs is not responsible to make judgments on the nature of service experienced on ADF deployments and therefore it defers questions on this aspect to Defence for resolution.

Recommendation

“It is recommended that both the Departments of Defence and Veterans’ Affairs forge a more constructive working relationship at a senior level to ensure that a more coordinated approach is undertaken on future matters involving the medals and repatriation entitlements of Veterans.” Chapter 1-4/5

2003 Review of Veterans’ Entitlements (Clarke Review)

4.25 The Clarke Review dealt with veterans’ entitlements to the exclusion of medal issues; indeed it specifically ruled out, as being outside of its terms of reference, submissions concerned with medal and badge issues. However, it did consider veterans’ entitlement issues relating to two distinct periods of service in Korea after the Armistice: from 27 July 1953 to 19 April 1956, when the last of the Australian combat forces had withdrawn; and from then to the final withdrawal of Australian forces in August 1957. In so doing, the Clarke Review effectively summarised the conditions under which repatriation benefits had been provided for the initial post-Armistice period, and the conditions extant during the post-Armistice period.

4.26 Although focussed on a review of veterans’ entitlements, the Clarke Review made important contributions to the work of the Post-Armistice Korean Service Review.

4.27 The Clarke Review drew attention to the reasons for the continuation of repatriation benefits for service from 28 July 1953 to 19 April 1956. This contributes to this Working Party’s understanding of Government decisions on Department of Defence recommendations that reflect intelligence assessments of the risks involved, in more recent times identified as the ‘nature of service’. This influences judgement on eligibility for medals and the RASB.

4.28 The Clarke Review also drew attention to the Cabinet Decision and its own assessment that service in Korea after 19 April 1956 was peacetime. This highlights the anomaly of the award of the ASM 1945–75 with clasp ‘KOREA’ for service which is peacetime, thereby contributing to the erosion of the value of this medal for service in Korea from the Armistice to 19 April 1956.

4.29 This Working Party has noted the Review’s deliberations and so the findings, which conclude that the entitlement to repatriation benefits post-Armistice stemmed from a political decision rather than an assessment of the nature of service at that time, and the peacetime nature of subsequent post-Armistice, are recorded here. These conclusions are also borne out by the current Working Party’s research, quoted in Chapter 5.

“14.32 The Committee accepts that such service after 19 April 1956 may have been no different from some service before that date, at least after the armistice in July 1953, but this is because the retention of repatriation benefits after the armistice was based on political, not operational considerations. In this regard, the Committee notes that the Cabinet delayed the withdrawal of special benefits for service in Korea because:

- there was concern that withdrawal of these benefits would amount to a breach of contract, because a large number of Army personnel had been enlisted specifically for

service in Korea and the conditions under which they enlisted included benefits (such as repatriation benefits, income tax exemptions and operational deferred pay) that were not available for other service in the regular Army; and

- Canada had experienced difficulties in finding replacements in Korea following its decision to withdraw special benefits for service after the armistice.

“14.33 The end date for operational and qualifying service in Korea therefore appears to have been based largely on concerns about the effect that a withdrawal of entitlements would have on the ability to maintain a presence in Korea, rather than on the nature of the service rendered.

“14.34 The Committee has nevertheless assessed service after 19 April 1956 outside the DMZ against the warlike and non-warlike criteria. The Committee notes that a joint review by the departments of Defence and Veterans' Affairs in 1996 (DOD-DVA 1997) concluded that service in Korea after April 1956, outside the DMZ, should not be operational service because Cabinet had decided on 7 March 1956 that:

The actual tasks performed by members of the Australian forces within South Korea were considered non-operational and according to the information available, would not have involved a degree of risk significantly over and above that of normal peacetime duties. Casualties would generally not be expected in South Korea while the Armistice remained in place.

“14.35 Additionally, the Committee was unable to confirm the rules of engagement after 19 April 1956, but it assumes that because the 'service had returned to normal peacetime duties', the rules of engagement would not be comparable to those applicable for warlike service.

“14.36 Therefore, the Committee concludes that service in Korea outside the DMZ after 19 April 1956 was not warlike or non-warlike in nature and should remain peacetime service.

“Recommendation:

“The Committee recommends that no extension of access to the VEA be made for service in Korea after 19 April 1956 that was outside the Demilitarised Zone.”

4.30 This Working Party notes that, under normal circumstances, the Minister for Defence would make a determination of the nature of service to be undertaken, reviewing the decision as necessary as circumstances changed. Since, in the contemporary situation, no assessment was made of the extent to which those serving in Korea post-Armistice ‘incurred danger from the hostile forces of an enemy’, this responsibility falls to the Working Party, as part of the process of determining the extent to which warlike or non-warlike circumstances existed in post-Armistice Korea. The entitlement to repatriation benefits is not in itself assessed as evidence of the nature of service.

4.31 Definitions used in the report, like the Toose Review, refer to repatriation terms and so they are of limited use by the current Working Party, because the Defence meanings of many terms are at variance from those used by DVA.

4.32 The report provides a useful summary of the responsibilities of each department and the Prime Minister in determining whether a deployment is to be declared ‘warlike’ or ‘non-warlike’ (p.297, 13.40). While the Department of Veterans' Affairs administers the Veterans' Entitlement Act, the determination of the nature of service (and by implication, the applicability of medals) is clearly the responsibility of the Minister for Defence in consultation with the Prime Minister.

4.33 On the subject of the qualifying service (Vol 2 p.282, 12.64) the Clarke Review assessed the RASB as having much wider eligibility criteria than could be used to assess eligibility for qualifying service under the VEA. It concluded that the RASB criteria do not require the “veteran to have incurred danger from hostile forces and there is no cut-off date for eligibility based on the level of risk of harm”. This observation contributes to the Working Party’s view that the conditions of eligibility for the RASB are not finally settled.

2004 Independent Review Panel on ... RAAF Service at UBON, Thailand ... (UBON Panel).

4.34 The Ubon study considered Vietnam Campaign recognition for service from 1965 to 1968. Quoting the Mohr Review, the Panel found that the RAAF was involved in combat operations, even if they had not been under fire, and identified the service as ‘warlike’. The Minister rejected the finding, accepting Defence’s view that the Ubon members were not operating within the boundaries of the conflict set for the award of the medal.

4.35 This Working Party notes that, notwithstanding the failure of the case to secure the Vietnam Campaign medal, through the Mohr Review the RAAF Contingent Ubon received the AASM 1945–75 with clasp ‘THAILAND’ (upgraded from the ASM 1945–75), the RASB and ‘veteran’ status under the VEA. Their service was considered ‘warlike’, for the reasons explained by the Mohr Review:

“6.2

...

“The two previous reviews of the nature of service at Ubon, and in particular the later review conducted following the passage of the VEA (Compensation and Budget Measures) Bill 1997, have set out in some detail the history of this matter. These reviews have decided, following a retrospective analysis of the activities of the RAAF at Ubon, that personnel were not engaged in ‘warlike’ activities.

“In my opinion, the approach taken in these reviews was flawed. What should have been considered is the question of what decision should have been made about the commitment of the Squadron to Ubon bearing in mind the present classifications of commitment namely, peacetime, non-warlike, warlike, and war. Peacetime and war classifications can be safely excluded. This leaves the choice between ‘non-warlike’ and ‘warlike’.

“The directive to the Squadron when it was first deployed, set out its operational role as follows:

- a. Self defence.
- b. In defence of Thailand when instructed by the Air Board.
- c. If requested by the Thai authorities through COMUSMACTHAI, or his nominated deputy to intercept aircraft attacking with weapons Thai territory or forces within Thailand, in the event of attack without warning, when prior reference to the Air Board is not practicable.

“Directive c above gave the Squadron an immediate active role. If such an air attack occurred then the Squadron would be expected to take immediate action as in those circumstances of an attack without warning, no reference to the Air Board would have been practicable. It would be a matter calling for response within minutes.

“Thus the Squadron was placed on an immediate operational footing, having to maintain a position that would enable an immediate response if called upon. In May 1962, however, such an eventuality appeared unlikely and in fact, no aircraft were placed at an alert state. Nevertheless, had it eventuated, the Squadron was in a position to have taken immediate armed action against an attacking aircraft. If the alert had been activated, the expectation of casualties was clearly forecast.”

4.36 The current Working Party notes that:

- a. very formal Rules of Engagement were issued which helped that Review make its conclusions;
- b. the Contingent engaged in no campaign and was restricted to self-defence unless called upon to intercept enemy aircraft attacking Thailand; and
- c. “The squadron could be called upon (but wasn’t) to engage in a clearly warlike activity if the occasion arose”. Mohr 6-6

2003 Mortality Study (Mortality Study) and 2005 Health Study – Australian Veterans of the Korean War (Health Study).

4.37 These studies evaluated post-Armistice veterans, up to 19 April 1956 when full repatriation benefits were withdrawn. They therefore serve as an opportunity to compare the circumstances of those who served pre-Armistice with those who served for some period afterwards, provided the studies were structured to make these comparisons.

4.38 The Health Study statistical analysis, at Annex 4B at the end this Chapter, shows that while not a great deal of difference can be seen between the health disorders experienced between those who served pre- and post-Armistice, in comparison with the normal population, those who served in Korea suffer substantially more illness and medical disorder. This is a common finding for both studies.

4.39 In assessing the meaning of these statistics, the Working Party accepts that a range of factors may have led to the consistently higher than normal incidence of medical disorder among those who served during the period evaluated, not merely the degree of incurred, perceived or objective danger experienced. The Working Party also recognises the prerogative and the logic of Monash University and the Department of Veterans’ Affairs to include post-Armistice in their definition of the ‘Korean War’ since all were in receipt of the same repatriation benefits, thus providing a larger sample; however, this does not in itself provide evidence of warlike or non-warlike conditions extant at the time.

4.40 To use the words of Associate Professor Malcolm Sim of the Health Study team:

“Discussion

“In summary, these Korean War veterans' Health Study results for veterans who first deployed after the Armistice show that these veterans are reporting substantially poorer psychological health, life satisfaction and quality of life than similarly aged Australian men who did not deploy to Korea. Veterans who deployed after the armistice did, however, often report slightly better health than veterans who served during the mobile and static phases of the war.

“While we don't have a complete understanding of what aspects of deployment are important in the development of later physical and psychological health problems, it seems clear from our research that it is not just combat exposure which is important. There are likely to be a host of other factors associated with war deployment that contribute to post-war health outcomes in deployed personnel. In fact the broader Korean War veterans' Health Study concluded that whilst combat exposure was an important predictor of poor health, other military-related factors such as lack of seniority, inexperience, war-related injury, and possible environmental and chemical risk factors are also likely to have contributed to poor health.

“Non-military factors, such as socio-economic disadvantage in the post-war period, have possibly also contributed to veterans' vulnerability to poor health and persistence of symptoms over time. Finally, excessive tobacco smoking and alcohol consumption in the post-war period appear to be related to the Korean War deployment, and these lifestyle behaviours, in turn, have also had important adverse long term health effects. All of these factors may be just as relevant to veterans who served in the post armistice period, as they were to veterans who served earlier in the war.”

Associate Professor Malcolm Sim, Monash University briefing paper, 5 May 2005 [see Annex 4B]

**CHAPTER 4
ANNEX A****PRINCIPLES OF THE COMMITTEE OF INQUIRY INTO DEFENCE AWARDS
(CIDA)**

The following Statement of Principles is reproduced from Chapter 1 of the Report of the Committee of Inquiry into Defence Awards (CIDA).

Statement of Principles

The Committee recognises that the Australian system of honours and awards is underpinned by values which are held in high regard in our society and which characterise the way Australians view the world around them. These values include a sense of fairness, equity and compassion, and an egalitarian commitment to acknowledge the quality of service and substance of action without regard to status or class.

In considering the issues raised by the variety of submissions forwarded for its consideration, the Committee has sought to approach its task in a spirit that remains true to the above values. In addition, the Committee has been mindful that honours and awards must be geared towards recognising the extraordinary, not simply signposting ordinary events in our society. The Committee has also been conscious that in considering service in defence and defence-related areas, it is important to maintain the distinction between warlike and non-warlike service, as well as the distinction between service in operational theatres and that in non-operational areas.

The Committee has developed ten principles to guide its consideration of the many submissions placed before it and the diversity of issues raised therein. These principles are as follows:

- 1. Recognition of service by medals (other than medals for long service or special occasions such as a coronation) should only occur when that service has been rendered beyond the normal requirements of peacetime. Normal duties such as training and garrison duties should not be recognised by the award of a medal, even though they may be demanding, hazardous and uncomfortable, and may be undertaken in countries other than Australia. As a general rule, medals should be reserved for the recognition of service in military campaigns, peacekeeping or other military activities clearly and markedly more demanding than normal peacetime service.**

Normal service in the Defence Force does not in its own right warrant a medal. The conditions of service and salary structure of the Defence Force recognise hazardous duty, relocation and difficulties which arise during the normal course of employment. Medals should be reserved for those who have done something special. The Committee recognises that in certain countries, medals are given to mark various stages in the careers of service personnel. This has never been the practice in Australia and the Committee is not persuaded that the Australian approach should change.

2. **Normally only one medal within the Australian system of honours and awards should be given in recognition of a single period of service. In the case of a major or protracted conflict consisting of different campaigns in different theatres, such as the two world wars, it is appropriate to consider a range of campaign awards. The Committee recognises that overseas service by Australian defence personnel in certain military operations may attract foreign awards or recognition from the United Nations. This should not affect the decision to award an Australian medal. The same considerations apply in relation to medals issued by philanthropic organisations, such as the International Red Cross.**

The Imperial tradition of avoiding duplication of awards has been adopted by the Australian system of honours and awards. The Committee supports strongly its continued application.

3. **To maintain the inherent fairness and integrity of the Australian system of honours and awards care must be taken that, in recognising service by some, the comparable service of others is not overlooked or degraded.**

The Committee is conscious of the need for consistency in its recommendations to Government. The standards of measurement for service that apply must be transparent and fair in the eyes of the community.

4. **The Committee notes that the existing Regulations for defence and defence-related awards and decorations in the Australian system allow for access to these awards by civilians. The Committee believes this is appropriate. Access by civilians should be limited to those closely involved with military activities or in clear support of military efforts in the theatre of operations to which the award relates. Deserving civilians performing humanitarian functions in or near the operational theatre should be considered for a non-defence award.**

Under the Imperial system certain groups of persons such as Merchant Mariners who were closely involved in military activities, qualified for war medals. Where the Australian Defence Force (ADF) has to call on civilian technical and other expertise during the course of its activities in a theatre of operations and these civilians work in close collaboration with the ADF as part of ADF operations, it is appropriate that their eligibility for defence and defence related awards and decorations be considered on the same basis as the eligibility of ADF personnel in the same situation.

5. **Decisions to recognise service through the award of a medal must be made against the background of a range of practical considerations, including the practicability of confirming the accuracy of claims and identifying the eligible participants. Another consideration is the passage of time and the proportion of total persons eligible who might be able to claim personally a medal for service which they rendered.**

The integrity of any system of honours and awards requires service to be recognised by a medal to be validated and verified through official records. The Committee is aware that this is not possible in certain cases because of an absence of records or other compelling

evidence. There is also a consideration that generally those who rendered the service should be the ones who enjoy personally the celebration of that service through a decoration or award.

6. **In relation to Imperial awards, the Committee will contemplate amendment to the terms and conditions governing these awards only under the most exceptional circumstances where a clear anomaly or manifest injustice can be established. Otherwise the Committee will seek to find solutions within the established terms and conditions for these awards and will address situations where an anomaly or injustice in application may have occurred.**

Should anomalies or injustices in either the terms and conditions or application of Imperial awards be detected, the preferred method of rectification is to grant access to the Imperial award for which persons would now be considered to qualify. In cases where the Imperial system did not provide recognition for a particular service but where the Committee believes recognition is warranted, it should be made under the Australian system. The Committee has taken account of the views of Her Majesty The Queen that issues relating to Imperial honours and awards for World War Two are now closed. The Committee also notes Her Majesty's preference stated in 1992 that Australian governments no longer make recommendations under the Imperial system of honours and awards, now that Australia has its own comprehensive national system. However, the Committee has balanced this with its approach to issues from the perspective of 1994 and of what is considered fair and reasonable today.

7. **The Committee adheres strongly to the official view that honours and awards given to Australians on the recommendation of Australian governments under the Imperial system are Australian awards.**

All awards made on the recommendation of an Australian government are Australian awards, whether they are awards made under the Imperial or Australian system. All such awards are an expression of gratitude from a grateful people and nation for services rendered, and have been granted in this light. It may be possible to criticise the Imperial system for not serving the needs of Australia to the same extent as our own system, but it is not appropriate to belittle awards made under that system as inferior or non-Australian.

8. **Recognising that its work requires viewing past service through the eyes of 1994, the Committee believes that an appropriate benchmark in considering hitherto unrecognised service between 1945 and 1975 is the terms and conditions that are currently attached to an award of the Australian Active Service and Australian Service Medals. Service rendered during this period which generally meets those terms and conditions should receive retrospective and comparable recognition.**

The Committee believes that the terms and conditions attached to the Australian Active Service Medal for service in warlike operations and the Australian Service Medal for service in non-warlike military operations, and the standards of measure which have been used in relation to these awards are a fair and contemporary expression of the level of service which

is worthy of recognition through a medal. The Committee has used these established standards in viewing service in the period 1945–75 in cases where the Imperial system did not recognise such service.

- 9. While the Committee has regard to previous decisions and interpretations on awards made by the Australian Government and military authorities, it will not consider itself constrained by these in meeting its terms of reference. The Committee will take into account any new or additional information which is made available to it and will operate according to the normal standards of fairness.**

The Committee has taken a fresh look at all the issues referred to it by public submissions and has sought to deal with them fairly and equitably.

- 10. Matters relating to honours and awards should be considered on their merits in accordance with these principles, and these considerations should not be influenced by the possible impact, real or perceived, on veterans' entitlements.**

Even though the terms of reference for the Committee preclude it from considering issues relating to the Veterans' Entitlements Act, the Committee remains conscious of the nexus between medals and entitlements in some cases. The Committee considers, however, that entitlement issues are a separate matter for consideration by Australian Government and its agencies.

CHAPTER 4
ANNEX B

2005 HEALTH STUDY – STATISTICAL ANALYSIS

CHAPTER 5

AUSTRALIA IN KOREA 1950–1957

The War and Post-Armistice Service

5.1 This Chapter relies to a large extent on official records and reports from the period. While it also refers to submissions and evidence from veterans, the Working Party is aware that recollections of veterans may be influenced by the passage of time, so reference to contemporary records is important to achieve a balanced historical assessment.

5.2 Chapter 7, Case for Medal and Badge Recognition, draws on the material in this Chapter. This information contributes to an historical appreciation of the contemporary situation for the period after the Armistice. This included an ongoing strategic need to present an appearance of force levels to deter aggression and maintain the Armistice. This was influenced by the need (within the UN Command) to respond to demands for military forces elsewhere in the world Cold War confrontation. At a time when standard operating procedures were in place to avoid combat contact, the higher command needed to condition forces to maintain a high level of readiness. These factors contributed to an environment of tension and perceived threat, aggravated by the harsh conditions and the immediate past history of the combat in the Korean War.

5.3 Unless otherwise stated, the source of the information in this Chapter is the relevant unit war diary or similar record.

5.1 Structure of the Chapter

5.4 This Chapter has been organised to illustrate the conditions experienced and major changes in the operating environment of the Australian forces committed to Korea, with particular attention given to the period under review (28 July 1953 to 26 August 1957). Australia was one of the few countries with all three Services (navy, army and air force) committed to the Korean theatre.

5.5 The material presented in the Chapter begins with a summary of the combat period of the Korean War (25 June 1950 to 27 July 1953). This is important in setting the scene for a discussion of the post-Armistice period, because it highlights the differences in the conditions experienced before and after the Armistice.

5.6 This is followed by a strategic overview introducing the political context of the post-Armistice period from a number of national perspectives. The graph at Annex 5A at the end of this Chapter shows the actual and relative estimated strengths of the opposing forces from the date of the Armistice until 1955.

5.7 The remaining matter in the Chapter is organised in separate periods with distinct operational features, within the overall period of Australian involvement from July 1950.

Period	Nature
July 1953 to November 1954	Forces pulled back and remained in place at high force levels. Significant Australian force reductions occurred with the reduction of the destroyer/frigate commitment from two to one and in November 1954, with the departure of the second Infantry Battalion (3 RAR) and the only RAAF combat unit (77 Squadron)
December 1954 to April 1956	Forces had been drawn down but Australian ground forces were still in place on the Kansas Line defensive positions in a diminished Commonwealth Division at Brigade strength. At the end of this period, the last remaining Australian combat forces were withdrawn.
May 1956 to August 1957	The period of the Commonwealth Contingent Korea (CCK) which had a non-operational role, with an Australian signals element (based at Inchon).

5.8 Within these periods, the source material is organised chronologically in the following four sections:

- Strategic background
- Navy
- Army
- Air Force
- Conditions experienced.

5.9 At the end of the Chapter, there is an assessment of the overall conclusions emerging from the whole post-Armistice period, and their implications for recognition of service during the period.

Maps

5.10 The Chapter should be read in conjunction with the maps shown in Annex 5B at the end of this Chapter. These maps are as follows:

Map No.	Showing	
1	Korean area	
2	Disposition of ground forces at the time of the Armistice	
3	Commonwealth Division area, including Camp Casey, Headquarters and Tokchong facilities	
4	Commonwealth Division sector with two overlays showing:	
	A	Disposition of Australian units and their superior headquarters during 1953–54
	B	Disposition of Australian units and their superior headquarters during 1954–55

Photographs

5.11 In Annex 5C at the end of this Chapter are included several photographs showing the conditions under which Australians operated in Korea after the Armistice. All but one of these photographs are previously unpublished. As a result of the Working Party's research, they are now available on the AWM website.

Chronology

5.12 Appendix 8 sets out a chronology of key events in Korea and the rest of the world during the post-Armistice period, in order to create a strategic framework for the military developments in and around Korea.

5.2 Summary of the combat period, 25 June 1950 – 27 July 1953

5.13 The combat period is very well documented by official and other historians. A summary of the main events is as follows.

Mobile Phase

5.14 Communist forces invaded South Korea on 25 June 1950, rapidly advancing and trapping US and Korean forces in the south-east in an area around the port city of Pusan. War was not formally declared.

5.15 In the absence of the Soviet delegate, the UN Security Council took action to authorise a unified military response "to repel the armed attacks [on South Korea] and to restore international peace and security in the area".

5.16 On 29 June 1950 the Australian Government placed HMA Ships *Bataan* and *Shoalhaven* at the disposal of the Security Council in support of the Republic of Korea, and *Shoalhaven* was tasked for convoy escort duties commencing on 1 July.

5.17 77 Squadron RAAF flew its first combat mission on 2 July 1950. The Australian ground forces (3 RAR) arrived in South Korea on 28 September 1950,

shortly after General MacArthur launched a major counter-offensive at Inchon on 15 September 1950.

5.18 On 1 October 1950, the 3rd ROK Division crossed the 38th Parallel. The UNC advanced towards the Yalu River, marking the boundary between North Korea and Manchuria (China). Pyongyang fell on 19 October 1950.

5.19 In October–November, Chinese forces intervened in the conflict in large numbers, crossing the Yalu River, inflicting heavy losses on UN forces and forcing their rapid withdrawal. By December 1950, UN forces were driven back south of Seoul.

5.20 In January 1951, General Ridgway (Commander 8th Army) launched Operation THUNDERBOLT to drive the Communists north; Seoul was retaken on 14–15 March 1951. Following a dispute with President Truman over matters including the misjudgement of Chinese intentions and his plans to widen the War, MacArthur was dismissed on 11 April 1951; the UNC retook Seoul and advanced back to the general line of the 38th parallel.

5.21 A fresh Chinese offensive was aimed at Seoul and involved the Australians at Kapyong in 23–24 April 1951. This offensive was finally halted by 20 May 1951 and UNC forces resumed their advance.

5.22 UNC forces had advanced to the Jamestown Line north of the Imjin River by October 1951; the opposing forces remained locked in combat on this line as a stalemate developed. Between 3 and 9 October 1951, 3 RAR's part in OPERATION COMMANDO to straighten the line and drive the Chinese from a line of high hills was the assault on Maryang San. On 12 November 1951, General Ridgway ordered the 8th Army to cease offensive operations and begin 'active defence', thus ushering in the static phase of the War.

Static phase

5.23 The stalemate which developed in the region of the 38th parallel (near the current DMZ) was characterised by trench warfare, artillery and mortar duels, active night-time patrolling, small unit actions, periodic adjustments of the line, and limited Communist offensives—all happening at the same time as faltering peace talks which were occurring from mid-1951.

5.24 In the days immediately before the Armistice was signed, the Communist forces mounted intense human-wave assaults on UNC positions in order to achieve the most advantageous ground and make a show of strength. In the British Commonwealth sector, the fighting in front of the 2 and 3 RAR positions at the Hook (see Map Overlay 4A) was particularly fierce, with heavy casualties on both sides.

5.25 In the words of the Commander 28th Commonwealth Brigade, Brigadier J Wilton:

“The floor of the valley between the Hook and the Chinese position was almost covered with dead Chinese who had been caught by our deadly defensive-fire artillery concentrations. On the immediate approaches to 2 RAR the bodies literally carpeted the ground sometimes two

deep... I am an experienced artillery man... but it doesn't mean that I like it. I just know how to do it... They lay there in their hundreds covering the field like a carpet."ⁱ

5.26 A total of about 1.5 million Communist combatants became casualties of the conflict, along with about 400,000 UNC combatants (including 339 Australians who died during the combat period). In addition, an estimated one million Korean civilians died.

5.27 Professor Robert O'Neill has commented on the overall implications of the Korean War:

"The main consequence of the war for Australia was the signing of the ANZUS Treaty in September 1951 and the successful negotiation of a \$250 million loan under unusually favourable conditions. The war made little direct impact in Australia itself, although the North Korean attack and the prolonged fighting contributed to the heightened Cold War atmosphere which came to characterise domestic politics in the first half of the 1950s."ⁱⁱ

5.28 As an example of the diplomatic and strategic considerations underpinning Australia's military commitment in Korea:

"... the government ... received a further request from President Truman for more troops for Korea. The Defence Committee advised that there was no military necessity, while the provision of an extra battalion would severely disrupt the Army's long-term development plan. In Cabinet on 25 September [1951], however, Casey defeated McBride and the government decided to send a second infantry battalion to Korea. During that month the ANZUS Treaty was finally signed in Washington."ⁱⁱⁱ

5.3 Strategic overview of the post-Armistice period

Politico-strategic (global)

5.29 Korea was seen as the first of the Cold War hot conflicts. While the result was a stand-off, it played some part in halting communist expansion temporarily. After Korea, east-west confrontation moved on to other sites of Communist activity: principally Indo-China and Malaya, and to a lesser extent Thailand and Japan. These conflicts were seen as a struggle between Communism and the Free World, with little attention paid to national aspirations in these countries.

5.30 The UNC's efforts in post-Armistice Korea, in addition to avoiding hostilities with China and North Korea, were concerned with maintaining control over a bellicose South Korea as it built its economy as an example of democracy in action. It was also concerned with maintaining a united front by the 16 contributing nations in preventing further northern aggression.

5.31 A long-term peace settlement for the Korean Peninsula remained elusive. Professor O'Neill records that the Geneva Conference was intended initially to progress to a peace settlement for Korea but the agenda was extended to include Indo-China.^{iv} In the final outcome Indo-China discussions achieved some results but no further progress was made towards a settlement in Korea.

Politico-strategic (Australian domestic)

5.32 Australia was under a number of internal and external pressures in the mid to late 1950s. While juggling post-Second World War reconstruction priorities, it was under pressure to meet increasing commitments to Malaya, while suffering poor Service recruiting and retention in a climate of full employment. There was also the pressure of costs (both in finance and other resources) of maintaining Korean and other emerging British Far East commitments.

5.33 Internationally, Australia was juggling important US and British Commonwealth relationships. Culturally, we were still 'British to the Bootstraps' but increasingly determined to exercise some independence. Australia's relationship with the USA was quite different from that of its other British Commonwealth allies (the UK, Canada and New Zealand) with the USA. The signing of the ANZUS Treaty during the combat period (on 1 September 1951) created an entirely new dynamic.

5.34 As a result of these pressures on Australia, the Korean deployment after the Armistice was not central to Australia's strategic security concerns.

Operational

5.35 Operationally, the antagonists were represented by the Communist Chinese forces and the Korean People's Army on the one hand, and the UNC forces on the other. Along the DMZ, this involved the US 8th Army.

5.36 Both sides were clearly maintaining a defensive posture and displaying a clear lack of interest in resuming the conflict. Despite the accusations and denials in the MAC, there was an increasingly optimistic assessment that the Armistice was holding—even though neither side trusted the other.

5.37 The UNC clearly identified the post-Armistice threat as:

- agents/provocateurs/saboteurs from the north;
- unauthorised civilians in military-controlled areas (refugees, thieves, organised crime syndicates, agents); and
- armed ROK soldiers (both controlled and uncontrolled).

5.38 In the months following the Armistice there were periodic escalations of tension and alert states associated with the possibility of a Communist attack following the release of non-repatriated Prisoners of War. In addition, a key feature of the political instability which the UNC had to respond to by deploying forces were the riots and demonstrations conducted over the role of the Communist members of the NNSC.

5.39 The UNC was also fully occupied in training and preparing the ROK forces to assume responsibility for their own security, without providing them with the capability to conduct offensive operations in their own right. It was simultaneously drawing down forces for commitments elsewhere, while keeping deployed forces occupied through reconstruction assistance, exercises and alerts.

Tactical

5.40 In its sector of the Kansas Line, 1 British Commonwealth Division was facing CCF forces, which were keen to avoid hostilities. They were not facing the KPA.

5.41 Generally, the same activities were being conducted on both sides, chronologically:

- building up fixed defensive positions;
- actively policing and maintaining the DMZ;
- commencing training for resumption of hostilities;
- maintaining a show of force;
- keeping troops fit, proficient and occupied; and
- drawing down forces as early as possible.

5.42 Australian forces were maintaining an aggressive posture at unit level, although this varied between units. In varying degrees, commanding officers and NCOs imposed high states of readiness.

5.4 July 1953 – November 1954

Strategic background

5.43 Contemporary sources make it clear that they regarded the Korean War as ending with the commencement of the Armistice on 27 July 1953. For example, the official Royal Navy staff history of British naval operations in Korea (published for internal Ministry of Defence use in September 1967) ends with the Armistice in July 1953.

5.44 The official South Korean history states:

“... After the Korean War, which ended in an Armistice signed in July 1953... The Republic of Korea has been trying to ease tensions... even in the face of ever-present North Korean Communist provocations”.^v

5.45 Only one Volume (by Walter G Hermes) of the US official history deals with the post-Armistice period. It makes it very clear that the Korean War ended at the Armistice but there was some tension and difficulty after that time.

5.46 Another American author (William H Vatcher Jr) declared:

“As the battle for the Armistice has ended, now the battle for the peace starts.”^{vi}

5.47 The British official history by General Sir Anthony Farrar-Hockley states that hostilities finished on 27 July 1953. It makes no mention of post-Armistice service.

5.48 The following advice was provided to the Working Party by Dr William M Donnelly, US Army Center of Military History, in August–September 2005:

"Although the declassified records in the National Archives do not provide a thorough coverage of I Corps between August 1953 and 1957, enough material is available to make some conclusions concerning conditions in the corps' sector during this period. Key documents are the August 1953 and September 1953 I Corps command reports, the I Corps quarterly historical reports for 1954, the I Corps periodic operations reports for December 1955 to December 1956, and the I Corps G-2 journal for 1955.

"These documents show a corps, after the DMZ salvage mission is concluded and the new Main Battle Positions are established in 1953, which is focused on training, updating war plans, routine military housekeeping, robust observation of enemy activity, and preventing UN forces from violating the armistice agreement. The forces opposing I Corps during this period only occasionally violated the terms of the armistice agreement, and when they did so, the violations did not lead to combat.

"All the primary sources I have reviewed, and all secondary sources known to me, portray an I Corps in the years after the armistice focused on training, building fortifications, and avoiding incidents in the DMZ while keeping communist activities under close observation. I Corps did regularly update its contingency plans, and its units did regularly practice moving into Main Battle Positions, as well as other aspects of the plans such as retrograde and counter-attack operations. These exercises, however, were no different from what V and VII Corps were conducting in Germany during this period.

"To avoid incidents in the DMZ, the only troops used to patrol inside the zone were provisional DMZ Police companies formed shortly after the armistice. These companies were all-volunteer units, with the men carefully screened and trained for this mission. The DMZ Police Company in the Panmunjom area in its 1959 history noted that it "has never seen combat" (Information Section, 1st Cavalry Division. 1st Cavalry Division, *The First Team*, Korea, 1959. Tokyo, 1959). [Note: The Australian Battalions provided these policing patrols in rotation with other British Commonwealth Division units – see the photographs at the end of this Chapter. Several witnesses at public hearings referred to the conduct of these patrols.]

"American DMZ Police Companies were provisional units within divisions assigned to a sector of the DMZ. Since they were provisional, the divisions could not request personnel for them and thus had to man and equip them "out of hide." Because of the sensitive nature of their work, divisions wanted a unit that was something of an elite, and thus restricted its members to volunteers from among soldiers assigned to the division. This system meant that any soldier within the division, not just MPs, could serve in the company if they were accepted. (I have no information on the selection criteria used to screen volunteers.) Given the nature of their work, I suspect (but have no evidence at this time) that most of the men in these companies came from infantry and reconnaissance units of the division. I have no information on the ROK Army DMZ Police Companies.

"... I recall that these [possible enemy] courses of action ranged from a major offensive across the DMZ through ambushes and other harassing operations to continuing their current course of action (that is, observing the terms of the armistice). In each case, the most likely course of action for the enemy to take was listed as continuing to observe the terms of the armistice.

"Attached below is an extract on the post-Korean War drawdown of the US Army, including the reduction of forces in Korea, from pages 250-251 of John B. Wilson, *Maneuver and firepower: the evolution of divisions and separate brigades* (available at <http://www.army.mil/cmh-pg/books/Lineage/M-F/chapter9.htm#b4>). The two divisions remaining in Korea after 1954 were assigned to I Corps (Group); most non-divisional units in Korea were withdrawn from the country in the same time frame as the divisions.

"The units that remained in Korea after the drawdown were also thinned out. In order to stay within its authorized active-duty strength and meet its other commitments, the US Army never

sent the units remaining in Korea sufficient American soldiers to man them at full strength. The resulting shortfall was partially covered by retaining the wartime KATUSA (Korean Augmentation to the US Army) program; while this measure did take care of the junior enlisted ranks, Eighth Army would be short of qualified technical specialists, senior NCOs, and experienced captains and majors for years after the end of the war.

"Readjustment of Divisional Forces"

"Hostilities ended in Korea on 23 July 1953 when the United Nations and North Korea signed an armistice, but demobilization, like mobilization, did not follow a preplanned course. A threat still hung over Korea, and the defense of Western Europe remained of paramount concern. The size of the Army depended on the new President, Dwight D. Eisenhower, inaugurated in January 1953, who was committed to reducing military expenditures. Between 1 July 1953 and 1 July 1956, the Congress, at the President's request, cut the active Army from 1.5 to 1 million men, a reduction that required major adjustments in divisional forces."

5.49 American historian Clay Blair writes of the political instability and alliance difficulties that characterised the strategic situation within Korea:

"Except for one large, nagging detail, peace seemed to be at hand. The final obstacle was posed not by the enemy but by an ally: Syngman Rhee. He had never relented in his efforts to sabotage the armistice. Throughout the talks he had demanded that no concessions whatsoever be granted the Communists, that the CCF be expelled from North Korea, that the NKPA be disarmed, and that all Korea be united under the ROK government. Now that the armistice appeared to be impervious to sabotage, Rhee declared that South Korea would not honor its terms and that he might detach the ROK Army from the UN command and continue the war alone.

"These were not idle threats. Beginning in mid-June, Rhee launched final, desperate efforts to sabotage the talks. First, on June 18 he directed ROK guards at the NKPA compounds to turn loose those men who did not wish to be repatriated. That night about 25,000 of 33,600 NKPA POWs in that category shed uniforms, fled through open gates, and melted into the South Korean population. Secondly, he imposed what amounted to martial law in South Korea and forbade all ROK Army personnel and civilians to continue working for the UN command. Thirdly, he alerted the senior ROK Army commanders to prepare to fight on, armistice or no armistice."

"These actions precipitated a crisis, but did not lead to the intended breakdown in the talks. Mark Clark and the chief UN negotiator, William Harrison, delivered to the Communists a written apology, which specifically blamed Rhee for the "escape" of the 25,000 NKPA. Meeting with Harrison on June 20, the Communists grudgingly accepted the apology. They suggested that Clark track down the "escapees" and reimprison them for a proper exchange, but knowing full well that this task would be impossible, they did not press the issue. Instead, they rightly posed the larger questions: 'What was to be done about Syngman Rhee? Could the UN command bring him under control? Would an armistice include the ROK government? If not, would the ROK government abide by its terms, or would it continue the war alone?'"

"President Eisenhower sent a task force to Korea to bring Rhee into line. Its members conceived a three-step strategy. In return for Rhee's cooperation on the armistice, they would first attempt to reason with Rhee by promising a long-term mutual defense treaty, full support for a twenty-division ROK Army, and untold billions in military and economic aid. If that failed, they would try a gigantic bluff. They would rescind those offers and threaten to withdraw all American forces from the peninsula, leaving South Korea to its fate. If the bluff also failed, they were prepared to stage a coup d'etat (Operation Everready), replacing Rhee with a more amenable South Korean leader."^{vii}

5.50 The official history of the Royal Canadian Navy in Korea records the uncertainty which pervaded the immediate aftermath of the Armistice:

"The end of open hostilities in Korea on 27 July, 1953, did not mean that the United Nations forces could now be disbanded; after all, no peace treaty had been signed, only an armistice—and a very unusual armistice at that, for neither side had been defeated in the field. Indeed it was quite possible that the fighting might break out again at any time should the always unpredictable Communists decide that such a course would be to their advantage. Furthermore there was always the danger that Syngman Rhee [the ROK President] might suddenly brush aside the restraining hand of his allies and carry out his earlier threats to "go it alone." Such action would undoubtedly have precipitated full-scale war, for Rhee's forces would almost certainly have been badly beaten and the Allies would have been forced willynilly to come to their aid or stand back and see South Korea overrun again. There was yet another way in which hostilities might be renewed; if the political conference which was to be called to settle the problems left unsolved by the armistice should fail to reach agreement, the Communists might conceivably attempt to break the resulting stalemate by force of arms..."^{viii}

5.51 Professor Jeffrey Grey writes of the immediate post-Armistice period:

"The peace-talks at Panmunjom finally led to a cease-fire, although not to a peace treaty, on 27 July 1953. From an operational point of view there were three immediate tasks to be performed. These were the withdrawal of forces from both sides of the newly declared demilitarised zone within 72 hours of the cease-fire, the construction and occupation of new post-armistice positions to the south of the Jamestown line, and supervision of the exchange of prisoners of war including the potential difficulties implicit in the decision not to repatriate forcibly POWs who did not wish to return to their own side.

"The immediate withdrawal southwards was hectic but uneventful. The defensive positions, erected with such skill over the almost two-year period that the Commonwealth Division had held its section of the UN line, were demolished, while stores and equipment were removed in order to leave nothing of potential value to an enemy by no means trusted to keep the cease-fire agreement which he had just signed. Uncertainty concerning the Communist intentions led the Americans to insist that all governments with forces in the UNC should maintain those forces until it was clear that the terms negotiated at Panmunjom would be adhered to. The South Africans withdrew their fighter squadron during October 1953, but the other Commonwealth governments maintained their forces in Korea although all had reasons for wishing to terminate the involvement as quickly as possible. The governments concerned also agreed to maintain the Commonwealth nature of the forces in Korea, thus precluding any other unilateral withdrawals."^{ix}

5.52 In Australia, there were already wider concerns at the highest level about the strategic outlook following the Armistice:

"Menzies drew attention to the danger period that would arise in the Far East following a likely armistice in Korea, and in late June the British Defence Minister, Lord Alexander, advised him that Britain proposed forming a Far East Strategic Reserve, to be located in Malaya. If Australia joined with Britain and New Zealand they could 'make an arrangement which would effectively safeguard our Commonwealth interests in the cold war'."^x

5.53 On 26 July 1953, Prime Minister Menzies said: "It is inescapable that United Nations forces will have to remain in the region for some time... An Armistice means the cessation of hostilities but this is only the first step towards a peace settlement." The Commander-in-Chief, UNC (General Mark Clark) said "nothing should detract from the maintenance of combat readiness."^{xi}

5.54 The UK First Sea Lord [Chief of Navy] wrote to Commander-in-Chief Far East Station on 31 July 1953, with regard to the Armistice:

“There are a number of possibilities—

- (a) a happy solution, with peace and withdrawal of forces in the course of the next 90 days. This seems too good to be true.
- (b) a breakdown or breach of Armistice. This would result not only in the resumption of fighting, but possibly in war in the Far East on a much larger scale and outside the artificial boundaries which were kept before the Armistice.
- (c) a breach of Armistice by the South Korean forces...

“There are also other possibilities, but it is clear that we must count on a possible resumption of hostilities, which might even be on a larger scale than before...

“I hope the Australians will take a realistic view of the Armistice. The Canadians have already complicated matters by withdrawing the squadrons they were going to embark in [HMS] WARRIOR next year for her term in Korea.”^{xii}

5.55 Reflecting the mood of uncertainty, the Department of External Affairs wrote to the Australian High Commissioner in London on 7 September 1953 about the terminal date for medals and awards: “... The CINC BCFK has advised that War Office state terminal date for Korean General Service Medal [sic] and Gratuity will be decided when it has been ascertained that hostilities have really ceased...”^{xiii}

5.56 The Prime Minister said in a Statement on 14 September 1953:

“Signature of the truce in Korea now makes such an extension of hostilities [beyond Korea] far less likely, at any rate an extension following upon hostilities as distinct from possible further Communist Chinese action in other parts of South East Asia. The truce in Korea has therefore not only given us a breathing space in which to try to solve the political problems of Korea; it has also considerably improved the changes of the world avoiding in the foreseeable future a major extension of hostilities which could well lead to atomic war.”^{xiv}

5.57 The Canadian Government had already begun to consider the scope for force reductions, but realised that significant forces would have to remain for the time being:

“Before the armistice was signed it had been agreed that there would be no immediate, mass withdrawals of the UN forces in the Korean theatre, and it was understood that when the risk of renewal of hostilities had declined sufficiently to permit reduction of forces this would only be done after consultation with all the powers involved. The Canadian Government considered the question of the eventual reduction of Canada's Korean force at a Cabinet meeting on 24 September, 1953, and decided that, when the time came to cut down, Canada would be prepared to maintain one infantry battalion and one destroyer or frigate in the UN Security Force which, it was believed, would have to be retained in the Far East for some time to come. The unsettled conditions that followed the armistice and the long and bitter dispute over the prisoners of war who did not wish to be repatriated resulted in the postponement of any reduction of forces for some months...”^{xv}

5.58 On 29 September 1953, a British report on facilities required post-Armistice stated:

“Choice of Japan and Korea as a base area

“4. The choice of location for the base is confined to Japan or Korea.... Should the war in Korea break out once again we may have to return to Japan

"Choice of a base area in Korea

"13. Inchon-Seoul area... is close to the front and, if war starts again, there is a considerable security risk in having our base located here."^{xvi}

5.59 The security of Malaya had already assumed a higher priority in Australian strategic thinking:

"Shedden [Secretary of Defence] chaired [Australia/UK/NZ] meetings in Melbourne between 19 and 21 October [1953] ... The conference concentrated on the threat in Southeast Asia, noting that the situation in Indo-China was 'extremely brittle'. It was vitally important to maintain a presence in Malaya and to block any advance into that country. Australia's primary objective in global war would therefore be the security of Malaya, and priority in planning would be given to the deployment of Australian land and air forces to the Malayan area... By the end of 1953, however, the focus was moving towards Southeast Asia, rather than global war, and the defence program was slowing down."^{xvii}

5.60 These Hansard extracts are relevant. On 10 November 1953, Mr Galvin, the Member for Kingston, said:

"Mention is made in the Governor-General's speech of the conclusion of an Armistice in Korea after a struggle which lasted more than three years. Members of the Labor Party are gratified that, at long last, an Armistice has been signed. We are pledged to support the United Nations in its efforts to achieve and maintain world peace. It is unfortunate that the threat of war is still present, but I feel that the danger of a conflict is receding and that there is a real hope for peace in the future."

5.61 On 12 November 1953, the Minister for the Army said in response to a question on the provisions of the Repatriation Act:

"A soldier is entitled to repatriation benefits if he has been on active service. Members of the forces who are serving in Korea are entitled to the advantages and benefits of the Repatriation Act."

5.62 On 12 November 1953, Mr Opperman, the Member for Corio, said:

"... We are all very interested in the cessation of hostilities in Korea ... Although we have no great confidence in the peaceful intentions of the Communists in Korea, we must nevertheless be grateful because hostilities in that country have now ceased."

5.63 By the end of the year, the resource cost of Korean post-Armistice service was becoming of concern, as this Department of Defence paper indicates:

"Expenditure related to the maintenance of our forces in Japan and Korea is not controllable... The Minister has expressed his concern at the amount required in 1952–53..."^{xviii}

5.64 The USA had also begun to turn its attention to force reductions, as indicated in this advice from Dr William M Donnelly, US Army Center of Military History, to the Working Party in August–September 2005:

"In December 1953 [President] Eisenhower, who had hesitated to reduce forces in Korea because of the precarious armistice, announced that two of the seven US Army divisions there were to return home, a step permitted by improved capabilities of the South Korean Army. United States Army Forces, Far East, selected the 40th and 45th Infantry Divisions for return to the United States, and they departed Korea in the spring of 1954 with only a token personnel complement. Shortly thereafter the divisions were released from active federal

service and reverted to state control. Concerned about the effects of demobilization because of events in Southeast Asia (the French were on the verge of withdrawing from that area), Secretary of Defense Charles E. Wilson suspended further reductions in the Far East Command on 7 April 1954.”

5.65 On 4 January 1954, the British High Commissioner in Canberra wrote to the Secretary of the Prime Minister’s Department in terms which still reflected uncertainty about the future of Korea:

“The United Kingdom proposals [on the location of base facilities] are, of course, concerned with hypothetical circumstances in which it may have been possible to reduce Commonwealth land forces in Korea from a Division to an Infantry Brigade Group. Such a situation is, of course, only one of several which might come about. If, for example, there were a complete settlement in Korea, there would be no requirement for a Commonwealth base, whilst, if hostilities were renewed and Commonwealth forces were involved, the existing base facilities in Japan would presumably be used.”^{xix}

5.66 This memorandum of 6 January 1954 from Minister for Defence to Minister for Army reflects the three concerns of maintaining combat readiness in Korea, keeping the troops appropriately engaged, and eventual force reductions:

“General Clark [CINC UNC] has issued instructions that the United States military personnel, should be made available for rehabilitation work in Korea to the maximum feasible extent provided:

- (i) troops are not required to work as common labourers and
- (ii) nothing should detract from the maintenance of combat readiness...

“The Prime Minister has now approved the following policy:

- (a) Australian troops may be used to assist in the provision of technical assistance in civilian reconstruction in South Korea, providing that such activities:
 - (i) do not adversely affect the ability of Australian troops to carry out their operational tasks;
 - (ii) do not interfere with the ultimate aim of reducing and eventually withdrawing them from Korea; and
 - (iii) do not require troops to work as common labourers; ...^{xx}

5.67 On 26 January 1954, the British High Commissioner in Canberra wrote to the Secretary of the Prime Minister’s Department that:

“President Eisenhower’s recent announcement of the decision that US forces in Korea are to be progressively reduced as circumstances warrant, and that, as an initial step, 2 of their 8 Divisions will shortly be withdrawn, has led the UK authorities to consider whether to suggest to other Commonwealth governments that, in the circumstances, a start might be made in reducing the strength of the Commonwealth forces in Korea. The conclusion reached by the UK Government is that at the present time it would not be opportune to approach the US Government with a proposal for reducing the Commonwealth forces.”^{xxi} [Note: this relates to concern that since the US had shouldered much of the burden of providing forces, it would be embarrassing to consider reducing British Commonwealth forces too early.]

5.68 Early in 1954, the British Admiralty identified force reductions of headquarters and support ships on the ground that there was “no operational requirement for them”. At the end of January 1954, the UK Defence Committee asked the British

Chiefs of Staff to approach the US Joint Chiefs of Staff about force reductions in Korea and US intentions. The US responded that “the present American decision is limited to the withdrawal of two Divisions”. The UK Defence Committee expressed the opinion that “In case the Korean War should start again, it seems essential that, at least for the time being, the United Kingdom ships withdrawn should remain on the Far East Station...”^{xxii}

5.69 A MAC report of March 1954 highlighted continuing tensions on the DMZ:

“Violations of the DZ

“In the 106th Meeting of the Secretaries, UNC charged that the Communists had based a large majority of their alleged aircraft violations on erroneous information and suggested that their methods of reporting should be examined with a view to adopting a more reliable system. Their inaccuracy was pointed out by the fact that in the 105th meeting of the Secretaries the Communists again denied the same charge they had previously denied at the 104th meeting of the Secretaries. KPA/CPV stated that their side was strictly abiding by the terms of the Armistice Agreement while the UNC consistently violated the Agreement.

“In recapitulation of violations of the Armistice Agreement from 27 July 1953 through 31 March 1954, the Communists have alleged 18 ground and 223 aircraft violations against the UNC. As of 31 March, the UNC had admitted 10, denied 6, and was investigating 2 ground charges; and has admitted 21, denied 192 and is investigating 10 of the air charges. Additionally, the UNC had admitted 3 ground and 1 aircraft violation before they were charged by the Communists.

“The UNC has accused the Communists of 11 ground and 37 aircraft violations during the same period. The Communists have admitted 2, denied 6, and are investigating 3 of the ground charges. They have admitted none, denied 14, and were investigating 23 of the air charges.”^{xxiii}

5.70 Annex 5D at the end of this Chapter is a transcript of a contemporary document showing the constant accusations and denials which characterised the confrontations about alleged DMZ incidents in the MAC between the Armistice and mid-1955.

5.71 An HQ BCFK report for the period 1 April 1954 to 30 September 1954 states:

“1. The Commonwealth Division The first month of the period under review saw the Commonwealth Division completing its training prior to the Divisional exercise which was held from 26 April to 1 May. Following upon this, work was continued on the completion of the Kansas Line position and the various Divisional sports competitions were begun. Preparations were made for further training at the end of hot weather but it was necessary to cancel most of the exercises on the receipt of orders for the run-down of the Division. Planning was at once begun on the redeployment of the new Commonwealth Division and by 15 November 1954 this formation will have been formed.”^{xxiv}

5.72 The prospect of renewed hostilities in Korea was still seen as a serious threat to world peace. In late April 1954, the British Admiralty expressed continuing concern about “doing everything possible to ensure that the Americans do not precipitate a world war by using weapons of mass destruction against China in the event of a renewal of the Korean War”. In a paper titled ‘Action in the event of a renewed Communist attack in Korea’, the First Lord of the Admiralty [Navy Minister] was advised by the UK Chiefs of Staff through the Defence Committee that they “do not exclude the use of atomic weapons tactically within Korea if necessary to avoid a serious military defeat”.^{xxv}

5.73 By May 1954, Australian Defence policy on Korea was being expressed in these terms:

"In his letter of 21 May 1954, the Minister for Defence made or repeated observations on the Army proposals... summarised...:

- (1) The commitment in Korea must continue until the forces can be released or reduced.
- (2) It is not possible at present to express any view on Strategic Reserve in Malaya which could only be token pending release from Korea."^{xxvi}

5.74 In a statement to Parliament on Defence Policy and the Program, the Minister for Defence said in part:

"Owing to inactive conditions in Korea, the 1953-54 allotment for the Field Force of 5,800 has been reduced to 5,300 and can be further run down to 4,450. This would be achieved by:

- (a) under-establishing units in Korea; ..."^{xxvii}

5.75 South Korean intentions were still a matter of concern. For example, in a Report of Proceedings for 14 July 1954, the Flag Officer Second-in-Command, Far East Station, said:

"I waited on Vice Admiral Sohn at the [ROK] Ministry of Defence. He told me again how Korea had suffered from the War, how terrible it would be to fight again, but if they had to, how important to start it first."^{xxviii}

5.76 Communist strengths were still being actively monitored. An internal Defence minute of 28 July 1954 about CCF strengths stated:

"Despite the known withdrawal of nine armies and two artillery divisions, personnel strengths have not reduced correspondingly. This is due to the upward adjustment of strengths based on better information since the Armistice..."

Armistice CCF 18 Armies & support Total 886,200. Enemy front total of 32 Divisions (25 CCF)

1 July 1954 CCF 11 Armies & support 608,000. Enemy front 23 Divisions (only 12 CCF)."^{xxix}

5.77 This Note for File titled 'Reduction of Commonwealth Forces in Korea' summed up the position on 29 July 1954:

"With regard to the statement of the United States State Department Official reported in Washington cablegram No. 712 of 23rd July [1954] –

'the main thing was to maintain representative character of United Nations Forces, and reductions should not go beyond position where total of non-United States Forces was below one division in strength',

the following is the strength of combat units in Korea as at 5th July, 1954 (Commander-in-Chief's Weekly Review 10th-16th July) –

Eighth US Army and 1st US Marine Division	202,449
Korean Communication Zone	3,335
ROKA personnel attached to US Forces	109,352
ROKA (Tactical Units)	375,146
1st British Commonwealth Division	18,763
1st Turkish Armed Forces Command	5,367

Thailand Infantry Battalion	1,249
2nd Philippine Battalion	872
Ethiopian Infantry Battalion	1,164
Colombian Infantry Battalion	863
Greek Expeditionary Forces	2,238
Netherlands UN Infantry Battalion	704
Belgian Infantry Battalion (incl. Luxemburg Detachment)	738
French Detachment	22
	623,262

"2. There are therefore ample non-United States and Commonwealth infantry forces, but inadequate artillery."^{xxx}

5.78 During this period the prospect of political disturbances in South Korea over the Armistice monitoring process was increasing. A 3 August 1954 cablegram from the Australian Representative to UNCURK to Canberra read in part:

"Following warning by ROK Provo Marshal, Won Yong Duk on 30 July that "action essential to the preservation of national security will be taken if Communist members of NNSC do not withdraw immediately from ROK", on 31 July Korean demonstrators attempted to enter NNSC camp near Inchon, but were prevented by United States guards and shots were fired at NNSC billets in Pusan without injury to the occupants. There are reports of minor incidents in Kunsan."^{xxxi}

5.79 On 9 August 1954, the Australian Embassy Washington sent a cable to Canberra reporting on a meeting at the State Department, at which the 16 nations contributing forces in Korea were asked to pass on to their governments the following information:

"... the United States proposes to have only two US divisions in Korea by the end of 1954... Aim is to 'increase strategic flexibility' of US forces... UN forces in Korea are now relatively stronger vis a vis Communist forces than at signing of Armistice.

"New Zealand made the point that it might be difficult to maintain their forces anywhere near the present level because of recruiting difficulties since end of fighting. ROK remarked that his government would oppose any 'sudden and drastic' decreases."^{xxxii}

5.80 An editorial of 20 August 1954 in the Melbourne *Herald* summed up the prospects for Korea in these terms:

"Back from Korea

"America's decision to withdraw a substantial part of her ground forces from Korea will be followed by a general 'thinning out' of United Nations contingents along the truce line. The Canadians now propose to bring their brigade home. One of Australia's two infantry battalions in Korea will almost certainly be pulled out soon.

"These moves do not mean that the Korean truce is about to broaden into peace. The country is likely to remain divided for a long time, garrisoned and perhaps colonised in the north by Chinese Communists. President Syngman Rhee's desperate call for a liberating crusade has been rejected in Washington.

"His large army can expect the backing of American air power to meet any new threat from the north, but the steady reduction of U.N. ground forces in South Korea warns him that his allies do not intend to be committed to any adventure launched by him.

"In a strategic sense, America's partial disengagement from Korea should have big advantages. It stresses the fact that America has no aggressive aims on the Asian mainland. At the same time, it aids the concentration of forces to meet any Communist threat elsewhere.

"Australia, with defence interests now centred nearer home in South-East Asia, would find it useful to withdraw all her land and air forces from Korea. The experience gained by these contingents would be invaluable in the training of other Army and RAAF units. Without at least one of the two battalions from Korea, Australia could not quickly assemble even a small balanced field force for service abroad.

"The Korea affair is not ended. But its dangers have cooled to 'cold war' temperatures, and it is timely for the free world to re-group its strength."^{xxxiii}

5.81 On 21 August 1954, the Melbourne *Sun* reported:

"Koreans protest

Pusan, Friday, AAP.

Nearly 10,000 demonstrators paraded here today to protest against the US plan to withdraw 4 of its 6 Divisions in Korea".

5.82 Demonstrators demanded at a mass meeting: retention of US troops, increased South Korean forces, and unilateral action to unify Korea.^{xxxiv}

5.83 Advice from Dr William M Donnelly, US Army Center of Military History, to the Working Party in August–September 2005 indicated that:

"By the summer of 1954 the Mutual Defense Treaty with the Republic of Korea and the expansion of its army to twenty divisions permitted additional American reductions in Korea and allowed the Department of Defense to release all reserve units from active duty. In October the 25th Infantry Division with its personnel and equipment moved from Korea to Hawaii, where it became part of the Pacific area reserve. Shortly thereafter the 2nd and 3rd Infantry Divisions, reduced to near zero strength in Korea, replaced the National Guard 44th and 47th Infantry Divisions at Forts Lewis and Benning...

5.84 In an undated Department of Defence note of late August 1954, specific Australian force reductions were foreshadowed:

"Australian forces to be withdrawn from Korea

Navy

1 destroyer in October 1954.

Army

1 battalion (3 Battalion RAR) to be withdrawn early November.

Air Force

No. 77 Fighter Squadron RAAF to be withdrawn early November.

Portion of No. 36 transport squadron RAAF to be withdrawn January 1955.

"2. There will be consequential reductions in base troops in Japan, but it is not known yet when these will be made."^{xxxv}

5.85 A Department of External Affairs report of 3 September 1954 focussed on the political effect of US force reduction plans:

“There has been a further stream of official and unofficial complaints against the American decision to reduce their forces in Korea from 6 to 2 Divisions and to withdraw a substantial part of the 5th Air Force. The analogy with the previous American withdrawal from Korea, which was followed by the invasion of June 1950, is naturally stressed.”^{xxxvi}

5.86 On 8 September 1954, the Southeast Asia Treaty Organization (SEATO) was established on the signature of the Southeast Asia Collective Defense Treaty (Manila Pact). The Korean War was a factor in the creation of the alliance, and contributed to Australia’s high profile role in its formation.

5.87 A Defence Committee minute of 9 September 1954 stated:

“The United States Joint Chiefs of Staff have approved the reduction of Commonwealth forces in Korea to one Brigade group by the end of 1954, subject to:

1. the designation of the First British Commonwealth Division being retained even though it is to be reduced to Brigade strength;
2. the First Commonwealth Division continuing to furnish its own logistic support.”^{xxxvii}

5.88 On 10 September 1954, the Deputy Chief of the General Staff stated at a meeting of the Military Board:

“Briefly the situation was that the British Commonwealth Division would be reduced to one Brigade Group by the end of 1954, although the title of British Commonwealth Division would be retained.”^{xxxviii}

5.89 The Minister for Defence said in a statement to Parliament on 14 September 1954:

“The possibility of achieving a reduction in the British Commonwealth Forces serving in Korea as part of the United Nations effort has been under examination since the Armistice agreement in July 1953... A plan for the balanced reduction of the British Commonwealth naval, land and air forces in the Korean theatre prepared by the UK, Canada, Australia and New Zealand has now been agreed to by the United States Chiefs of Staff”.^{xxxix}

5.90 By 21 September 1954, there were reports of growing disagreements between the ROK and the US concerned with:

- US force withdrawals; [Note: The ROK was bitterly opposed to these withdrawals.]
- military aid;
- economic assistance; and
- building up Japan at the expense of Korea.^{xi}

5.91 On 27 September 1954, an article in the Melbourne *Herald* included a report that:

“Red China has dropped a bombshell among the United Nations by serving notice that she intends to replace the seven Chinese divisions now being withdrawn from North Korea.”^{xii}

5.92 The Minister for Defence said in a further statement to Parliament on 28 September 1954:

“Australia cannot maintain three Permanent Forces and large citizen forces as well. Since the Army is predominantly a citizen force, and its strength is being built up through National service to its mobilisation target of 115,500, the size and cost of the Permanent Army is to be reviewed.

“The achievement of this objective cannot be fully realised while the present commitments exist in Korea.”^{xliii}

5.93 By late 1954, the British Admiralty had identified the need for an early reduction of Royal Navy forces in Korean waters as “most necessary to meet operational needs elsewhere” and because of recruiting implications. They were keen to get the co-operation of Australia, New Zealand and Canada for a joint approach to the USA over major force reductions. This was an argument that was being developed throughout 1954.^{xliii}

5.94 Professor Robert O'Neill sums up the period from the Armistice to the end of 1954 in these terms:

“Once the armistice had been in force long enough to be shown to be effective, the Australian Government began to take the first steps to withdraw its forces from Korea to enable other commitments to be made to the Commonwealth Far East Strategic Reserve in Malaya. Proposals for the establishment of this reserve were agreed upon by the Australian, British and New Zealand Chiefs of Staff when they met in Melbourne from 19 to 21 October 1953. The three governments gave approval to these proposals after the negotiations which took place over the following eighteen months. In early 1955 the Australian Government announced that it would definitely commit forces to the Far East Strategic Reserve.

“The withdrawal of Commonwealth forces from Korea had been discussed by the Australian, British, Canadian and New Zealand Governments in 1952 and 1953. They agreed that in the first phase of withdrawal the 1st Commonwealth Division should be reduced to a brigade group, the Commonwealth naval commitment should be reduced to four warships, and the air component should be withdrawn, leaving only two transport aircraft. Of these forces, Australia was to provide one battalion, one warship and the two transport aircraft. Thus the second Australian battalion, the second warship, No. 77 Squadron, RAAF, No. 91 Composite Wing, RAAF, and most of No. 36 Transport Squadron, RAAF, would be released and a considerable reduction in supporting personnel in Japan would also be possible.

“The United States Government strongly opposed any reduction in the strength of the forces available to the United Nations Command until August 1954. In early September the United States joint Chiefs of Staff agreed to the implementation of the Commonwealth withdrawal plan, following President Eisenhower's announcement that the United States Army commitment to Korea would be reduced from six divisions to two by the end of the year. Prime Minister Menzies informed the House of Representatives on 14 September 1954 that one of the two Australian battalions would be withdrawn as soon as possible, followed by further small army detachments later in the year. No. 77 Squadron and No. 36 Squadron, less two of its aircraft, would return to Australia by the end of the year. The RAN would maintain only one destroyer or frigate in Korean waters after 1954 and the staff and functions of the British Commonwealth Base at Kure would be reduced following a review of requirements by Lieutenant General H. Wells, Commander-in-Chief, British Commonwealth Forces, Korea.

“During the first eight months of 1954 some informal withdrawals had taken place by the indirect method of not fully replacing personnel who returned to Australia following the expiry of their assigned tour of duty in Korea. The Australian Army was in great difficulties maintaining its force in Korea at the full strength of 3970 men, because recruiting rates in Australia had declined after the armistice. By mid-1954 the Australian Army contingent in Korea was 114 men below strength and numbers fell more rapidly thereafter. The Defence Committee warned the Government that by late 1954 it would be acutely difficult to maintain two battalions in Korea. Thus Menzies's announcement that the commitment would soon be

reduced to one battalion was greeted with relief by the Military Board, which was then able to give top priority to the raising of a full battalion for service in Malaya. In the two months following Menzies's announcement on 14 September, one ship of the RAN was withdrawn without replacement and both 3 RAR and No. 77 Squadron, RAAF, left the theatre of operations.”^{xliv}

Navy – conditions experienced

5.95 The following ships were allotted to the Royal Australian Navy Component BCFK during the periods shown below.

Ship	Commencement	Conclusion
HMAS <i>Culgoa</i>	14.3.53	8.11.53
HMAS <i>Tobruk</i>	3.6.53	21.1.54
HMAS <i>Arunta</i>	21.1.54	22.9.54
HMAS <i>Sydney</i>	27.10.53	2.6.54
HMAS <i>Murchison</i>	8.11.53	25.6.54
HMAS <i>Shoalhaven</i>	25.6.54	28.2.55
HMAS <i>Condamine</i>	28.2.55	2.10.55

5.96 Professor Robert O'Neill sums up naval activity during this period as follows:

“The [Australian] destroyers and frigates [after the Armistice] were occupied principally in patrolling the west coast near the Armistice line, both to protect the islands controlled by the Republic of Korea and to prevent infiltration by Communist forces... There were occasional alerts when North Korean military aircraft came near, or when North Korean infiltrators in small boats were detected, but generally the coastal patrols were uneventful.”^{xlv}

5.97 The terms of the Armistice required implementation at sea as on land:

“Then, the ten days allowed by the armistice for the evacuation of the UN-held islands having elapsed, the [HMCS *Iroquois*], along with the rest of the UN naval forces, withdrew south of the parallel...”^{xlvi}

5.98 In a ‘secret and personal’ report of 4 August 1953, the Commander-in-Chief, Far East Station, provided to the UK First Sea Lord [Chief of Navy] a list of ships “completely ready to resume hostilities at about five days’ notice...” and stated, “Full readiness for war must be maintained. If shooting restarts it may well be on a wider scale than before. For this reason, war complements cannot be reduced...” In his reply of 18 August 1953, the First Sea Lord adopted a calmer view: “I fully appreciate the feeling that there must be in the Far East that the Korean War might well start again and that it might be on a bigger scale for our ships and aircraft. Nevertheless, I am quite sure we must take this opportunity of letting ships relax...”^{xlvii}

5.99 HMAS *Culgoa*’s August 1953 Report of Proceedings stated in part:

“2. From the 1st to the 13th the ship was in the Worthington area, and I held the position of CTU 95.1.5. It was a period of little activity, as the Korean Ceasefire had become effective, and the consequent concentration of forces on Paengnyong Do, Sochong Do and Taechong Do had been speedily effected without our being required to assist.

“3. Patrols of the Worthington area were carried out from the 2nd to the 6th by ships of Task Unit 6.1, which was placed under my command for that period. From the 7th to the 13th with the exception of the 9th when weather conditions were poor, we carried out daylight patrols in either the Chodo area or Worthington area. All patrols were carried out with a supporting ship, to lessen the chances of false claims of violation of North Korean territorial waters being made. Little surface traffic was seen in enemy waters, and no evidence of activity on Chodo or Sokto was found.

“4. The ship was dressed with masthead flags on the 4th and 5th, the occasions being the birthdays of Her Majesty Queen Elizabeth the Queen Mother and Her Royal Highness Princess Irene of the Netherlands.”^{xlviii}

5.100 In his Report of Proceedings for August 1953, the Second-in-Command, Far East Station, wrote:

“I was directed to carry out frequent surface and air patrols of the North Korean coast outside the three-mile limit... , apparently with the aim of letting the Communists see that we were still present and alert, as well as to observe anything of interest going on. No enemy activity was observed on these patrols and on 25th August I was instructed to discontinue them... A somewhat unsatisfactory position exists as a result of continuing activity by numerous small, unrelated intelligence agencies which operate from our islands [off the west coast of Korea]. I have been instructed that ‘no cognisance whatsoever’ is to be taken of these activities. Consequently the Task Unit Commanders have orders on the one hand to prevent possible infringements of the Armistice terms, and on the other to take no notice of what is the most obvious—indeed, at present, the only—potential infringement that they encounter”.^{xlix}

5.101 HMAS *Culgoa*’s September 1953 Report of Proceedings included the following:

“3. After taking over I anchored to the East of Paengnyong Do, in a position giving radar coverage of the Northern and Eastern approaches to that island. This was done to detect any clandestine junk movement, as an infiltration of agents into Paengnyong-Do had recently been attempted. The ships of the unit anchored in company with us by day, and each night were sent to night stations...

...

“6. At 0928/4th we proceeded to an anchorage off Taechong Do. Here I lunched on board H.M.S. *Crane*... Entered the anchorage at 1640 with mail... We sailed at 1731 and returned to our anchorage off Paengnyong Do.

...

“9. At 0717/9th we weighed and steamed to rendezvous with H.M.A.S. *Tobruk* at Taechong Do... At 1000 we sailed for Sasebo...”ⁱ

5.102 In a report from Commander-in-Chief, Far East Station, to the British Admiralty of 12 October 1953, regarding reduction of ships’ complements to interim peace standard, he informs them:

“Whilst I am most anxious to reduce the complements of all ships to interim peace standard to improve habitability and to provide much-needed ratings for manning the Fleet elsewhere, to do so too soon would only result in a chaotic situation, were hostilities to break out again.”ⁱⁱ

5.103 The Flag Officer Second-in-Command, Far East Station, states in a Report of Proceedings for 11 November 1953:

“There have been a few instances of unidentified aircraft approaching the islands at night. Red warnings have been issued by the TADC on Paengyong-Do but no incident developed until 11 November when, at 2010i two slow low-flying aircraft were sighted over Paengyong-Do. Guns on the island opened fire and claimed hits: there is some evidence that one aircraft may have crashed later. Ships were not involved.”ⁱⁱⁱ

5.104 The Commander-in-Chief, Far East Station wrote to the UK First Sea Lord [Chief of Navy] on 30 November 1953 about the political and military outlook:

“Assuming that the present uneasy truce conditions persist (and I see no real hope of a political settlement), I shall want soon to get free to move the majority of my ships around the Station as I think fit, leaving only a small standing ‘ration’ in Japan”.

5.105 He goes to express concern that with the current rate of reductions, the Commonwealth Dominions will provide all of the destroyers and frigates in the forward area, indicating that the Royal Navy was “leaving the baby with the other Commonwealth navies”.ⁱⁱⁱ

5.106 The Royal Canadian Navy official history sums up the naval force structure at the end of 1953 as follows:

“In December of 1953 the Royal Navy completed what was in effect a minor reduction of its Korean force by returning the command of Task Group 95.1 to the U.S.N. and withdrawing the Flag Officer Second-in-Command Far East Station to Hong Kong. Henceforth seven RN or Commonwealth destroyers and frigates were maintained in the immediate war area on a rotational basis, with the remainder ordinarily at Hong Kong on seven days' notice; of the seven ships in the operational area, two were usually Canadian destroyers. A suggestion by CANCOMDESFE that the RCN ships be withdrawn to Esquimalt with the understanding that they would return to Korea on three weeks' notice should hostilities begin again was rejected by Canadian Naval Headquarters. The ships were, however, ordered to reduce from war complement to operational complement by 1 March, 1954...”^{iv}

5.107 HMAS *Arunta*'s June 1954 Report of Proceedings reads in part:

“1–5 June lay at anchor in vicinity of Paengyong-do. This period completed an uneventful 16-day patrol in which there were no incidents of an operational nature. Relieved on 5 June, proceeded to Hong Kong. In Hong Kong, completed 1 day full-calibre firing. Further 8 days, shopping and bus trips arranged, but Dockyard swimming pool proved main attraction. Also effected shipboard repairs. Sailed for Kure 18 June. Anti-aircraft firings cancelled due to weather. Competed in USS *Mount McKinley* track and field meeting 22 June. Cricket, running, tug of war, heaving line throw and veterans race. Splendid lunch. 26 June, returned to Korean west coast operational zone. Lay off Paengyong-do for remainder of month, no incidents, no armistice violations.”^{iv}

5.108 And for July 1954:

“2. From the beginning of the month until... 6 July 1954, H.M.A.S. *Arunta* remained in the vicinity of Paengyong Do carrying out the duties of CTU 95.1.2 and CTU 95.1.5. During this latter period of a 16-day patrol there were no incidents of an operational nature and no violations of the Armistice Agreement were observed...

...

“7. ... H.M.A.S. *Arunta* returned to Yongpyong Do...

“8. There were no incidents of an operational nature and no violations of the Armistice Agreement during the period H.M.A.S. *Arunta* was acting as CTU 95.1.2 and CTU 95.1.6.

Ships were disposed at night stations each night and the minesweepers carried out a planned minesweeping program to check-sweep the searched channels.”^{lvi}

5.109 In his Report of Proceedings for 10 August 1954, the Flag Officer Second-in-Command, Far East Station, regretfully advised that RFA *Gold Ranger* had departed Korean waters, leaving the Royal Navy dependent on other sources for fresh water and furnace fuel oil, and limiting the employment of Commonwealth ships.^{lvii}

5.110 RAN veterans provided the following comments in submissions to the Working Party about the period from the Armistice to November 1954:

(Sailor, HMAS *Arunta*): “We served in Korea for most of 1954. It was only a few months after the Armistice when we arrived there, and it was still well and truly like a war zone. We would often sail at night in complete darkness, even without the navigation lights on. ... We had a number of air-raids during the months of April, May and June. Not only were we patrolling certain areas, but we also did some minesweeping.”

(Sailor, HMAS *Sydney*): “I compare the entries in my diary for the HMAS *Warramunga* [July–August 1953] and find that most of the *Sydney* trip was devoted to being on edge, cold and even bored witless whilst on watch. This is not a good combination.”

(Sailor, RAN): “As a Korea veteran (1951 and 1952) I personally have no axe to grind with the recognition of post-Armistice Korean veterans ... In fact I had another tour of duty in 1954 and found the same anxiety state still present whenever we were in Korean waters.”

5.111 RAN veterans provided the following comments about the period in evidence to the Working Party at public hearings:

(Sailor, HMAS *Sydney*): “I was never fearful, but I felt apprehensive. I was careful, I was cautious, concerned. If you can forgive a poetic statement, it was almost like the Sword of Damocles. There was something about to happen. It didn’t happen, fortunately, but that was the general feeling, and as time went on, that feeling started to grow. And I can understand now how some people going through stressful situations end up with what I think is called post-traumatic stress disorder. I would never admit to having that, but in retrospect, that was the feeling that I was starting to generate.”

(Sailor, HMAS *Sydney*): “You see, we are the forgotten people of the Korean War. You know, I had to go to a psychiatrist and he couldn’t believe that we didn’t have counselling in our day, you see. And I said, ‘They didn’t even know what it was’. You know, when something happened, an accident—I was on the chocks when the bloke walked into the propeller and had his head just about lopped off. And I mean, they marched me down to the sick bay with him and then it was, ‘Go back to work’, you know, as if nothing had happened. That poor gentleman died some hours later, but that lives with me for the rest of my life. And of course today, if they get shot at, they have counsellors and what have you there, and they get their just deserts. They have people here to welcome them home. You know, who welcomed us home? Our families, nobody else. There was no Prime Minister there to kiss *our* backsides. So you know, I think that they deserve these awards.”

(Sailor, HMAS *Warramunga* 1950–51, HMAS *Sydney* 1953):

“Gordon Jones:

Can I just pursue this bit about what your expectations were a bit further. When you were operating in *Warramunga*, what was your understanding of the threat that the North Koreans and the Chinese presented to you?

“Witness:

Well, you just couldn’t trust them. You didn’t know whether they would go on with all their

skirmishes after they even signed the treaty. Oh, we wasn't there then, but I was and the ship was. But you just had to be on your toes all the time.

"Gordon Jones:

And what about on the *Sydney*. What was your understanding then?

Witness:

Well, we just treated it as a cruise up there, like a Far East Asia cruise."

(Sailor, HMAS *Tobruk*):

"Ian Crawford:

Did you engage any junks or apprehend any junks after the Armistice, who were involved in minelaying?

"Witness:

There were many [that] came under surveillance. They were being watched night and day when you were on those patrols. And the submarines... There were submarines in the area, and we kept track of some of those for quite some time. They were there. And especially where the carriers were. We're not sure who they were, but I know in the early stages we dropped a few charges over and got an oil slick out, but we never got anything out other than the oil slick, so whether that was deliberate or what, I don't know..."

(Sailor, HMAS *Tobruk*): "... when we came back and we got married, our wives became our psychologists. And our kids had to learn to live with us. We got no help out of it."

(Sailor, HMAS *Sydney*): "And being an aircraft carrier, I was attached to Squadrons. We worked in liaison with them and also with the ground forces ashore in Korea. Whether it might have been the RAAF or the Royal Air Force or the Yanks or whichever, we worked in cohesion with them as far as patrols and whatever the land forces whatever they worked. We worked in full concert with them. And our aircraft in the operational area were always fully-armed: that was with 20 mm Hispanos on them and the guns and also when they had rockets. Not so much on the bombing, but—well, we did bomb, but I'd say that's probably an exercise, but they were always armed fully on take off. And we were always—in the operational area, we always remained at action stations. We always made it operational and ready for attack position at all times."

Army – conditions experienced

5.112 The Working Party has gained the following information about conditions experienced by the Army in the period from the Armistice to November 1954. Unless otherwise stated, the information is from unit war diaries. It is presented in chronological order.

5.113 26 July 1953: On the day prior to the Armistice, 2 and 3 RAR occupied the left of the 28 British Commonwealth Division defensive position on the Hook. At that stage the total enemy strength in Korea was assessed at 1,175,165.^{lviii}

5.114 27 July 1953, 2 RAR instruction on truce actions: "On move back from the Hook, no ammunition will be expended without the permission of CO 2 RAR."

5.115 27 July 1953, 2 RAR Operation Instruction: Action on ceasefire: "All ranks will continue to carry personal weapons and ammunition but no weapons will be loaded or fired except in the extreme case of an enemy attack, when the company commander on the spot will give the order."

5.116 Lieutenant General Sir Henry Wells, Commander-in-Chief BCFK, said in a Special Order of the Day on 28 July 1953:

"In the less dangerous but not less difficult days of the Armistice... Many of our comrades have made the supreme sacrifice in this United Nations cause. We who serve on, have an obligation to them to continue our task until it is certain that the purpose for which they fought has been accomplished."

5.117 Major General West, GOC 1 British Commonwealth Division, said on 28 July 1953:

"After the ceasefire, there will be no firing in forward areas except by the order of the local commander to repel an attack. After we have withdrawn from our forward positions, no-one must move forward of the no-pass line unless authorised by the Armistice Commission. There must be no relaxation in our readiness for battle."

5.118 2 RAR, 27–28 July 1953: "Emphasis has been laid on the fact the Armistice does NOT represent the end of the Korean conflict and that it is merely a tentative cessation of hostilities". Hostile action in 2 RAR completely ceased at 10.00 pm on 27 July 1953.

5.119 A message of 29 July 1953 from Brigadier Wilton, Commander 28 Commonwealth Brigade, read in part:

"You will be asked to work hard for the next few days, but at least you will have the respite from danger and discomfort you richly deserve."

5.120 There were no recorded incidents after the Armistice in the 28 Brigade War Diary. Brigadier Wilton attended the signing of the Armistice at Panmunjom as Australian representative.

5.121 On 28 July 1953, Brigadier Wilton wrote:

"Now that the tension is off we all feel deflated. Right up to the ceasefire morale was high and all the troops cheerful. From now on it is going to be hard to stop them getting up to mischief. I shall have to keep them fully occupied with the proper proportions of work, training and recreation."^{lix}

5.122 The 1 [British] Royal Tank Regiment Report for July 1953 included the following:

"This will probably be the last Korean report in its present form written by this Regiment since, after 3 years, during which time the Regiment has been in action 5 months, a truce has been signed in Korea."^{lx}

5.123 The BCFK Weekly Review of 2 August 1953 recorded that:

"... the UN had no objection to the Communists' proposal to employ 1,000 civil police in the DMZ, provided they wore distinctive markings. UN intends to employ 650. Agree that civil police be armed with rifles or pistols only."^{lxi}

5.124 For 22 August 1953, it recorded that over the previous week there had been 31 incidents involving enemy bandits in South Korea, involving some 549 bandits. ROK civil police claimed to have killed 10 and captured 3.^{lxii}

5.125 As one historian put it:

“An uneasy peace now settled over Korea... There was a truce; not a complete and satisfactory peace... The Royal Fusiliers, whose time in Korea was almost ended, breathed a great sigh of relief, but the other Battalions were still wary.”^{lxiii}

5.126 Immediately after the Armistice the Division Column [transport of personnel and supplies] was involved in reducing forward ammunition stockpiles and the movement of stores and troops back to the new defensive positions (the Kansas Line). It was then involved in SCRAM exercises and other preparations for the resumption of hostilities, but by April 1954 it was involved in very routine administration. [SCRAM exercises were designed to practise the rapid occupation of defensive positions on the Kansas Line.] Professor David Horner describes the SCRAM exercises in these terms:

“Once a month the division had a trial occupation of the Kansas Line, and not even the divisional commander knew the date or the time of an exercise until he received H Hour from the corps commander.”^{lxiv}

5.127 The 1 British Commonwealth Division operational/intelligence weekly summaries at the start of the period are comprehensive and lengthy, with many reports of possible violations, enemy strengths and identifications. As time progresses, particularly from later in 1954, the summaries (including the excerpts from the 8th Army and I Corps summaries) are briefer, reporting fewer incidents and mainly concerned with identifying CCF formations withdrawing from the Korean theatre.

5.128 At a Military Board meeting of 31 July 1953:

“The CGS said that with the Korean Armistice the weekly briefings of the Board by officers of the Directorate of Military Intelligence would cease. However, he had arranged for a final briefing at next week’s meeting, covering particularly the conditions of the truce in Korea.”^{lxv}

5.129 The NZ official history describes the immediate post-Armistice and the progressive easing of military tension:

“Although the fighting had ceased, there was no certainty in August 1953 that it would not resume, and among the early post-armistice tasks of the Commonwealth forces on land was that of preparing new defensive positions capable of withstanding an enemy offensive. Thus the gunners, once they had cleared their old position, began building new gun positions in Line Kansas. This was 'virgin country'. Land had to be cleared and levelled, drains put in, roads constructed and cables laid. While these were sensible precautions, the men became increasingly confident that there would not be renewed fighting. This impression was reinforced when the guns officially came out of action and were lined up wheel to wheel in the gun park. 'This is the first time since I've been here that the guns haven't had ammunition handy and been ready to fire, night and day, at a moment's notice,' Wilfred Poulton noted. 'It would probably take an hour now for us to get our guns set up and parallel, and get the first round away, if we had to do so.'”^{lxvi}

5.130 On 1 August 1953, the MAC “agreed that there would be no restrictions to the number of troops employed in clearing the DMZ, provided that all troops were unarmed. It was also agreed that all types of equipment may be used and that explosives may be employed for the destruction of field defences.”^{lxvii}

5.131 In the 1 British Commonwealth Division Periodic Report No. 6 of 1 April 1953 to 1 August 1953, the GOC (General West) said:

“Morale remains very high but the inevitable reaction after the Armistice has resulted in a slackening of discipline. This is going to be a considerable problem because there is not much to do in Korea except fight.... It is hoped that this will be the last war-time periodic report from Korea.”^{lxviii}

5.132 1 August 1953, 2 RAR: “All ammunition was withdrawn from all personnel this week.”

5.133 26 August 1953, 2 RAR at Peace Camp:

“Companies continue to improve existing conditions in company areas and all efforts adding to the beautification of the area. White tape and lime is being used extensively in order to brighten the appearance of things which are normally unattractive.”

5.134 In August 1953, 3 RAR moved to Area 6 well north of the Imjin because of its potential as a good living and training area, not cramped for space and troops were not exposed to the temptations of more southern crowded camp areas. It assisted in providing security over Pintail Bridge each night. Because of 3 RAR’s distance north, it took them 2–2½ hours to report ready on the Kansas Line, although the target was 4 hours.

5.135 On 15 August 1953, 28 Brigade issued an Operations Intelligence Estimate Autumn 1953 based on a I Corps estimate of 15 August 1953. Opposing 1 British Commonwealth Division were elements of 2 CCF Armies (3–4 Divisions, 30–40,000 personnel). A further 33,000 CCF personnel were capable of intervention within 24 hours. It went on:

“There is NO indication of an imminent offensive and for the immediate future the enemy is believed likely to organise, occupy and defend battle positions north of the northern boundary of the DMZ, simultaneously maintaining the ceasefire status but offering covert assistance to subversive elements in South Korea.”

5.136 On 19 August 1953, there was a report of the capture by US Marines of an enemy agent swimming the Imjin River.

5.137 26 August 1953, 28 Brigade Operations Intelligence Summary:

“Briefly, the enemy will probably organise, occupy and defend battle positions in close proximity to the northern boundary of the DMZ, nominally maintaining conditions of the Armistice while assisting subversive elements in South Korea.”

5.138 Routine Orders, 28 August 1953:

“Previous orders have been issued regarding carrying of personal weapon at all times. However, when personnel are proceeding south of the Corps rear boundary [Uijongbu], arms will not be carried except for guards, escorts and military police.”

5.139 Routine Orders 31 August 1953, 2 RAR: “Personal weapons will be carried at all times in the Division area.”

5.140 3 RAR's Kansas Line positions were centred on the Lozenge feature on the southern side of the Imjin River overlooking Pintail Bridge (see maps, Annex 5B).

5.141 The BCFK Weekly Review for 5–11 September 1953 stated that the ROK National Police recorded 49 clashes in the central and southern security command areas, killing 9 of 583 enemy bandits.^{lxix}

5.142 7 September 1953, 2 RAR: 5 Korean Service Corps members walked into a marked minefield; 1 killed, 2 seriously wounded, 2 slightly wounded.

5.143 Major General G E R Bastin, UK and Commonwealth representative on the MAC, informed all officers of 28 Brigade on 10 September 1953: "An armistice is not a peace. It is a military agreement between opposing commanders to cease fire."

5.144 11 September 1953, 2 RAR Routine Orders, Shooting of Game:

"There will be NO shooting of pheasants before 1 October. The mass slaughter of pheasants for unit parties is to be deplored. NO weapons other than shotguns are to be used for shooting game birds."

5.145 The 1 British Commonwealth Division War Diary entry for 17 September 1953 records that the GOC watched an artillery practice firing and then attended a picnic lunch.^{lxx}

5.146 On 18 September 1953, 2 RAR issued orders to the Pintail Bridge guard. Their duties were: protect the bridge against sabotage and damage; prevent unauthorised use of the bridge; prevent infiltration of unauthorised Chinese and Koreans into the area; patrol the banks on either side of the bridge to prevent sabotage; be correctly dressed, smartly turned out, pay correct compliments. There was no mention of orders for opening fire.

5.147 On 20 September 1953, there was a report of Korean Service Corps thefts from officers' lines. A large quantity of personal property was stolen.

5.148 On 20 September 1953, 3 RAR assumed responsibility for night patrolling of the south bank of the Imjin River within their area.

5.149 The 1 British Commonwealth Division Instruction for Exercise SCRAM 1 specified that I US Corps would conduct a practice operation of the Kansas Line [SCRAM 1] on or after 21 September during daylight, to be completed within 4 hours. First line ammunition was to be carried but not distributed below Company level.^{lxxi}

5.150 A September 1953 brief history of Korean War by 28 Brigade ends on 27 July 1953.

5.151 In September 1953, the Division Column was still clearing the Jamestown Line of defensive stores.

5.152 The September 1953 instruction for OPERATION SCRAM 2 stated:

“Weapons: all normal weapons will be carried and deployed. Ammunition: First line ammunition is to be issued to Companies by the RSM, is to be carried in bulk by Companies; boxes will NOT be broken, ammunition will NOT be issued to personnel.”

5.153 The Brigade reported about 10 Korean Service Corps and civilian security violations at checkpoints per week in September 1953.

5.154 The 28 Brigade weekly Operations Intelligence Summary for September 1953 noted: “The enemy in Korea is capable of resuming hostilities at any time.”

5.155 A 3 RAR instruction on security of the Brigade area, September 1953, contained Orders for apprehending unauthorised personnel: If armed, [they were] to be disarmed, arrested and taken to Division PW [Prisoner of War] cage. Without proper documents, [they were] to be handed to the Field Security Detachment.

5.156 On 24 September, I Corps conducted the first EXERCISE SCRAM.

5.157 28 September 1953, 2 RAR orders on personal arms and equipment:

“Personal arms will NOT now be carried except for guards and picquets or when ordered for training or occupation of Kansas positions... Companies will withdraw all personal weapons, which will be tagged and stored in Company Q stores. Bolts etc will be removed from weapons and will be kept in locked security boxes... Weapons will be stored so they are available for immediate issue in case of emergency.”

5.158 A 1 British Commonwealth Division Plan was issued 7 October 1953 for counter-attack on the Kansas Line in the event of Communist infiltration or penetration of defensive locations or the loss of vital ground.^{lxxii}

5.159 From October 1953, members of the Division Column were playing a lot more sport.

5.160 On 13 October 1953, 1 British Commonwealth Division issued Operational Instruction No. 85 to the Commander 25 Canadian Infantry Brigade:

“The aim of this Instruction is to clarify the methods you will employ in delaying the enemy north of River Imjin. ... The object of the covering force is to give time to the rest of the Division to occupy Kansas. The covering force must therefore ensure that the enemy is held north of the Imjin for not less than 4 hrs... Operations north of the Imjin must be so conducted that at no time is there any great danger of a major portion of the covering force being destroyed. It is vital that this force should move intact into its position in the Kansas position, as it constitutes the Division reserve without which the main battle cannot be fought.”^{lxxiii}

5.161 3 RAR Routine Orders, 13 October 1953, on the security of personal arms and ammunition:

“Personal arms will not be carried by a member, except DMZ duties, guards, picquets, sentries, training exercises or parades, daily arms inspections. Guards, sentries and picquets to be armed only with rifle and bayonet. Ammunition will not be carried except DMZ duty, guard, sentry, picquet, training exercise involving the use of live ammunition. For guards, sentries, picquets, rifle is to be loaded but no round in breech. Use of weapons: guards, sentries, picquet is to make every effort to arrest intruder without use of his firearm. If arrest is impossible, guard is to shout HALT OR I WILL FIRE and place a round in the breech. If no

effect, repeat. If still no effect and no other way of protecting Government property, the guard should fire WITH INTENT TO WOUND.”

5.162 On 23 October 1953, Military Board heard an address by Major General West, GOC 1 British Commonwealth Division. The minutes record that:

“At the present time in common with all UN troops the Division was engaged in building a new defensive line south of the DMZ ... Morale in the Division was very high and the troops were working hard. Each week consisted of four days work on building the line, 2 days on administration and one rest day... He expected that work on the new line would continue until January/ February 1954 and that up to this time the maintenance of high morale would not be difficult. After the line was completed it would be necessary for the Division to undertake a vigorous training program in order to keep the troops fully occupied.”^{bxxiv}

5.163 At the same conference there was an item on ‘Extra messing on Christmas Day’:

“Subject to Treasury approval, the following grant per member would be made:

- a. Troops serving in Korea—an amount of 5s sterling per head...
- b. Troops serving overseas but not engaged in operations—2/6d per member in camp on Christmas Day.”^{bxxv}

5.164 On 23 October 1953, 3 RAR issued Standing Orders for members acting as DMZ police:

“Duties

1. Protect members of the MAC joint observer teams and NNSC inspection teams.
2. Enforce law and order within the DMZ and apprehend violators.
3. Apprehend personnel entering the DMZ from north or south without proper credentials.
4. Keep close watch of the DMZ in conjunction with the road blocks and OPs and report all activity.

“Dress and weapons:

3 RAR dress plus American pattern helmet liners painted white, marked DMZP in red, MP armband on upper left arm, and web belt and bayonet. Each policeman will be armed with two weapons : a .38 pistol and a rifle. 20 rounds for the pistol and 20 rounds for the rifle. Magazine charged, rifle unloaded. No rounds carried in the chamber of either weapon.”

5.165 On the same day, Standing Orders were issued for 3 RAR security patrols:

“It is suspected that the Chinese and North Koreans are sending over patrols to lay up and observe our installations on both sides of the River Imjin in violation of the truce. Patrol task is to locate and apprehend any unauthorised personnel within the Company area of responsibility. Patrols will NOT fire on any personnel until they have given due warning and until they have given the orders to halt three times.”

5.166 27 October 1953, 2 RAR: “Supplies of hobby material are now available in the education centre. These include model planes, ships and speedboats. The demand for these models is great, and another consignment has been ordered from Japan.”

5.167 3 RAR Operation Instruction, 28 October 1953: in their area of responsibility south of the Imjin, only rifle and Owen gun, no LMGs to be carried.

5.168 By November 1953, the Canadian Brigade was undertaking EXERCISE SHAKEUP in its role as the Division screen forward of the Imjin. The Canadian Brigade training program post-Armistice was “geared more to long-term development than active preparation for immediate hostilities”.^{boxvi}

5.169 ‘*Three years in Korea*’, a US Army I Corps pamphlet, was issued in late 1953:

“The truce negotiations, which had been in progress for the preceding two years, reached an end with the signing of the Armistice Agreement at 1000 hours on 27 July 1953... The word was passed to the lowest echelons of the Corps and firing ceased a few minutes before the historic hour. As the realisation that the fighting was over spread among the front-line soldiers, they emerged slowly from their bunkers, not in an elated mood as might have been expected, but with the knowledge that another phase of the War had been reached and a sober understanding that the truce represented a temporary ceasefire requiring a continuation of the alert, ready-for-action attitude of the past. ... In every mind is the knowledge that an enemy may come; in every heart is the determination to turn it back.”

5.170 On 13 November 1953, 3 RAR ambushed and surprised 9 members of the ROKA stealing from an old camp (Area 6) and handed them over to the Field Security Detachment. Thefts then stopped.

5.171 In the Division Operations Intelligence Summary of 14 November 1953, “... it is clear that at the moment [enemy] preparations, opposite the Divisional front at least, are defensive rather than offensive in character.”

5.172 In the Division Operations Intelligence Summary of 22 November 1953, “...There is little evidence to show that the enemy reacted in any way to EX SHAKEUP. NO unusual movement of personnel or vehicles was observed...”

5.173 23 November 1953, 2 RAR: A surprise SCRAM was achieved in 2 hours.

5.174 A 26 November 1953 news report in the Melbourne *Herald* stated of the Australian troops:

“... Their tented camps are being strengthened against the secondary enemy: the piercing cold that will soon intensify on the wind from Siberia. Tents get the treatment with sandbagging, floorboards and the lethal looking but effective petrol stoves or ‘choofers’. Quonset huts are going up to give sheltered messing, laundry facilities and room for the hobbies and vocational training which both Australian battalions will provide if the truce holds.”^{boxvii}

5.175 On 27 November 1953, 2 RAR Routine Orders relayed a message from the Federal Secretary of the RSL: “The RSL have unbounded admiration for your service in Korea, which upholds the highest traditions of Australian battle service”.

5.176 The BCFK Weekly Review for 28 November–4 December 1953 reported 35 incidents involving 659 bandits: killed 29, captured 6.^{boxviii}

5.177 The Division Operations Intelligence Summary of 28 November 1953 reported a significant decrease in enemy sightings over the previous week, most likely for the following reasons:

- “a. restricted visibility due to adverse weather...;
- b. defences astride the DMZ have now been completed up to a certain ‘priority’ level whereby troops are now being released to concentrate on road and rear installation improvement and tactical training;
- c. winterisation activities”.

Point b. was considered the most likely reason.

5.178 The 1 British Commonwealth Division War Diaries for the period essentially report visits, meals and conduct of the occasional exercise. Throughout the period, the Division undertook OPERATION CONTINUE, which was the occupation of battle positions, training for the resumption of hostilities. EXERCISE SHAKEUP involved the occupation of the Division battle positions timed with the withdrawal of the covering force (25 Canadian Infantry Brigade) into the defensive positions. They took the lessons learned from each of these exercises and incorporated them into their training and doctrine. For example at the GOC’s post-Armistice EXERCISE SHAKEUP conference 21 November 1953: “The GOC highlighted the lessons learned from the Exercise to be incorporated into the Division’s training and operating procedures, expressed a wish to complete all Kansas Line bunkers before the ‘freeze-up’, stated concern at physical fitness standards, and identified a need to establish suitable tracks for movement of the covering force (25 Brigade)”.

5.179 The BCFK Weekly Review reports that for the period 1 December 1953 to 7 April 1954, apparently large-scale anti-guerrilla activities by ROK National Police resulted in 229 enemy bandits killed and 379 taken **PW**^{bxix} [emphasis added].

5.180 On 4 December 1953, 2 RAR Routine Order on reckonable service towards 12 months’ Korean service mentions time in hospital for self-inflicted wounds and VD not counting as service in Korea; it makes no mention of operational causes of hospitalisation.

5.181 In the Division Operations Intelligence Summary of 6 December 1953 there is the comment that:

“... [Enemy] DMZ figures rate high as against sightings elsewhere. However, it is considered that this is just normal enemy policing activity”.

5.182 On 9 December 1953, 2 RAR reported being taken off patrolling and checkpoint duties and would now focus all their efforts on building the Kansas Line.

5.183 At his conference on 15 December 1953, the GOC advised that “all training during the first four months of 1954 will be designed to prepare the Division for mobile warfare”.

5.184 In the 8th Army Intelligence Summary of 15 December 1953, following the interrogation of a 13-year-old, the G2’s comment was:

"The above interrogation reveals that the enemy is training boys and young women to infiltrate friendly units. It is highly probable that many agents of this type are already in the employ of units and individuals within 8th Army."

5.185 On 29 December 1953, the Department of External Affairs advised the High Commissioner in New Delhi:

"Although a replacement field ambulance is not needed under present conditions, one would definitely be required should hostilities again break out. Units selected would then be needed at very short notice." ^{bxxx}

5.186 In its Operations Intelligence Summary of 9 January 1954, 1 British Commonwealth Division concluded that "since early January 1953, it has become increasingly apparent that the number of CCF tanks in Korea has increased."

5.187 On 14 January 1954, these orders were issued to the 3 RAR Pintail Bridge guard:

- "15. a. All members will carry rifles whilst on duty.
- b. Ammunition of scale 50 rounds per rifle will be kept at the guard tent.
- c. Each sentry will have 10 rounds per rifle. 5 rounds in the mag and 5 in the charger. All ammunition to be carried in the pocket. Weapons will not be loaded without orders from the guard commander."
- d. Order to fire: The guard commander will make every effort to arrest unauthorised personnel without use of firearms. If arrest is impossible, the sentry will shout HALT OR I FIRE and on orders of the guard commander will place a round in the breach. If no effect, he will repeat it. If still no effect and no other way of effecting arrest, the guard commander should order the sentry to fire WITH INTENT TO WOUND."

5.188 From the end of 1953, the 1 British Commonwealth Division War Diary increasingly refers to sporting competitions between units as a major form of activity.

5.189 In January 1954, these orders were issued to the 3 RAR Tokchong Ammunition Point guard:

"Use of firearms: only for protection of military or personal property, protection of personnel. Action before discharging firearm: picquet will shout in a loud voice HALT OR I FIRE. On orders of the guard commander, he will load. If no effect, he will repeat it. If still no effect and no other way of effecting arrest, the guard commander should order the sentry to fire WITH INTENT TO WOUND."

5.190 On 30 January 1954, 1 British Commonwealth Division conducted EXERCISE POLECAT 3. The purpose was to clear the Division area of unauthorised personnel north of the Imjin River. 3 RAR reported that no unauthorised personnel were apprehended.

5.191 On the same day, the Division Operations Intelligence Summary reported that information gathered from across the Division front "would suggest that the enemy is conducting widespread exercises on a larger scale than hitherto reported".

5.192 The official history of the Canadian Army in Korea records that:

“In the latter part of January 1954 the Canadians assumed a special state of readiness in case China should decide to renew the war after an unfavourable turn in the political conference, or if India released non-repatriated war prisoners should the Conference fail to take place”.^{booxi} [Note: The Conference did not proceed, prisoners were released, no incidents occurred.]

5.193 In February 1954, 3 RAR reported that their anti-tank guns were withdrawn.

5.194 On 10 February 1954, 2 RAR issued an administrative order:

- “A. If 24 hours warning of the resumption of hostilities is available, the deployment of unit echelons will be carried out in stages according to the state of the alert.
- B. If no warning of the resumption of hostilities is received, deployment of A and B echelons will follow that of F echelon.”

5.195 The 1 British Commonwealth Division Operational Intelligence Summary of 13 February 1954 reports that:

“On 27 July 1953 1 Commonwealth Division was opposed on the left and the centre by 137 Division, 46 CCF Army and on the right by 2 Regt, 1 Division, 1 CCF Army. Relative positions have NOT apparently been altered by the withdrawal of forces from the DMZ.”

5.196 From this time onwards, the Operations Intelligence Summaries are preoccupied with withdrawal of CCF forces from North Korea.

5.197 On 15 February 1954, 3 RAR reported that the Battalion HQ Batman's tent was entered by 2 armed members of 1 ROK Division who stole some items of personal equipment. As a response, more security patrols were mounted.

5.198 23 February 1954, 2 RAR Routine Orders dealing with 'Game shooting':

“With effect 15 February 1954, all game shooting will cease inside the Division boundary.”

5.199 On prevention and control of rabies:

“Subunits will maintain a register of privately owned dogs. RMO will arrange to inoculate all such animals against rabies. Stray dogs found in Company areas will be taken to 1 COMWEL Division Provost Company, who will take steps to find the rightful owners or arrange disposal.”

5.200 The 1 British Commonwealth Division Operations Intelligence Summary of 27 February 1954 reports “that the North Korean Government has started training additional guerrilla forces to provide reinforcements for those presently operating in South Korea.”

5.201 By March 1954 (before 1 RAR takes over from 2 RAR), the reporting of the Division sector has become quiet, largely concentrating on routine administration. Enemy numbers are trending down and intelligence reports at all levels stop talking about what the enemy is doing and now advise on enemy battle techniques.

5.202 28 Brigade Operations Intelligence Summary for the first week of March 1954 reports that:

"Radar and UNC pilot observations indicate extensive reconnaissance surveillance activity is taking place north of the DMZ and along the coasts of North Korea, where UNC reconnaissance flights have been intercepted or followed... The enemy has continued to overfly UNC territory in violation of the Armistice; 28 enemy violations have been alleged by the UNC... The enemy air forces are presently so disposed that hostilities could be initiated against UNC forces in Korea with little or no warning."

5.203 On 15 March 1954, 3 RAR captured two boys camping on the Kansas Line. They were handed over to the Field Security Detachment.

5.204 The official history of the Canadian Army in Korea records that the Canadian Prime Minister (Rt Hon Louis St Laurent) opened the Canadian recreation centre (Maple Leaf Park) on 8 March 1954 north of the Imjin River. "The facilities included an auditorium, a gymnasium, a Red Cross centre, and NAAFI wet and dry canteens". On 18 March 1954 he told the Canadian House of Commons:

"...the morale of all our men is splendid. I was very happy to find that since the actual fighting has ceased, they have been able to overcome, by their own efforts, many of the inconvenient features that interfered with their physical comfort in the surroundings in which they find themselves... and this conviction of each and every one of them that he is a Canadian doing a Canadian job... in the joint effort to prove aggression to be unprofitable".¹⁰⁰⁰¹¹

5.205 In April 1954, as part of establishing the Battalion in Peace Camp, 1 RAR issued routine administrative instructions including for Battle/Non-Battle casualties; also instructions for railhead guard at Tokchong:

"Weapons and ammunition: Guards will be armed with rifles and bayonets. 10 rounds of .303 per man will be issued to the guard Commander before leaving 1 RAR location. This will not be issued to individuals unless authorised by OC Troops Railhead Tokchong."

5.206 The 1 British Commonwealth Division Operations Intelligence Summary for 3 April 1954 recorded that:

"On the I Corps front from 22 to 28 March 1954 a total of 20,227 personnel, 10 tanks, 10 artillery pieces, 1,089 motor vehicles and 530 horse-drawn vehicles were observed opposite the I Corps front. These figures represent a substantial increase on the number of personnel and vehicles sighted during the previous period. The general pattern of enemy activity remains unchanged: personnel were engaged in movement to and from training areas and classes, parade ground activity, attending lectures, maintenance work on roads and tracks, and physical training. Work on main battle positions was restricted to general repair and maintenance."

5.207 On 3 April 1954, 1 RAR Routine Orders provided warning of minefields in the Kansas Line area and advised that minefield traces were available from Battalion HQ. It also provided orders for the various picquets, which included the statement:

"You will be responsible to ensure that NO unauthorised pers enters the [various locations] ...

"If the intruder runs away, you will load your rifle and call out TWICE 'Halt or I will fire'. If he will still NOT halt, then shoot to kill."

5.208 Before leaving Korea, 2 RAR, held a commemorative parade on 4 April 1954 at the United Nations Memorial Cemetery, Pusan. The Honour Roll in the Order of Service identified the dead from 2 RAR for the period 17 March 1953 to 5 April 1954 and for 3 RAR from 28 September 1950 with no end date. However, Private Wilson

of 3 RAR, who died in a vehicle accident on 30 July 1953, is not mentioned in this Honour Roll.

5.209 On 5 April 1954, a summary was prepared of charges of Armistice violations by both sides. The Communist side declared 21 ground and 235 air charges of violation against UNC and the UNC declared 11 ground and 38 air against the Communists.^{lxxxiii}

5.210 On 19–22 April 1954, 1 RAR took part in 28 Brigade EXERCISE MOMENTUM using blank ammunition (10 rounds per rifle). First line live ammunition was carried in unit vehicles. No live ammunition was issued.

5.211 On 26 April–3 May 1954, 1 RAR took part in Divisional EXERCISE IMPETUS. Under Division Instructions, no live ammunition or grenades were to be carried on the man. Issue scales of blank ammunition were provided. 1 RAR issued blank ammunition, 10 rounds per man.

5.212 A report of 4 May 1954 from the Swedish and Swiss members of the NNSC recorded their concerns about the “utterly ridiculous” claims of the Czech and Polish members that the UNC is being obstructionist; they refute that. The NNSC was clearly becoming a major bone of contention between UNC and Communist sides, and between the USA and South Korea—a messy situation politically.^{lxxxiv}

5.213 On 7 May 1954, a new Division Junior Officers Club was opened on the south bank of the Imjin River “in a very picturesque setting” with dining room, bar, lounge, tennis, badminton and swimming.

5.214 In an Order of the Day on 10 May 1954, the GOC 1 British Commonwealth Division complimented all ranks on the recent Divisional Exercise and stated:

“the summer months will provide problems of a completely different nature. I know you will deal with these as they come and ensure that our readiness for war and your physical fitness will remain on their present high level. The ability of this Division to react to a challenge will, I know, be reflected in our work and play during the next few months.”

5.215 From 15 May 1954 the Operations Intelligence Summary provided a new monthly highlight on North Korea, reporting enemy strength at just over 1 million. Both CCF and KPA numbers had increased, not reflecting any build-up but the utilisation of returned POWs, normal recruiting and a more realistic evaluation of enemy strengths. From this time, the 1 British Commonwealth Division War Diary starts to have entries of ‘Nothing to report’.

5.216 On 20 May 1954, the Division provided a warning instruction for friendly frontline troops of an atomic burst. Further instructions in this vein were issued over the coming months. It seems likely that as part of its force reduction strategy, the UNC were contemplating other means of deterring further aggression.

5.217 On 22 May 1954, the Division Operations Intelligence Summary reported an incident in the IX Corps sector when a Greek Regiment OP was fired on. The OP did not return fire.

5.218 On 23 May 1954, the Department of External Affairs reported an interview with General Bastin, UK and Commonwealth member on the MAC. He was quoted as saying that the current dividing line between the Koreas was the most appropriate, and that the fortifications on each side were “most formidable”. He doubted that the South Koreans on their own could withstand an attack from the north, because Communist air supremacy would make all the difference. He also stated that the British Commonwealth Division was “absolutely first class. The troops were given plenty of training and were otherwise kept busy.”^{lxxxv}

5.219 On 25 May 1954, a new Division Senior Officers Club opened on the **north** bank of the Imjin River. [Note: Emphasis added. The grid reference quoted in the 2 RAR War Diary is for a location on the north bank of the Imjin River.]

5.220 In May 1954, 1 RAR weekly routine was reported as: 4 days work on Kansas, 1 day individual and section training; Saturday morning administration; Saturday afternoon sport; Sunday rest.

5.221 On 30 June 1954, a patrol from the Lone Pine Patrol Camp disturbed a group of Koreans, who fled when approached.

5.222 From mid-1954, more of the routine 1 British Commonwealth Division documents, instructions and reports were increasingly graded ‘Restricted’ rather than ‘Secret’ as previously. Operations Intelligence Summaries increasingly reported on events in Indo-China, and Army Corps and Division intelligence summaries continually made the observation, ‘No significant change in enemy patterns of activity’.

5.223 In July 1954 there was a shooting incident involving a civil police boat in the Han River estuary. No damage or injuries were reported.^{lxxxvi} The BCFK Weekly Review for 10–16 July 1954 reported that as a result of the incident, the UNC charged the Communists with bringing automatic weapons into the DMZ and opening fire on authorised civil police. The Communists denied the violations, and no satisfactory solution was obtained.^{lxxxvii}

5.224 On 7 July 1954, there was an incident of unexploded ordnance blowing up in a village where 3 RAR was operating. A Korean suffered minor injuries.

5.225 The 1 British Commonwealth Division Operations Intelligence Summary for 10 July 1954 reported the apprehension of four suspected enemy agents in the 1 Marine Division area. In addition, fairly reliable reports concerned the existence of two KPA reconnaissance units directly across the Imjin River from 1 Marine Division.

5.226 On 19 July 1954, the 1 RAR Tokchong Guard fired on Korean thieves, killing two, wounding one.

5.227 The 1 British Commonwealth Division Operations Intelligence Summary for 24 July 1954 included the following 8th Army analysis of enemy espionage activity from the Armistice to 30 June 1954:

- 160 suspected agents turned over to 8th Army; 71 found to be actual agents.
- 12 agents apprehended in the Korean Communication Zone.

- 202 persons illegally crossed into ROK through the DMZ (includes deserters and refugees, not agents entering the South by skirting the DMZ).
- Of 83 apprehended agents, 29 were despatched from North Korea prior to the Armistice.

5.228 On 27 July 1954, a neighbouring unit to the north reported a 'raid' on the Intelligence Office [Thieves again?]. They attempted to escape across the Lozenge minefield in 3 RAR's area. 2 were killed, 2 severely injured.

5.229 On 30 July 1954, 1 British Commonwealth Division laid down procedures for requesting tactical support of air-dropped atomic weapons.

5.230 On 31 July 1954, a group of enemy tanks was reported in the DMZ well to the north-east of the 1 British Commonwealth Division area.

5.231 The BCFK Weekly Review for 31 July–6 August 1954 reports that the Communists charged the UNC over incidents at Inchon, Pusan, Kunsan and Seoul. In particular, shots were allegedly fired and bombs thrown into the compound of Neutral Nations Inspection Teams at Pusan on the night of 1 August 1954.^{lxxxviii}

5.232 As at 5 August 1954, the 3 RAR officer strength was only 56% effective due to manning shortfalls and leave.

5.233 In the Division Operations Intelligence Summary of 7 August 1954, 8th Army reported a Soviet operational intelligence unit in North Korea.

5.234 On 13 August 1954, a 3 RAR soldier stole a rifle and ammunition and started firing at random in Delta Company area, inflicting a flesh wound on another soldier. He surrendered on learning of the soldier's wounding.

5.235 On 13 August 1954, 1 RAR achieved EXERCISE SCRAM in 1 hour 25 minutes.

5.236 On 25 August 1954, there was a training incident involving Australian and ROK Army troops, who were dressed in CCF uniforms for an exercise. There was a clash, but no casualties. The ROK troops left the area.

5.237 On 29 August 1954, the CO 3 RAR selected the site for Camp Gallipoli on the south bank of the Imjin River.

5.238 On 4 September 1954, 1 British Commonwealth Division reported a powerful syndicate of ROK war veterans in the Inchon area engaged in "various extortion and shakedown rackets".

5.239 On 10 September 1954, the 1 British Commonwealth Division Operations Intelligence Summary noted an 8th Army assessment that the "enemy continues to maintain a defensive attitude with NO significant trend noted".

5.240 The official history of the Canadian Army records of this period that:

"The continued build-up of the Korean armed forces to a point where these could, if necessary, wage a successful defensive war, enabled the UN Command to reduce its own strength. Accordingly, the Commonwealth Division was destined to become, in effect, a Brigade Group, though known as the 'New Commonwealth Division'..." It was announced on 13 September 1954: 'It has been agreed that the Canadian forces will be reduced by approximately $\frac{2}{3}$ and that the remaining Canadian element will consist of one infantry battalion, one field ambulance, and the necessary elements for their administrative support'." ^{bxxxx}

5.241 On 14 September 1954, a NZ petrol point was raided by ROK Army soldiers. NZ soldiers were tied up and beaten.

5.242 On 18 September 1954, 2 Korean nationals were apprehended in 1 RAR officers' lines, and shots were fired. The men were handed over to the Field Security Detachment.

5.243 A 1 British Commonwealth Division Operational Instruction of 18 September 1954 on area security (classified Restricted) reported enemy forces as:

- "(1) Enemy agents continue to enter South Korea and the probability of such persons infiltrating 1 Commonwealth Division area still exists...
- (2) Undesirable elements of the civilian population in South Korea continue to enter the Divisional area to organise petty or major larceny of military property for black market disposal.
- (3) Armed raids by ROK Army personnel to secure military property may well take place. A further area security operation was undertaken at the end of October."

5.244 The same Instruction gives orders for opening fire as:

"At night personnel approaching a sentry, patrol or ambush will be challenged in English and Korean ('JUNGJI SUNDA'). In the case of an ambush or patrol operation in the hills during the hours of curfew, fire may be opened if the order is not obeyed on the first occasion it is given. On roadblocks, checkpoints and bridge guards, sentries will challenge twice before fire is opened."

5.245 The Instruction further advises that:

"... at roadblocks, checkpoints and bridges, a sentry may open fire at any time without warning if his life or the life of a comrade is endangered.

"A sentry may open fire after due warning if government property is endangered, if, in his opinion, NO other action will prevent damage to the property.

"At all times the minimum of force necessary will be used. This does NOT APPLY if the sentry or post is attacked or if fire is returned.

"Sentries on duty by day will be armed with a rifle and bayonet and 50 rounds of .303. The magazine will be loaded but NO round will be in the breech. Sentries by night will be covered by a second sentry who will be tactically sited and armed with an automatic weapon (LMG)."

5.246 In October 1954, 3 RAR commenced pulling down their camp for re-erection in Camp Gallipoli.

5.247 A report of 1 October 1954–31 March 1955 from BCFK reported that:

“The new Commonwealth Division, in strength a Brigade group, was formed and redeployed by 15 November 1954... The Division spent the winter months settling in and building its hutted accommodation. By February all units were installed in their new locations and training was able to start again.”^{xc}

5.248 At Appendix C to the report is a list of honours and awards made to members of BCFK operational units and headquarters: there are no operational or gallantry awards made.

5.249 A historian writing on 28 Commonwealth Brigade records that:

“Only the 1st Battalion Royal Australian Regiment, reduced to 21 officers and 509 other ranks by November, remained in Gallipoli Camp as the representative Australian element of the British Commonwealth contingent of the United Nations forces until they also left Korea [sic] on 24 March 1956.”^{xcii}

5.250 By 7 November 1954, 1 RAR was occupying the new Camp Gallipoli, with most members housed in Quonset huts. Construction of the Camp was complete by December.

5.251 By the 13 November 1954 Operations Intelligence Summary, content had diminished to two pages.

5.252 In a Melbourne *Herald* article of 20 November 1954, the newly returned CO of 3 RAR, Lt Colonel S H Buckler, said in part:

“North Koreans were doing exactly the same as United Nations troops—digging in. They could be seen from forward observation towers preparing defence positions. The Battalion was stationed near the main battle positions and was ready to occupy them immediately.”

5.253 He praised “the living conditions, food and amenities being provided for Australians in Korea.”^{xciii}

5.254 On 30 November 1954, an interview was reported between the Department of External Affairs and General Murray, a past GOC I British Commonwealth Division:

“The MAC was now concerned with relatively few minor incidents of violation of the truce, which were in many cases satisfactorily settled. The only movement from South Korea with North Korea was by a few agents pushed across the DMZ by the Americans. These were mostly amateurs and were almost invariably caught by the Communists. ... There was very little chance, too, of any infiltration of any agents from the North to the South... Present force holding the southern front... was now far too strong for any breakthrough by the Communists in North Korea.”^{xciii}

5.255 Australian Army veterans provided the following comments in submissions to the Working Party about the period from the Armistice to November 1954:

(Infantry soldier, 1 RAR): “Really when I try and think back, we could never relax, even during stand-down periods. We were always on tension and waiting for something to happen... I felt, like everybody else, that the threat was positive and they would come back over the DMZ. Our Rules of Engagement was [sic] always made known to us, they were, Shoot to Kill, ...”

(Officer, 1 RAR): "... when my predecessor... was... with 1 RAR (post truce) the dental van conveying 102 Dental Unit was on exercises. The van stopped in a village and a boy jumped into the van, stole whatever he could grab, and left the van. A South Korean army military police patrol passed by at this time and [name] told the South Korean officer of the theft and pointed to where the boy had run in the village. The military police chased the boy and a shot was heard. The members of the dental unit were horrified as they believed the boy had been shot dead."

(Infantry soldier, pre-Armistice): "Doubtless there was some stress, some skirmishes, some injuries and even some low-level loss of life during the post-Armistice period. But any attempt to equate this period with the rigours of service during the full-scale Korean War is to display a complete lack of knowledge and understanding of the experiences of those who fought the War..."

5.256 Australian Army and other veterans provided the following comments about the period in evidence to the Working Party at public hearings:

(Member, philanthropic organisation): "And Korea was just one of those things. I felt sorry for the Digs that were up there. The Brits had a hard time of it. If anyone deserved a medal for active service, I'd say it would be the National Service kids from UK. The Australians after the ceasefire, I reckon they must have had a ball, because there was no area where they would have been subject to constant worry or anything like that."

(Officer, 3 RAR): "The Commanders (if anything) were—I'm talking about Battalion now, because that's what I was in—very alert to the potential dangers and what sort of an environment we were in. They didn't know. They had to be prepared for the worst. They had to train. They had to operate. And honestly the first six months (I found) just went so quickly because there was no time to do anything, to worry about anything. It was all work—training and work. New defences had to be prepared and they took over 12 months to prepare these, back in the new line. Everything went on that went on during the war, except that there was no obvious shells flying around or bullets. It was probably a bit like a terrorist situation now, where everyone's worried about what might happen; there is no knowledge of when it might happen or if it's going to happen. So there was really... the people there (I felt) were very much on warlike service."

"... I can remember the CO sending an officer back out of the lines because he had the temerity not to wear his tin helmet or headwear when he was travelling in a vehicle. It was a bad model for the rest of the Battalion, because that was the orders: they were warlike. It was, 'Alright you might be shot at'. Maybe that officer had other problems as well, but I can remember we used to talk about that. No, no, everything was on a warlike [footing], it was as if war was occurring, to my knowledge."

(Soldier, 3 RAR): "The thing that occurs to me at this stage, is that we were told—and we were very strongly told—this is not an Armistice, this is a ceasefire. You must be on the alert at all times. We used to send out patrols. Patrols were armed with ball ammunition, grenades—both [M]36 and phosphorus..."

"NCOs who had Owen guns, or individual riflemen who had Bren guns, were not allowed to put loaded magazines into those weapons until a heavy contact, or an instruction to do so was given. The reason being, the Owen gun was subject to a misfire effect, or an accidental firing effect. However, those of us who carried .303 rifles had a loaded magazine. However, there was no ammunition in the breech, no ball ammunition in the breech..."

"Nothing up the spout—that's the term, yes. And by and large, it was a pretty tense time. We used to go out on patrols, as did the enemy from their occupied zone, and we used to go through minefields and in general we had officers or senior NCOs who knew the minefield area and used to take us through it and teach us the safe passages through those minefields. And until we were completely familiar with our area, we were not allowed to lead a patrol, if you were an NCO."

"We were issued with ammunition and when on stand-to or on 'sentry go' we had to, if there was anybody approached us, we had to say, "Halt, who goes there"? They either had to give a password or identify themselves and if they didn't do that, after the second warning, you were told to shoot with lethal intent. In other words, shoot to kill. On stand-to, our weapons were always loaded with the safety catches on, and we weren't allowed to fire unless we got a blast on the whistle, or instructions from an NCO."

(Medic, pre- and post-Armistice): "... The truth is the soldiers were in tents but they were very well housed. They had plenty of good clothing. The food was good. In fact the food was just as good as when I came back to Australia and served here. So there was no real... It was cold, I agree with that. There was some tension, but from speaking to some of my friends who went back for second terms in the infantry, they did do patrols, but nobody got shot. They looked at the Chinese and the Chinese looked at them."

(Soldier, 1 RAR): "... we wore a helmet [in the DMZ]: I think it was written 'MP' on, or Military Police. That was because under the truce conditions, to be patrolling you had to have those on, so the enemy knew who you were... That must have been part of the agreement... Well, in Malaya I was more threatened because there was a known enemy, but in Korea, yes, I was under the impression that I was on active service. I mean, we received danger money. I think we got 2/6d a day, wasn't it, danger money."

Air Force – conditions experienced

5.257 A history of the US Air Force in Korea records that:

"The Armistice meant the end of the shooting war in Korea, but the Far East Air Force's duty was not yet completed. The 16 nations affirmed that if the Communists renewed armed attack they would be prompt in resisting aggression. USAF Chief of Staff, General Nathan F Twining, cautioned the men of FEAF: 'Yours is now the role of watchfulness and preparedness, for you must continue to be the most vigilant and best prepared of all the forces that guard... the security of the free world.'

"The Korean Armistice agreement... marked the attainment of UN and US military objectives in Korea.

"Although recognising that the threat of air assaults and naval blockages against the Chinese mainland may have helped, UN commanders believed that the pressure of air attack within Korea had forced the Reds to accept the Armistice terms."^{xciiv}

5.258 On 27 July 1953, 91 Wing War Diary includes the following entry:

"It was interesting to note the reaction of Wing personnel to the news of the Truce. The ceasefire negotiations had dragged on for so long and with such marked lack of sincerity on the part of the Communists that the actual signing came as something of an anti-climax. None of the hilarious relief and celebration which marked the ceasefire with Japan in 1945 was evident. The general attitude was somewhat cynical of the outcome of the Armistice—a feeling of 'Well, what now?' Most of us feel sceptical that the Armistice can be developed into a satisfactory peace and are apprehensive that the War might well be resumed with increased ferocity."

5.259 In August 1953, 36 Squadron carried out a series of PW special flights and then engaged in routine transport tasks. On 1 February 1955, operational control of 36 Squadron was transferred to HQ US Far East Air Force, delegated to 5th Air Force, nominal control only, so the Squadron continued to supply the transport needs of BCFK.

5.260 On 7 September 1953, 91 Wing recorded:

“Since the cessation of hostilities, No. 77 Squadron operational activities have consisted of after-dusk and predawn standby. Training has comprised various exercises and mock operations, some in conjunction with other units of 5th Air Force and RN carriers. These exercises are designed to keep the Squadron at top efficiency so that in the event of renewed fighting, the Squadron could be airborne within 30 minutes.”

5.261 On 21 September 1953, a North Korean pilot flew a MiG 15 to Seoul and defected.

5.262 On 6 October 1953, 91 Wing made this comment on the September period:

“In accordance with the 5th Air Force preparation to meet a treacherous Communist attack should the peace talks fail, No. 77 (I/F) Squadron has four Meteor aircraft at runway readiness from half-hour before dawn, and again until half an hour after dark. The remaining effort is devoted to operational training at approximately one-third normal operational intensity.”

5.263 On 23 October 1953, 91 Wing reported an accidental discharge from 20 mm Meteor aircraft cannon resulting in the death of a US serviceman. Disciplinary action was taken over this incident.

5.264 A 91 Wing report of 30 October 1953 for the month of October stated:

“The number of aircraft accidents and incidents occurring is causing concern. The most obvious and possible cause is the lack of experienced pilots being posted to No. 77 (I/F) Squadron.”

5.265 A January 1954 91 Wing report for that month stated:

“Several unidentified aircraft alerts occurred during the period but no hostile action took place and although USAF fighters were scrambled, no interceptions were made.”

5.266 A RAAF History Unit report of July 2005 notes that:

“After the Armistice 77 Squadron reverted to training and GCI [Ground Controlled Intercept] scrambles. The unit maintained a 30-minute alert for 2–3 months after the ceasefire.”

5.267 In January–March 1954, the 77 Squadron War Diary records three Yellow Alerts over the period and a scramble on 18 March 1954.

5.268 On 18 May 1954, there was an Air Alert Red when a Communist aircraft flew over Seoul.

5.269 A 91 Wing brief of 30 September 1954 about 77 F/I Squadron stated that: “The Squadron is employed in the interceptor/fighter role with a secondary role of ground attack”.^{xcv}

5.270 For the period March–November 1954, 77 Squadron was based at Kunsan. The War Diary records: no hostile incidents; training, maintenance, practice scrambles, and sport.^{xcvi}

5.271 Professor Robert O'Neill observes of RAAF post-Armistice activities:

"Considering the amount of flying which the squadron was undertaking after the armistice, ... accidents were not abnormally frequent. They emphasise, however, that although the war was at an end, pilots' lives were still at risk in a difficult environment. The weather was often poor for flying. Fog and low cloud limited visibility for pilots when airborne and ice contributed to accidents on the ground. Furthermore maintenance facilities were far from ideal, even though some of the Meteors had been heavily used during the past three years and required special attention."^{xvii}

5.272 RAAF veterans provided the following comments in submissions to the Working Party about the period from the Armistice to November 1954:

(Airman, 77 Squadron): "The Meteors of our Squadron were always ready for action and flew sorties almost daily, weather permitting. Our Meteors were always fully armed and fuelled..."

(Officer, 77 Squadron): "On arrival in Iwakuni, Japan, in September 1953, I was briefed by 91 Wing on the operational situation in Korea... The possible likelihood of a resumption of full hostilities by the North Koreans was stressed."

(Officer, 77 Squadron): "We were aware of the constant threat of a resumption of the War, since our air base at Kimpo was three minutes flight time from the DMZ and certain to be a prime target for an opening air strike—subsequently demonstrated by the unopposed penetration and landing of a single MiG 15..."

5.273 RAAF veterans provided the following comments about the period in evidence to the Working Party at public hearings:

(NCO, 77 Squadron): "We had alerts at irregular intervals, which of course is the standard practice with these sorts of things. When these alerts occurred, all personnel who could be spared from the aircraft line immediately entered slit trenches in full battle equipment, including weapons. The whole perimeter of the base was protected by 8th Army AAA and these people delighted in clearing their guns at all sorts of inappropriate hours and it was pretty noisy."

(RAAF officer):

"Witness:

But when they were at Kimpo, yes, they were on standby and they were ready to be scrambled—and they were scrambled two or three times a day, because the other aircraft would come over, that sort of thing.

"Garry Nehl:

So the pilots were rostered on to be actually sitting on the strip in the cockpit?

"Witness:

Oh, yes."

(Aircraftman, 77 Squadron):

"Ian Crawford:

Your orders would have identified the type of threat that you could face from... were these North Koreans, Chinese, or South Korean?

"Witness:

Yes, we came in contact with a few ROK Army personnel. That was after we left Kimpo. We went to Kunsan and no-one apparently knew we were coming, because we had the Americans fire on us one night. [For] which we retaliated—lucky for them we were... And we had them fire

on us. We also had on our first night a confrontation with the ROK Army, which we challenged and we never had any more confrontation with them at all after that. They were told to keep out of the area. But as I said, nothing actually changed from before the Armistice to after the Armistice. It's just still the same."

Conditions of service and the reasons for providing them

5.274 In a cablegram of 27 October 1953, the Australian High Commission, London, advised the Treasury, Canberra:

- "2. United Kingdom Treasury has asked service departments to review question of gratuities [for Korean service] in the light of cessation of hostilities in Korea, but no decision has yet been reached. Up to the present no move has been made to review special leave provisions.
- "3. Service after hostilities ceased in July last does not qualify for entitlement to Korea Medal."^{xcviii}

5.275 On 29 October 1953, the Secretary of the Department of Defence wrote to the Assistant Secretary, Defence Division, Treasury:

"As stated by the Acting Prime Minister on 26th July 1953, at the time of the conclusion of the Korean armistice 'it is inescapable that United Nations forces will have to remain in the region for some time An armistice means the cessation of hostilities but this is only the first step towards a peace settlement'. General Wells has recently advised that the resources of the 1st Commonwealth Division are fully extended in preparing their new positions. In the use of troops on rehabilitation work in Korea, the United Nations Command has laid down the principle that 'nothing should detract from the maintenance of combat readiness'. Fighting has ceased in Korea but the foregoing illustrates the instability and fluidity of the present situation there.

....

"The Queen approved (Cable 74 of 24th September 1953) a terminal date for the award of the British Korea Medal (27th July 1953, cessation of hostilities). It is contemplated that this should also be the date of termination of eligibility for the Returned from Active Service Badge and Mothers' and Widows' Badge, issued for Korea.... However no terminal date has been fixed by the United Nations Command for the United Nations Service Medal for Korea, which is still being awarded.

...

"Operational benefits granted in respect of service in the 1939-45 War continued for some time after the cessation of hostilities on 3rd September 1945 (Pacific). For example income tax concessions continued until 30th June 1947. On the other hand, eligibility for campaign stars and medals awarded for the 1939-45 War ceased at the end of active hostilities in the theatre, or upon conclusion of the campaign for which they were granted. In the 1939-45 War therefore, the terminal date for campaign medals did not have any bearing on the terminal date for operational benefits. It may also be observed that in the 1939-45 War, the cessation of hostilities was not followed by an unstable position such as at present exists in Korea."^{xcix}

5.276 A message of 24 November 1953 from the Australian High Commission, Ottawa, reads in part:

"Gratuities for Canadian Forces in Korea

"Treasury Board recently decided that Canadian troops, serving in Korea after 31st October, were no longer entitled to active service gratuity benefits on the grounds that, since the

cessation of hostilities, they were in the same position as other Canadian forces serving abroad in non-belligerent theatres.”^c

5.277 In November 1953, Treasury wrote to the Secretary of Cabinet on the issue. Defence had expressed the view that service conditions should continue as operational because of the possibility of a flare-up of fighting. Treasury made the point that there was no precedent to continue operational benefits until a peace treaty was negotiated. In World War II, the treaty of peace with Japan was not signed until 8 September 1951, while eligibility for war service benefits ceased on 30 June 1947.^{ci}

5.278 Appendix A to Cabinet Agendum GA/148 of 2 December 1953 [from Treasury] for the General Administrative Committee of Cabinet reads in part:

“Action taken by other Governments consequent on cessation of hostilities

“Following cessation of hostilities of 26th July, 1953, the following action has been taken by other Commonwealth Government concerned in the Korean operations :—

(a) U.K.

The Queen has approved that the terminal date for awards of the Korean medal is 27th July, 1953. No service after that date is qualification for the medal. The question of special gratuities for personnel in Korea and special leave entitlements is under consideration.

(b) Canada

Re-establishment benefits, which include gratuities, terminated on 31st October, 1953. Members posted to Korea after 26th July, 1953, do not qualify for benefits.

(c) New Zealand

No change pending outcome of Armistice negotiations.”^{cii}

5.279 On 14 December 1953, a briefing note was prepared for the Minister for Defence on the above Cabinet Agendum:

“The Agendum brings to the notice of Cabinet that operational benefits are still applicable for service in Korea.... [C]onditions in Korea are unstable. Whether it is expedient to review these benefits at present is a matter of Government policy.”^{ciii}

5.280 The General Administrative Committee of Cabinet recognised at its meeting on 18 December 1953 that the terminal date for the British Korea Medal had been fixed, but no terminal date had been fixed for the UN Service Medal. The Committee further recognised that “in the 1939–45 War there was no relation between the terminal date for campaign medals (ie cessation of hostilities) and the date for the cessation of operational benefits.” In relation to general conditions of service: “The general feeling was that consideration of the subject [termination of special benefits for service in Korea] was premature at this stage.”^{civ} The minutes record that:

“After giving the matter very careful consideration, the Committee was unanimous in the view that it would be extremely difficult to justify any alteration in the conditions of service while the question of a peace treaty in Korea is still under consideration.”^{cv}

5.281 An internal minute dated 2 February 1954 from the Minister for the Army to the Secretary of the Army states:

“In view of the cessation of hostilities in Korea, it is important that the utmost care should be exercised in the provision of amenities for the troops in that area...”^{cvi}

5.282 On 7 April 1954, the Treasury Finance Committee reported to the General Administrative Committee of Cabinet regarding special benefits for members of the forces in Korea:

“With regard to new postings, the Committee was of the opinion that in the interests of morale, and to avoid administrative difficulties, it is undesirable that differing conditions of service should apply.”

5.283 It was recognised that the Canadian authorities were having major recruitment and replacement problems because of their removal of special benefits after the Armistice. The minutes further note:

“The Committee also recorded the opinion that, **although actual hostilities in Korea have ceased**, cognisance should be had to the fact that servicemen in Korea would be called upon to engage in operations in the event of a recurrence of hostilities following a breakdown in peace negotiations.”^{cvi} [Emphasis added]

5.284 Members of BCOF (Japan) who were posted to the Korean force became eligible from the date they were posted; those who remained in Japan were not eligible.

5.285 On 7 April 1954, the Treasury Finance Committee noted that:

“a number of Army personnel serving in Korea had been specially enlisted and were entitled to certain benefits not applicable to normal service in the ARA. **It would amount to a breach of contract to withdraw those benefits** while such personnel remain in Korea”.^{cvi} [Emphasis added]

5.5 December 1954 – April 1956

Strategic background

5.286 Professor Robert O'Neill sums up this part of the post-Armistice period in the following terms:

“In early 1955, Australia joined with Britain, Canada and New Zealand in pressing for American agreement to reduction of the Commonwealth brigade group in Korea to approximately a battalion. The United States rejected the proposal in April but offered in the following month to withdraw its objections provided that the residual Commonwealth force was called by a name which implied that it was not merely a battalion and not simply composed of infantry. The Eisenhower Administration accepted British proposals that the force should be renamed the British Commonwealth Contingent, Korea, with a headquarters element of a reduced brigade and the addition of a small element of Royal Engineers, to give the appearance of a diverse force which could be expanded should tensions in Korea increase. Most of this contingent was provided by Britain. However, American acceptance was conditional on the delay of implementation of the next phase of withdrawals until April 1956.

"The four Commonwealth governments accepted this condition, and the second Australian battalion, 1 RAR, which was by then substantially under-strength, withdrew on 5 April."^{cxix}

5.287 In the Report of Proceedings by the Flag Officer Second-in-Command, Far East Station, for November 1954–February 1955, there is the general observation that:

"... the situation has remained generally unchanged, though there have been noticeable reductions in the strength of UN forces deployed in [Korean waters], and a reorganisation of the command is now taking place... [11 November] The Squadron anchored [at Chinhae] in company at a few minutes past 8 a.m. after saluting the Republic of Korea with 21 guns."^{cx}
[Note: This indicates that this was in the nature of a ship visits program by this stage.]

5.288 On 10 December 1954, the Chief of the General Staff said at a Military Board meeting:

"He would like to touch on the Korean campaign. The maintenance of our force in Korea had been a heavy burden on our resources".^{cxii}

5.289 Advice to the Working Party from Dr William M Donnelly, US Army Center of Military History, in August–September 2005 sums up the US perspective as follows:

"After many revisions of the blueprints for a residual force in Korea, the Department of Defense instructed the services to plan for three divisions, one Army, one Marine, and one United Nations, plus combat support and combat service support units to remain there. In December 1954 Secretary Wilson decided that the Marine unit would return to the United States, leaving two Army divisions in Korea."

5.290 In January 1955, BCFK, on behalf of HQ Far East Command, required a list of casualties which occurred during 'the Korean War', giving the dates as 25 June 1950–27 July 1953.

5.291 On 11 February 1955, the Minister for the Army sent a letter of thanks to the leader of a Concert Party following its tour of Japan and Korea:

"Dear Mr Bell,

"Now that your orchestra has returned from a very successful tour of Japan and Korea, I desire to offer my thanks for your efforts in raising such a fine party ...

"To men not actively engaged in warfare, the routine of Army life may become a little monotonous and a bright show does much to keep up the morale of the troops and certainly gives them something to look forward to during their leisure moments..."^{cxiii} [Note: This paragraph was not included in the draft letter submitted for the Minister's signature, and appears to have been inserted personally by him.]

5.292 The following is an extract from the Defence Committee brief for the South-East Asia Treaty Council meeting on 23 February 1955:

"Australia's proposed contribution of 2 destroyers or frigates to the [Far East] Strategic Reserve is now dependent upon the release of the one RAN destroyer or frigate now serving in Korean waters under the UN Command."^{cxiii}

5.293 On 15 March 1955, information was provided to 'the 16' [ie the nations contributing forces to the UN command] about Communist increases of equipment in North Korea: aircraft by 450; artillery by 49%; tanks by 8%; self-propelled guns by 8% and armoured vehicles by 61%.^{cxiv}

5.294 On 21 March 1955, the *Sydney Morning Herald* reported on US moves towards introducing updated military equipment into Korea:

"Move on build-up in Korea.

New York, March 21, AAP.

"The United States has asked its Korean War allies to consider repudiating part of the Korean Armistice agreement, says the *Washington Post*. Last night, a State Department spokesman declined to confirm the report, but said: 'Communist violations of the truce, and the increase in military strength in North Korea, are causing us serious concern....'"^{cxv}

5.295 On 22 March 1955, an internal Department of Defence signal again discussed proposed reduction of forces in Korea, while indicating the importance of maintaining the multinational character of the reduced commitment:

"The requirement was for a token Commonwealth land force in Korea at Battalion group strength in which all countries should be represented, and this token force should not be regarded as a balanced fighting unit and need not therefore be provided with its own artillery."^{cxvi}

5.296 On 24 March 1955, the New Zealand Ambassador in Washington advised Wellington of continuing political risks in South Korea:

"In press reports the South Korean Assembly unanimously passed a resolution that the ROK should immediately exercise its right of self-defence to oust NNSC teams from South Korea."^{cxvii}

5.297 On 31 March 1955, *The Economist* published this article about a build-up of modern armaments on the Communist side:

"Red build-up in Korea

There is alarming evidence of a build-up in the striking power of the North Korean force, particularly—the most sinister aspect—in the air... Increases between July 1953 and February 1955: Air Force from Nil to 450 aircraft; mortars from 444 to 900; howitzers from 648 to 724; tanks from 343 to 370; self-propelled guns from 158 to 170; armoured vehicles from 176 to 284."^{cxviii}

5.298 On 1 April 1955, the *Sydney Morning Herald* published an article about continuing South Korean opposition to the Armistice:

"South Korea's plea to UN

Seoul, March 31, AAP/Reuter.

The South Korean National Assembly today unanimously voted to petition the United Nations and the 16 nations which fought in Korea to declare the Korean Armistice agreement void. The South Korean Government said 'After the failure of the Geneva Conference that it was no longer bound by the agreement.'^{cxix}

5.299 A Department of External Affairs minute of 1 April 1955 stated that:

"On 8 February 1955 the Americans revealed that for some time they have been concerned at the accumulating evidence of a Communist build-up in North Korea beyond the point permitted by the Armistice agreement. The ambassadors of the '16' were told at this date that the position in Korea was becoming 'increasingly dangerous' because of 'systematic violations' by the Communists of Article 13 d (Non-introduction into Korea of reinforcing military equipment). Admiral Radford said the US thought the 'time might come when our side would be obliged to declare itself discharged from further observance of 13 d...' "^{cxx}

5.300 On 7 April 1955, the Australian Embassy in Washington informed Canberra that US advice on the issue of North Korean air power build-up was that:

“the military threat is not imminent on present indications, but it overhangs the whole picture and if it became imminent it might be too late to do anything about it.”^{cxix}

5.301 An article dated 17 April 1955 in the US military newspaper *Stars and Stripes* said of the build-up:

“Late in February this year, the allies charged the Communists with illegally introducing into North Korea at least 150 MiG fighters... The UN Command asked [for] an NNSC investigation. The UNC supported its charge with aerial photographs showing there wasn't a single airfield in North Korea [at the time of Armistice] capable of handling jets.”^{cxix}

5.302 Hansard reports that on 28 April 1955, the Minister for Reconstruction, Mr Kent Hughes, told Parliament:

“I went ... north of the 38th Parallel to the Imjin River in Korea. Australians stationed there are almost a lost legion, forgotten by the vast majority of people in this country. Those troops are carrying the traditions of the AIF and the ANZAC spirit in the interests of the free world”.

5.303 In May–July 1955, the UNC continued to express its concerns about the bias of the Communist countries on the NNSC and violations of the Armistice by North Korea and China, particularly in relation to the introduction of new equipment.^{cxiii}

5.304 On 2 May 1955, CINC BCFK reported to the Department of Defence a discussion with General Ferenbaugh, Commander 8th Army, about British Commonwealth force reduction proposals and the possible implications for the role of 1 British Commonwealth Division:

“Americans are operationally very sensitive about Korea. Moreover, they regard Gloucester Valley, in which 1 COMWEL Division is deployed, as the most probable axis of attack by Communists. They are NOT satisfied that interim plan... is sound and are very unhappy about it... My position and that of 1 COMWEL Division is becoming increasingly embarrassing. Americans have expressed hope that we shall give them at least two months' notice.”^{cxiv}

5.305 The Department of External Affairs continued to argue the case for retaining Australian forces in Korea, whereas the Department of Defence position was that they were more urgently needed elsewhere. On 4 May 1955, the Australian Embassy in Washington cabled Canberra as follows:

“Commonwealth countries' proposal to reduce their force in Korea at this time and the probable effect such action would have on the decision of other participating countries is a matter of concern to the US Government. In face of current tension in the Far East this [US] Government believes further reductions in the size of UNC would have a serious adverse impact militarily and politically, on free world interests in Asia. If Commonwealth forces are further reduced, less powerful and less concerned nations will find it difficult to continue their contributions. Should such reductions continue, the international composition of UNC would be jeopardised and the point would soon be reached where continued existence of UNC would be in question. It is the view of the US Government that continued existence of UNC is important to the maintenance of Armistice and to stability in the area of Korea... Further reductions in UNC forces will seriously weaken the capacity of the Command to meet the ever-present possibility of Communist aggression. Proportionate reductions... had not been matched by withdrawals of Communist Chinese troops which in any event remain in close proximity to the line of demarcation. US Government does not plan further to reduce its combat forces in Korea at this time.”^{cxv}

5.306 On 10 May 1955, the Australian delegate to UNCURK informed Canberra:

“US Ambassador and senior member of UNCMAC reported that ‘8 Sabres on routine reconnaissance escort were attacked by 8 MiGs, later increasing to 30 MiGs during the fighting. The US believes there were 2 kills and 2 probables, no US planes were damaged.’”^{cxxvi} [Note: The incident occurred over international waters in the area of the Manchurian border]

5.307 A Defence Joint Planning Committee Report of 11 May 1955 assessed the gap between Australia’s military commitments and resources. The Committee, which included then Brigadier T J Daly (former commander of 28th Commonwealth Brigade in Korea from March 1952 to March 1953), considered the difficulty of meeting Service commitments with the force in being, and recommended reducing or withdrawing forces in Korea if this could be done without jeopardising American goodwill.^{cxxvii} The relevant extracts from the report are at Annex 5E at the end of this Chapter.

5.308 On 13–16 May 1955, the Defence Committee considered the force reduction proposals and reached the following conclusions:

- “No change in military situation since Commonwealth agreed to proposed force reductions.
- Agreed US view that further Commonwealth force reductions would affect other participating nations, affecting international character of UNC.
- Australian force reduction of withdrawal would assist in meeting increasing commitments at home and abroad.
- No wish to suffer loss of American goodwill by pressing for reductions.
- Malaya commitment has overriding priority for defence of Australia.
- Due to current recruiting and discharge rates, Army contingent in Korea cannot be maintained at strength beyond August 1955.”^{cxxviii}

5.309 On 19 May 1955 the Minister for External Affairs wrote to the Minister for Defence urging maintenance of the commitment in Korea in order to retain US goodwill:

“We are asked by the Americans to allow a small Australian military and naval force to remain in Korea for international purposes, and no doubt to make slightly easier the political decision that American forces in Korea should be maintained... If we do other than agree with the American request, it seems to me that we put ourselves in rather a humiliating position vis a vis the Americans. We stick our toes in about the location of a battalion and at the same time we seek the right to have our say in matters of high military policy in the east. The Defence Committee’s recommendation acknowledges the importance of retaining American goodwill... I believe that the position of Australia in the east is substantially different from that of the United Kingdom, Canada or New Zealand vis a vis the United States... I realise that in present and immediately prospective circumstances, we are short of troops to meet our obligations in Korea and in Malaya. I would believe that it is this situation that we should tackle rather than shorten sail in Korea.”^{cxxix}

5.310 Nevertheless, the Department of Defence informed CINC BCFK on 20 May 1955 that: “So far as Australia is concerned, under existing conditions, the present Army component could not be maintained at strength beyond August 1955”.^{cxxx}

5.311 In the meantime, there was continuing disputation in Korea over the role of the NNSC. The Australian High Commissioner in London advised the Department of External Affairs on 21 May 1955:

“As a result of Pentagon initiative, agreement has been reached that NNSC should be told bluntly by UNC that its operations were reacting to the serious disadvantage of UN forces, and that UNC proposed in future to regard Article 13 d of Armistice agreement as inoperative.”^{cxv}

5.312 In late June 1955, Commonwealth military representatives met at the UK War Office to discuss the proposed Commonwealth Contingent Korea (CCK). A record of the meeting dated 30 June 1955 states in part:

“Our object in retaining forces in Korea was political rather than operational... The proposed operational role envisaged was to be a small general operational reserve... one company at a time might occupy a post in the DMZ.”^{cxvii}

5.313 On 16 July 1955, a note by the UK War Office [Army Headquarters] reported the thinking of the UK Chiefs of Staff Committee about the reduced role envisaged for British Commonwealth forces:

“Owing to the withdrawal of the Canadian Battalion, the Commonwealth Division in Korea is unbalanced and the American commanders in Korea are reluctant to leave it holding its important sector and are seeking to move it to another part of the line. This move is planned to take place in September... It is therefore suggested that the title of the residual force should be Commonwealth Contingent Korea.”^{cxviii}

5.314 The same day, the UK Chiefs of Staff reported that:

- “there was a need to make urgent fresh approach to US authorities because the maintenance of forces in Korea involved a heavy manpower bill.
- Australia in particular wished to withdraw its Battalion by end August 1955 to meet the Malaya commitment.
- New Zealand wanted an early decision for future planning.
- As a result of withdrawal of the Canadian Battalion, the British Commonwealth Division minus was unbalanced and American commanders ‘are reluctant to leave it holding its important sector and are seeking to move it to another part of the line’.”^{cxix}

5.315 A Defence Committee minute of 29 July 1955 included the comment that:

“General Wells said that the US attitude on the task in Korea was different from the Commonwealth... The Commonwealth thought that the Americans were holding the forces at too high a pitch of readiness.”^{cx}

5.316 On 2 August 1955, CINC BCFK held a discussion with General Lemnitzer [CINC UNC] who made it clear that he “would oppose on his level any further reduction of 1 British Commonwealth Division. He was concerned with the paucity of non-ROK effectives in Korea and for that reason had moved 8th Army Headquarters back to Seoul” [from Japan].^{cxvi}

5.317 On 5 August 1955, an internal Department of Defence paper observed that “the UK War Office proposes that the British Commonwealth base in Kure should be

run down, and that the force in Korea should be supported from existing Far East Land Force base facilities in Singapore through an advanced base at Inchon.”^{cxxxvii}

5.318 Managing its South Korean ally was still providing significant challenges for the UNC. On 7 August 1955, UNCURK advised that “on 2 August the ROK Office of Information released a ‘Government Statement’ outlining the intention to regain territory south of the 38th parallel still held by the Communists and to eject the NNSC from the ROK”.^{cxxxviii} On 11 August 1955, the Australian Embassy in Washington reported back to Canberra what the US Secretary of State [Dulles] said about the NNSC: “It isn’t as though the future of the Republic of Korea was being imperilled... The US has no intelligence reports confirming a ROK statement that a new Communist aggression was dangerously near”.^{cxxxix}

5.319 Amid rising tension in South Korea, a *Sydney Daily Telegraph* article of 11 August 1955 reported:

“Call to new war in Korea

London Wed.

South Korean army leaders yesterday demanded that the US regard the Korean Armistice as ended. The Army leaders called on the US to ‘resume fighting for our unification before we are left alone’... US military police poured streams of water from fire hoses and tear gas on 300 South Korean war veterans trying to storm a Wolmi-do Island compound housing Communist members of the NNSC.”^{cxi}

5.320 Defence Committee minutes of 15 August 1955 record discussion of a reduction of Commonwealth forces in Korea, specifically a RAN ship—while noting the unfavourable US State Department reply to proposed withdrawal of the ship from UNC in Korean waters:

“As indicated in US note of 30 April, the US Government in accordance with its unified command responsibilities, would view further reductions in UNC forces in the near future with concern. This view applies to naval as well as ground forces...”^{cxli}

5.321 During this period Australia was attempting to balance competing imperatives to redeploy its forces from Korea to higher priority areas, keep in step with its ‘old Commonwealth’ allies, and at the same time maintain its special relationship with the USA. A summary of a Cabinet Decision of 17 August 1955 reads in part:

“The UK Government should be informed of the Australian Government claims to joint approach to US. Invited Minister for External Affairs to discuss matter with Mr Dulles at ANZUS meeting; agreed tentatively that if US reaction is unfavourable, one Australian Battalion should remain in Korea but at diminishing strength.”^{cxlii}

5.322 In a 23 August 1955 Report on the State of the Army, the only mentions of Korea are as follows:

- paragraph 8 c: “the Battalion in Korea cannot be maintained at strength after August 1955”.
- paragraph 15: “With the easing of tension after the signing of the Korean Armistice ..., authorised establishments were reduced and the enlistment rate dropped.”
- paragraph 21: “Three Battalions of the RAR, which forms the basic infantry component of the regular field force, took part in the Korean operations... It is therefore a matter a particular regret that a deficiency of some 2,000 personnel in the field force will

necessitate a reduction in its strength overseas to one Battalion Group. This will mean the withdrawal of the Battalion Group from BCFK”.

- paragraph 33, Conclusions: “... It is evident that:
 - a. the field force cannot fully or efficiently perform all its functions of
 - 1. providing a mobile striking force ready for instant use.
 - 2. providing a Battalion Group for service with the British Commonwealth Far East Strategic Reserve...^{” cxliii}

5.323 On 2 September 1955, the Australian Embassy in Washington contacted Canberra with a draft Commonwealth note to go to the US Government agreeing with the US position on force reduction: “The continued existence of UN Command is important to maintenance of the Armistice and to stability in the area of Korea; and that international composition of UN forces should be maintained...” The note then went on to identify the proposed composition of the CCK.^{cxliv}

5.324 There was continuing anti-Communist agitation in South Korea. In September–October 1955, headlines from the official *Korean Republic* newspaper read:

“30 September	Demonstrations intensified at ports of entry
“3 October	50,000 denounce spies in NNSC demonstrations.
“6 October	Demonstrations against truce teams continue.
“7 October	No let-up seen in demand for NNSC expulsion.
“8 October	Anti-NNSC protests enter 10th week. ^{” cxlv}

5.325 On 14 September 1955, the Minister for External Affairs and the Australian Ambassador to Washington held a meeting with the US State Department:

“The Minister expressed the need to have our men in Korea brought back to Australian for training of forces there. He understood the US wanted forces to remain in Korea:

- a. in case there should be an outbreak of fighting
- b. for public relations purposes” [to retain the UN character of the force in Korea].^{cxlvi}

5.326 Hansard for 29 September 1955 records a statement to Parliament by the Minister for the Army:

“In Korea, the three Battalions of the Royal Australian Regiment served with distinction during the United Nations campaign and the policing of the demilitarised zone, and won the acclaim and praise of the free nations”.

5.327 An UNCURK report of 6 October 1955 refers to Korean press articles relating to “US agreement... with the ROK demand for withdrawal of remaining NNSC teams from South Korea.”^{cxlvii}

5.328 On 9 November 1955, the Minister for the Navy issued the following press release:

"HMAS Condamine to reach Sydney from Korean area a day early

... the *Condamine* would be the last RAN ship to be sent direct from Australia to the Korean area during the Armistice period. In future the RAN commitment in Korean waters would be met by the periodic despatch there of one of the two Australian warships serving in Malayan waters with the [Far East] Strategic Reserve... From the beginning of hostilities in June 1950 until the declaration of the Armistice in July 1953, nine ships of the Royal Australian Navy, including the aircraft carrier *Sydney*, had served in the foremost operational areas, and, since the Armistice, at least one ship of the Australian Fleet had always been engaged in Korea on patrol and other duties."^{cxlviii}

5.329 On 10 November 1955, the Defence Joint Planning Committee reported on the withdrawal of 1 RAR from Korea:

"The Australian Army problem

The four main factors which affect the problem of the timing of the withdrawal of 1 RAR from Korea are:

- a. the Army's already acute manpower shortage would be aggravated by any further delay in the return to Australia of the forces in Korea and Japan which are urgently required in Australia to build up the strength of the Regular Army, particularly to augment the depleted staffs of National Service Training Units and of the Citizen Military Forces. In addition to 1 RAR in Korea, there are 800 Army personnel employed in the base in Japan, as well as approximately 100 naval and air force personnel. No significant reduction can be made in the strength of the base in Japan until 1 RAR has been withdrawn from Korea.
- b. From the time that date of withdrawal of 1 RAR is decided, some 2–3 months will be required to organise the withdrawal...
- c. The onset of winter in Korea has made the withdrawal of 1 RAR before the beginning of spring extremely difficult. An earlier withdrawal would... result in hardship to the Commonwealth forces and to our allies, as this would entail a redeployment of remaining forces in Korea with the difficulty of ensuring adequate winter accommodation at this late stage.
- d. The [UK] War Office has reached the conclusion that **the reduction must be deferred until spring** and the UN Command has expressed the hope that it would not be implemented before the spring."^{cxlix} [Emphasis added]

5.330 The Australian Government took note of a Parliamentary Question asked in the British House of Commons in November 1955, together with Sir Anthony Eden's reply:

"The Prime Minister: The Armistice which was signed in July 1953 has not yet been followed by a political settlement and the UN still has a part to play in Korea.

"Mr Shinwell: Does that ... mean that our troops are not to be returned to this country ... until there is a full political settlement in Korea?

"The Prime Minister: No, I did not say that... Some token Commonwealth force will certainly, I imagine, be required by the UN ... until we can get a settlement..."^{cl}

Navy – conditions experienced

5.331 The official history of the Royal Canadian Navy describes the closing stages of its involvement in Korea in these terms:

“There was indeed little need for even one Canadian destroyer in the Korean theatre, since there were more than enough ships available in the ROK Navy and in the regular squadrons of the USN and RN Far Eastern fleets to take care of the duties required of the United Nations naval forces. On 28 February, 1955, the Commanding Officer of *Sioux* informed the Canadian authorities that on 5 March the ROK Navy would be taking over all the patrols formerly carried out by the UN ships, that Task Group 95.1 was being dissolved and its former duties taken over by COMNAVFE and that consequently there would soon be no set employment for his ship. Certain exercises had been planned for *Sioux*, but when these had been completed about the end of March there were no prospects for further employment until June. Commander Rankin suggested that in view of these circumstances consideration should be given to the withdrawal of *Sioux* to Esquimalt without relief. The RCN could not of course act on this suggestion, as the withdrawal of any forces from the UN command in Korea was a matter of high-level policy.

“The last Canadian destroyer did not leave the Korean theatre until September 1955, more than two years after the signing of the armistice, but there is little need to detail the activities of the ships of CANDESFE during this period since they were mainly of a routine nature. The operational patrols carried out by the Canadian destroyers were in most cases patrols in name only and involved lying at anchor, usually off Pengyong-do, ready to prevent any major Communist violations of the seaward extension of the demarcation line or other breaches of the armistice, while most of the actual work of patrolling was carried out by small ROKN craft. When not on operational duty—and after the armistice all the UN ships spent far less time on patrol than before—the RCN destroyers carried out exercises within their own division and with the U.S. fleet, the Royal Navy and the ships of other members of the UN. There was also more time for combined recreational-operational cruises to such places as Hong Kong, Manila and other more interesting and less familiar ports in Japan than Sasebo and Kure. Such activities kept the ships busy during their long, uneventful tours of post-armistice duty in the Far East, and the morale problem, which under the circumstances might have been expected, never did arise.”^{cii}

5.332 The RCN commitment to Korea formally ended on 7 September 1955, when HMCS *Sioux* left her Japanese base for the passage home, although its operations in Korean waters had concluded in March 1955 when it was no longer required.

5.333 RAN veterans provided the following comments in submissions to the Working Party about the period from December 1954 to April 1956:

(Sailor, HMAS *Shoalhaven*): “The ship’s company was getting ready for church services in No. 1 dress uniform when it was called to ‘action stations’. A first degree of readiness was adopted, all hands closed up, all positions fully manned and all the ships guns primed and ready for action... We received a Red Alert and were told that hostile aircraft were approaching. Russian MiG fighters were sighted high in the sky and perhaps out of range of the main armament. ... Guns were loaded and ready to fire... Remained at action stations for approximately one hour.”

(Officer, HMAS *Condamine*): “During the fragile Armistice, when at anchor off the outlying islands bordering the DMZ, the ship remained in an operational state of readiness with armed sentries on the upper deck. Because of the sensitivity of breaching the Armistice in any way, ammunition was not provided to sentries, as a safety measure against the accidental or precipitant [sic] discharge of fire-arms!”

Army – conditions experienced

5.334 The 1 British Commonwealth Division Operations Intelligence Summary for 4 December 1954 reported that:

“the KPA appears to have a post-Armistice war leave program: reports indicate that for approximately 1 year following the Armistice, the only leaves granted were the R & R type, but it is evident that a schedule of regular leave is now in effect”.

5.335 The summary included an 8th Army report that:

“late in October 1954, the Intelligence Section, Seoul Metropolitan Police apprehended a ring of six North Korean agents. They had been utilised as informants and decoys from approximately November 1953 to October 1954, at which time they were discovered organising a communist cell in Seoul and were arrested for the second time”.

5.336 On 4 December 1954, the Division Column (RASC) became non-operational as its first stage of disbandment.

5.337 A 1 RAR Operation Instruction 40/547 of December 1954 about EXERCISE SCRAM directed (paragraph 8): “Ammunition will NOT be carried.”

5.338 The 1 British Commonwealth Division publication *Brief history of Korean War* issued 11 December 1954 states that the War concluded on 27 July 1953.

5.339 As a general comment, the 1 RAR War Diary activities mainly comprise work on Kansas Line, exercises, range practices, sport, parades, courses and mess dinners.

5.340 On 24 December 1954, 1 RAR held a Christmas Party for village children. [See the photograph of this event in Annex 5C at the end of this Chapter.]

5.341 The BCFK Weekly Review of 12–18 February 1955 quoted from a MAC report of two alleged violations on 5 and 8 February by a military reconnaissance aircraft and eight military jet aircraft penetrating North Korean airspace, which were fired on by North Korean aircraft. The UNC denied all knowledge and refused an investigation. In the same report, on 10 February the Communists identified two Belgian soldiers who had crossed the DMZ on 25 August 1954 and defected. One soldier returned voluntarily.^{ciii}

5.342 Charges, denials and counter-charges about Armistice violations remained a regular occurrence:

“On 9 and 10 May [1955] Joint Observer Team No 6 of the MAC investigated a Communist charge that 7 ROK agents had intruded into the DMZ, had ambushed North Korean civil police, and in the ensuing fight all but one had been killed. On the UNC side, it was alleged that the affair was a frame-up. The Communist patrol (which would have violated the Armistice agreement by being near the hut) took the bodies of a group they had surprised and killed back to their side of the line and arranged a plant. They blew up the bodies, making much more of a mess than would have resulted from the claimed explosion of a percussion grenade. Since grenades are forbidden weapons in the DMZ, the Communists had to construct an elaborate story of seizing two grenades from the intruders.”^{ciii}

5.343 A separate BCFK Weekly Report for 21–27 May states that the six men of the party killed had been shot to death and not killed by a grenade:

"This point was important in that it could be proved that a grenade could not cause the extensive mutilations noted... by the JOT... UNC denied all charges, producing conclusive reasons for so doing, and stated further, that the Communist practice of launching unsubstantiated charges against the UN for propaganda purposes was below the dignity of the MAC and a waste of time."^{cliv}

5.344 A document of 11 May 1955 says:

"UNC MAC is continuing to prune its US staff very considerably. After several months of operation it was mutually agreed by both sides to reduce the Joint Observer Teams from 10 to 6 and their areas of responsibility remapped accordingly."

5.345 1 RAR issued these Orders for Sentries on 1 June 1955:

"Firing.

a. You will fire only

(1) when your life or that of another sentry is in danger.

(2) If attacked.

(3) If a vehicle breaks through the barrier and does not halt you will fire AT THE TYRES.

b. USE MINIMUM FORCE." [Note: the 'Shoot to kill' order has been removed.]

5.346 No. 3 Joint Observer Team issued a report on 2 June 1955 about an incident when six members of the ROK DMZ civil police went out to forage an aircraft engine lying in the DMZ. Communist police opened fire and two of the ROK police were killed.^{clv}

5.347 No. 2 Joint Observer Team issued a report on 22 June 1955 about an incident in the DMZ when two US soldiers on routine patrol strayed across the DML. They were apprehended by Communist soldiers well on the northern side of the line. The Communists behaved very well and eventually returned them.^{clvi}

5.348 1 RAR reported on 25 June 1955 that Teal Bridge was under water, low areas of Camp Gallipoli were inundated, roads were cut, Teal Bridge guard and DMZ Company had to be supplied by flying fox.

5.349 By September 1955, 1 RAR manning was so short that Companies were combined for field training and exercise purposes.

5.350 On 2 September 1955, the Defence Committee advised CINC BCFK that the Australian commitment against his requirements would be 220 Australian personnel short, and asked him to reduce his manpower requirements to fit an Australian ceiling of 1,683 personnel.^{clvii}

5.351 A 1 RAR instruction of 7 September 1955 about EXERCISE SCRAM stated in part:

"The next SCRAM will take place on 12 September 1955 at approximately 0800 hours. The Exercise will be of at least 24 hours duration and Companies will be stood down in time to

return to Gallipoli for the midday meal on 13 September 1955... No restriction on use of lights in Gallipoli or Kansas locations”.

5.352 By 26 September 1955, 1 RAR vehicle and personnel shortages were such that only the F[ighting] echelon could exercise. Manning returns indicate that 1 RAR was always short of riflemen but always surplus in drivers and often surplus in clerks, orderlies and batmen.

5.353 The following signal about the timing of force reductions was issued on 7 October 1955 by Army Personnel:

- “1. Understand immediate reduction of our existing force would involve considerable redeployment during winter months, resulting in hardships to both Commonwealth force and our allies.
- “2. Americans plan redeployment in the spring and **it seems to us that this might be most appropriate time to implement run-down.**”^{clviii} [Emphasis added]

5.354 On 24 October 1955, 1 RAR apprehended a Korean thief in the Sergeants’ Mess.

5.355 1 RAR manning levels continued to decline. On 31 October 1955, the war establishment was 741, manning was 595. On 1 November 1955, manning was down to 530. At 31 January 1956, manning was 526.

5.356 As at 17 December 1955, enemy strength was reported as a total of 683,800. The assessment was that CCF had been withdrawing a number of units. The NKA had taken over the CCF role. The CCF were removing units but leaving headquarters by name and a cadre force to allow a swift build-up in the event of hostilities.^{clix}

5.357 In February 1956, 1 RAR reported: “Operations: Perimeter and area patrols intensified owing to likelihood of raids by ‘slicky boys’ [organised Korean criminals].

5.358 Australian Army veterans provided the following comments in submissions to the Working Party about the period from December 1954 to April 1956:

(Medic, 1 RAR): “Because conditions were still very unstable, and we did not know if or when the North Koreans or Chinese armies would attack us again, they were very edgy and not to be trusted at all times. We lost a number of servicemen on live-fire exercises by drop-short ammunition, on regular patrols, through enemy fire, and uncharted land mines, exploding booby-traps and severe burns.”

(Soldier, 1 RAR): “We soon learned that we must carry our rifles with us at all time [sic] (no ammunition) and we were told that the North Koreans had massed artillery zeroed in on our Camp and if they decided to move it would be without warning... I was often detailed to go [to Seoul and Incheon] as a guard to the driver, and was issued with an Owen gun to do the job (again, farcically, no ammunition).”

(NCO, 1RAR with service in other theatres): “To any soldier, a latent enemy threat is always regarded as real as the whip and crack of bullets. When a soldier not only feels danger but is told from the highest level that danger exists, then he is entitled to believe that this is so.”

5.359 Australian Army veterans provided the following comments about the period in evidence to the Working Party at public hearings:

(NCO 1RAR with service in other theatres): “We knew there was an enemy there. We were told he was there and that he was the enemy, but we never fired a shot in anger... We lived hard, trained hard, we were isolated ... on a par [with service in the other theatres]...

“So the Government sent me to Korea. I can add to that and say, not only did they send me to Korea, but they sent me there for a definite reason, with a task to do. They in fact—figuratively anyway—pointed out, ‘There is the North Korean People’s Army—that’s your enemy. There is the line over which they must not cross. There are the fortifications that you will man. If they come over that point, you are required to kill them, stop them. And if it means the loss of life or limb as far as you’re concerned, so be it’.

“Now would you describe that as warlike or non-warlike? That’s why I believe I was in a warlike situation, and there’s no doubt in my mind that I was. That every soldier who served there after 1953 was sent to a warlike situation. You can’t tell a soldier, ‘Go over there and be prepared to fight and lose your life’ one minute, and then a couple of years down the track say, ‘Oh you silly people, it wasn’t real. You weren’t in any danger’. You can’t just do that. That’s what I say.”

(Soldier 1 RAR): “I know up in that Observation Post—just you and another guy—because in the still of the night, very strange sounds would happen and you tend to be very alert and the adrenalin’s going and you don’t know what’s happening out in front of you. You could have some of the other side, they could be just down the bottom of the hill, you don’t know, but I do recall that. And I know that personally at times, I was a bit anxious about that. And that sort of thing affected me later in life.”

(Soldier 3 and 1 RAR): “We patrolled the DMZ. We were over there watching [from] the towers at the North Koreans across the river through field glasses. We knew exactly what they were doing during the day, and when we patrolled at night we knew they were watching us. It was the most nerve-wracking thing to get to one end and then (you know) you’ve got to come back to the wire to get out again. And it was always a good relief to get out.”

(Soldier 3 and 1 RAR):

“Ian Crawford:

What orders did you have about responding to fire, when you came under fire?

“Witness:

Well, we were told not to open up, not to open fire on them. We did carry loaded weapons, a full magazine of weapons, and I think the very first time that they opened up, I discharged the full mag[azine] on them.

“Ian Crawford:

You returned their fire?

“Witness:

Returned their fire. I think nearly every one of us did. I don’t know whether we all emptied our mags on them, but I think nearly everyone in the patrol returned fire on them. And we had the Sergeants running up and down going crook: “Do you want to start the War up again?” and all this sort of business.”

(Soldier 1 RAR): “... as I mention in [my submission] about fellows who had been to Korea before, who were war veterans of Korea. They felt decidedly uncomfortable about sitting in a Camp Gallipoli knowing that you were within artillery range and they probably wouldn’t even need a sighter to hit the camp straight first off, it would be full-on straight away. And that was one of the reasons we used to do these evacuation drills from the huts was to get out of them as quickly as possible. There were trenches dug around the camp. We were heading for them.”

(**Soldier 1 RAR**): “Well, I’m carrying one little scar... it was a ricochet... We were under strict orders not to return fire across the DMZ, because it would give the North Koreans and the Chinese an excuse to come across again. ... on that one patrol there was one shot—the one that I got nicked here [pointing at his neck]—and quite a few of the other patrols I was on, we were fired upon, but they were at extreme range: 800 yards, maybe more... Well, my Platoon Sergeant was leading the patrol... and I told him what had happened. He looked at it and he said, ‘It’s only a bloody scratch. Forget about it.’”

Air Force – conditions experienced

5.360 The RAAF component in Korea had diminished to a transport flight of four Dakota aircraft providing support to BCFK by this stage.

Conditions of service and the reasons for providing them

5.361 On 6 March 1956, the Melbourne *Herald* published the following article about relative conditions of service for troops in Korea and Malaya:

“Are we at war or aren’t we? Diggers unhappy over conditions.

With the 2nd Battalion in Malaya.

Dissatisfaction is growing among Australian troops engaged in the terrorist war over their conditions of service in Malaya. The Government should review the position at once.

Infantrymen dodging bullets in Kedah are getting nowhere near the same benefits as troops in Japan and Korea **where not a shot has been fired in years.**

Troops, exhausted after two months of hard campaigning against terrorists in some of the worst jungle in Malaya are now asking: ‘Are we on active service or aren’t we?’”^{clx} [Emphasis added]

5.362 The same day, the Secretary of the Department of Defence wrote to the Minister for Defence:

“Withdrawal of special benefits

“These benefits were approved by Canberra on 18 October 1950 immediately following the outbreak of the war in Korea.

“From time to time following the ‘ceasefire’ in Korea, the question of the withdrawal of the benefits was raised and on 29 June 1955 recommendations were made to Cabinet for withdrawal of the benefits but consideration of the Submission was deferred.

“This agendum now recommends that with the withdrawal of the main body of the Force from Korea/Japan, the special benefits should cease as from the time of arrival of the main body at the first port of call in Australia...”^{clxi}

5.363 The Vice President’s Committee of Cabinet took Decision 75(VP) on 7 March 1956:

“The Committee:—

- (1) decided that in view of the impending withdrawal of the main body of the existing Force **and the non-operational role envisaged for the members who would remain**, the special benefits in respect of the Korea operations should cease to apply as from the time of arrival of the main body at the first port of call in Australia, the specific date to be agreed upon by the Minister for Defence and the Minister for Repatriation; [Emphasis added]
- (2) agreed that any member specially enlisted for Korean service should be withdrawn from the theatre unless he volunteered to serve in Korea/Japan under the conditions which supersede the special operational benefits;

- (3) agreed that on the cessation of the special operational benefits, members of the Forces who serve in Korea/Japan should be eligible for:–
- (i) a local overseas allowance, if warranted, in accordance with principles established in respect of other remote localities;
 - (ii) income tax concession in accordance with Section 79B of the Income Tax and Social Services Contribution Assessment Act. (This section entitled members of the Forces to a deduction from assessable income of £120 per annum for service of 6 months or more during the income year in a declared area, or to such lesser amount as is decided by the Taxation Commissioner for shorter service in the area.)^{” cxlii}

5.364 This Decision marked the end of the special benefits for service in Korea and the introduction of more standard overseas conditions of service arrangements. Forces affected by the decision were approximately 90 members of CCK and about 859 at the base in Japan—the latter to close down by March 1957.

5.6 May 1956 – August 1957

Strategy

5.365 Professor Robert O'Neill sums up the closing period of post-Armistice service in these terms:

“The British Commonwealth Base at Kure was heavily reduced in late 1956 and closed in July 1957. The last Commander-in-Chief, British Commonwealth Forces, Korea, Lieutenant General R. Bierwirth, who had succeeded Wells in 1954, returned to Australia in July 1956, and the closure of the base was directed by Brigadier L. J. Bruton.

“The Commonwealth Contingent served in Korea for fifteen months, from 15 May 1956 to 26 August 1957. In late March 1957 the British Government decided to withdraw its component before the coming November, ostensibly in order to save money. The British may also have been showing some displeasure at American opposition to the Suez operations of late 1956. The British decision virtually obliged the Australian, Canadian and New Zealand Governments to withdraw their remaining army personnel from Korea, because they made up only a small part of the Commonwealth Contingent. Although the United States Government was reluctant to agree to this final withdrawal of Commonwealth troops from Korea, it did not withhold assent. On 12 April 1957 the Australian Government announced that its major remaining commitment to the Commonwealth Contingent, some eighty signals personnel, would soon return home.

“The RAAF component had been withdrawn in the initial reductions of late 1954 and early 1955. The single remaining RAN ship was transferred from the authority of the United Nations Command to that of the Commander-in-Chief, British Far East Station, based in Hong Kong, in 1955. Although regular visits to Korean waters were made by ships of the RAN in 1956 and 1957, the naval commitment effectively ended with the departure of the frigate HMAS *Condamine* from Kure on 9 October 1955. The sole remaining Australian military representation in Korea was a liaison officer of the rank of major, or the equivalent in the other services, whom the Government had agreed to provide once the Commonwealth Contingent had been withdrawn. He was accredited to the Commonwealth Liaison Mission, the residual Commonwealth body in Korea following the withdrawal of the contingent. His duties were assumed in 1967 by the Defence Attaché of the Australian Embassy in Seoul, a lieutenant colonel or equivalent in rank, whose seniority entitled him to 'front table' status at meetings of the Military Armistice Commission, the regulatory body of five senior officers

from each side established by the armistice agreement, which continues to meet regularly at Panmunjom to discuss violations of the demilitarised zone and other related matters.”^{clxiii}

5.366 Hansard records that on 19 June 1956, in response to a question about the UN Supervisory Commission and Armistice violations, the Minister for External Affairs, Mr Casey, responded that:

“the Swedish and Swiss Governments had protested that their inspection teams in North Korea were being rather crudely obstructed in carrying out their work of inspecting ports of entry for the movement of troops... In fact positive evidence has been provided that there has been a substantial build-up of both forces and arms in North Korea, through points of entry other than those specified in the Armistice agreement”.

5.367 A Defence Committee paper of October 1956 titled ‘Strategic basis of Australian Defence Policy’ had this to say about the Korean situation:

“The Armistice in Korea has resulted in the division of the peninsula into two bitterly hostile armed camps. The strengthening of the South Korean forces has been offset by the withdrawal of the majority of the UN forces. The South Korean economy is almost entirely dependent on continued US aid. In the face of US guarantees, the Communists are unlikely to undertake further military action in Korea which would almost certainly provoke direct US retaliation.”^{clxiv}

5.368 CINC FARELF, General Sir Francis Festing, addressed a Special meeting of the Military Board on 15 January 1957:

“On Korea, General Festing referred to the fact that since the rundown of the BCFK he had become responsible for the maintenance of the small Commonwealth force remaining in Korea, which consisted of one infantry Battalion and a supply and maintenance component. He said that the reason for the force was purely political. He would welcome its disappearance as it was uneconomical, inconvenient and militarily futile... His personal view was that hostilities were unlikely to break out, but it was significant that the North Korean army was now more efficient than previously, and so also was the South Korean army. South Korea was maintaining 23 Divisions in the field, making it the fourth largest army in the world and the second largest Asian army... General Lemnitzer, to whom he had recently spoken, thought it possible that the Communists might use Korea to distract attention from their other activities, particularly if there were more trouble with the European satellites.”^{clxv}

5.369 A Defence internal minute of 8 April 1957 stated:

“The Department of Defence has advised verbally that the US Government has been informed that consequent on the UK Government decision to withdraw its forces from Korea, the Australian Government proposes to withdraw the Australian Army component of CCK.”^{clxvi}

5.370 A minute of 23 July 1957 from Secretary of the Department of Defence to the Secretary, Department of Air advised that “Headquarters BCFK is disbanded with effect from 8 July 1957”.^{clxvii}

Navy – conditions experienced

5.371 The Report of Proceedings by HMAS *Anzac* in May 1956 included this entry about service in Korean waters: “Made passage from Nagoya to Paengyong-do 2–5 May 1956. Nothing reported”.^{clxviii}

5.372 In May 1956, HMA Ships *Tobruk* and *Anzac* submitted the following Korean patrol report:

“8. ... In all the visit to Chinhae was most interesting and I feel it was an ideal port in which to ‘show the flag’ as it is the centre of Korean Navy training.

...

“12. Extra time in Chinhae is required to arrange sporting fixtures with the various ROK units and to take advantage of the excellent shooting to be had in the hills above the harbour.”^{clxix}

5.373 This patrol report concentrates entirely on a program of visits.

Army – conditions experienced

5.374 The CCK War Diary is completely routine and administrative. Australian personnel are subject to UK military law. On most days in late 1956 it was ‘NTR’—nothing to report.

5.375 In December 1956, there was CCK establishment review; the calculation of CCK establishments assumed that “Units are required to undertake a static role in peace conditions rather than a mobile role in war.”

5.376 Australian Army veterans provided the following comments in submissions to the Working Party about the period from May 1956 to August 1957:

(CCK Signals Squadron soldier): “Night-time security outside our immediate camp perimeter [Inchon] was maintained by armed patrols with frequent exchanges of small-arms fire around the large number of petrol storage tanks in the area... At our receiver station, signals personnel (inside the ammunition base) were armed at all times.”

(CCK Signals Squadron soldier): “Along with several other Australians serving in Korea I travelled to the DMZ to be greeted by the sole Australian representative. While in the DMZ we were given strict instructions to stay together at all times, even when going to the toilets. Nor were we allowed to speak to Communist representatives in the DMZ... They followed us everywhere we went plying us with questions, such as ‘Why are you a mercenary?’ or ‘Why are you an American lackey?’”

5.377 Australian Army veterans provided the following comments about the period in evidence to the Working Party at public hearings:

(CCK Signals Squadron soldier): “Well, we often got a message that... the Squadron had had a message to say that we had a week or two weeks to be out of Korea, or we’d be in a lot of trouble fighting and so forth, it’d be on again. It was expected that the fighting was going to break out again.”

(CCK Signals Squadron soldier):
“...the threat we were expecting was more from the local inhabitants. For instance, if you happened to be on the REME compound they would come over the fence shooting, because

they wanted spare parts for the trucks they had that had been BER'd (or Beyond Economical Repair) and sold off to the locals, so they wanted to repair them and they needed spare parts. So their method of spare parts acquisition was to come and break into the compound.

"For us in the Signal Section, we never got that compound. We would do Sergeant's Mess, Officer's Mess, our own perimeter and internal. Now we were... again, we were issued a magazine of ammunition, but with the instructions that in hindsight (I think) were not the most helpful—and in fact (if anything) needed a bit of readjustment, in that here you are, you're on guard duty to fend off anyone that will come and try and break into anything or steal anything, but you're not allowed to shoot. The instructions were, 'You will not fire without the direct order of the Guard Commander'.

"Now I came under fire once and I ran and hid. Not because I'm a coward, but because I wasn't allowed to shoot back. And to make life even more precarious for anybody that was on guard duty, the Mess where the guard post was, was under a floodlight. So you can imagine how peculiar you feel standing under a floodlight and someone takes a pot-shot at you. You can't see outside the perimeter of light, so it's pretty terrifying."

Air Force – conditions experienced

5.378 No RAAF unit was operating in Korea during this period.

Conditions of service and the reasons for providing them

5.379 While Cabinet had specifically decided to terminate the special benefits for Korean service after 19 April 1956 on the ground that later service would be non-operational, it was prepared to keep the situation under review. A Cabinet decision of 6 June 1956 on conditions of service stated in part:

"[Cabinet] noted that should hostile action develop in Korea, it might be necessary to take steps to ensure that Australian Servicemen in Korea were covered by some type of repatriation benefits." ^{clxx}

5.380 On 8 June 1956, a signal was issued by Defence Melbourne to Britcom Japan about new allowances to replace the special benefits for operational service:

"Cessation of operational benefits... Treasury have now advised as follows 'Following cessation of the special operational benefits in respect of Service personnel serving in Korea and Japan the Treasurer has approved of payment of the following local overseas allowances to Service personnel on and from 20th April 1956.

- (a) Personnel serving in Korea. A special allowance of 4/6 per day plus exchange allowance at rates previously approved in respect of BCOF personnel and
- (b) Personnel serving in Japan. A special allowance of 1/– per day plus exchange allowance as above..." ^{clxxi}

5.381 On 12 December 1956, Army Headquarters issued an Administrative Instruction for the Australian component of CCK: "Note: Major differences between UK and Australian military law: Troops proceeding from Australia to Korea and returning to Australia are deemed to be on war service by virtue of D[efence] A[ct] [s.]54A and are not on active service..." ^{clxxii}

5.382 On 12 March 1957, the Public Service Board issued a memorandum to all departments, advising on the status of service in this part of the post-Armistice period:

“Korean ex-servicemen

“The regulations under the Re-establishment and Employment Act have now been amended by Statutory Rule No. 33 of 1956 to provide that service in Korea after 19.4.56 cannot be classed as service in an Operational Area.

“Accordingly, ex-members of the Forces who commence to serve in Korea after that date are not regarded as ex-servicemen for the purposes of the Public Service Act or the Re-establishment and Employment Act.”^{clxxxiii}

5.383 A letter of October 1957 from Prime Minister’s Department to the British High Commissioner in Canberra advised that Australian soldiers in Korea would remain on ‘active service’ for the time being:

“I refer to your letter... concerning the proposal of the UK Government to bring ‘active service’ in Korea to an end on 31st October 1957.

“I am to advise that the Australian authorities see no difficulty in the proposal... However, it is proposed, for the time being, that the Australian soldiers in Korea should remain on active service.”^{clxxxiv}

5.384 This situation was apparently preserved for technical reasons to do with legal and disciplinary arrangements for overseas service, and had no bearing on what conditions the troops were actually experiencing.

5.7 Overall conclusions

5.385 In the light of the material presented in this Chapter, the Working Party has reached the following conclusion about the nature of service and the conditions experienced by Australian forces in Korea during the post-Armistice period. These conclusions have a close bearing on the case for appropriate medal recognition.

Progressive force reductions

5.386 Both sides progressively reduced their forces as confidence in the ceasefire built and the tension reduced. Other strategic imperatives developing in South-East Asia also created pressure for the redeployment of forces committed to Korea, at the earliest opportunity. The graph in Annex 5A clearly shows that this progressive de-escalation of the conflict applied to both sides.

5.387 In spite of these reductions, the UNC was concerned to maintain a high-level deterrent posture through the appearance of the deployment of major forces at a greater apparent strength than they actually were. Formations called Divisions were only at Brigade strength, and so on. Units were increasingly ‘hollow’ and undermanned as the period progressed, as a result of non-replacement of troops as recruits were diverted to higher priority areas.

The nature of the threat

5.388 The nature of the threat changed from the expectation of formal military offensives to espionage and sabotage, the actions of lawless elements, and the restraining of a relentlessly aggressive South Korea.

5.389 However, there were conflicting signals about the threat at the politico-strategic, operational and tactical levels. In the broad, these can be characterised as follows:

- At the politico-strategic level: senior political figures, respective delegates at the MAC and the South Korean leadership operated in a climate of bellicose rhetoric and posturing characterised by strident language and threats, in the context of Cold War competition. There was a general air of mistrust about capabilities, intentions and adherence to the Armistice conditions.
- At the operational (higher formation) level: the view was that the Chinese were in a defensive posture and had no intention of altering it. The threat was seen as an unconventional one involving infiltrators, saboteurs and lawless elements. The Working Party's conclusion from these records is that higher formation commands had a picture of massive enemy strength but had assessed the likely course of action in terms of which the following is representative: "There is no indication, however, of an imminent offensive and for the immediate future the enemy is believed likely to organise, occupy and defend battle positions of the DMZ, simultaneously maintaining the ceasefire status but offering covert assistance to subversive elements in South Korea."
- At the tactical (unit) level: Servicemen were being told that they must prepare for an imminent threat, which they were trained hard to meet, and they were living just across the DMZ (within artillery range) from a massive and combat-hardened 'enemy' who was constantly referred to using that term. They were also living forward of the defensive positions which they would have been required to fight from in the event of an attack. They were therefore kept at a very high level of readiness and in the expectation of an imminent threat. Restrictions imposed by winter cold and summer heat and rain also led to high levels of military activity designed to keep forces engaged and productive. To ensure a state of readiness to meet a worst case scenario of a deliberate offensive or escalation from an incident, the chain of command issued directives, which would have been used at ship, battalion and squadron command levels to condition their units to a physical and mental state of readiness. There was no shortage of incidents, either experienced or reported from elsewhere in the Korean theatre, whether involving opposing forces or South Korean nationals, taken with the patrolling activity and the awareness of the minefield threat, to maintain a tension not experienced in a peacetime garrison.

5.390 In the light of these mixed messages, it could be said that the threat was more perceived than actual at the tactical level, but nonetheless understandable.

5.391 Although the strategic importance of Australia's contribution to the UN Command's presence in Korea after the Armistice is not a factor in the consideration

of this Review, there is no doubt that the implications of a renewal of hostilities, understood at the strategic level, would have influenced higher command guidance to units to a state of readiness to meet a Communist attack as well as establishing guidelines on avoiding provocations that could lead to escalation. The implications included the possibility of a wider war with China and the option to have recourse to nuclear weapons to contain a Communist assault, as well as the projection of force availability factors elsewhere in the world in the East-West confrontations of the Cold War. For Australia, there was an acceptance within the higher command and at government level of the need to maintain force levels in Korea to deter aggression and for other political and strategic reasons.

Conditions of service

5.392 It is generally acknowledged by earlier reviews, and reinforced by the evidence marshalled in this Chapter, that the conditions of service provided to those serving in Korea post-Armistice were provided for other than operational reasons.

The nature of service—‘warlike’, ‘non-warlike’ or ‘peacetime’?

5.393 The Working Party has reviewed the nature of service in the post-Armistice period against the currently accepted definitions of ‘warlike’ and ‘non-warlike’ service set out in Appendix 1 Part 1. These definitions are used as the test for assessing eligibility for a range of deployment conditions, including medals—and in particular the Australian Active Service Medal (AASM) and the Australian Service Medal (ASM).

5.394 The Working Party has concluded from the evidence that service in the period immediately following the Armistice up to 19 April 1956 (withdrawal of the last Australian combat troops) was ‘non-warlike’ within the meaning of that term as currently applied. Our reasons for this are as follows:

- the application of force was limited to defence of human life;
- military objectives were to avoid any outbreak of hostilities and monitor the ceasefire, reporting any incidents as they occurred; and
- in that context, while casualties might have occurred, they were certainly not expected on the basis of military operations against an armed enemy, and in fact none occurred as a result of hostile action. (This is not to say that service in this period was not hazardous; indeed, the conditions experienced were dangerous and exacerbated by the level of perceived threat). The Working Party notes a 14 October 2005 research report by Major T A G Kemp on Central Army Records Office documents 1953–1957:

“Research into Non-Battle Casualty Lists, fatality databases, indices and in-house proformae held at CARO resulted in the examination of a few additional dossiers. The small number of [Army] fatal casualties (4 [in the additional dossiers]) incurred after 28 July 1953 are all the result of accidents and illnesses not demonstrably related to warlike service. Injuries and illnesses reported upon as incurred in the period under review also appear to be unrelated to warlike service. Note that the terms ‘WIA’ and ‘KIA’ are not used in reporting after 27 July 1953”.

5.395 The Working Party's view on the nature of service is also reinforced by this 13 August 2005 research note by the Chief, Historical Support Branch, US Army Center of Military History:

“... there seems to be little evidence to suggest that post-armistice conditions approached those of the pre-armistice (that is, wartime) period, regardless of how trying or dangerous they appeared to the participants either then or now... The PLA occupied the positions opposing them across the DMZ, and the PLA had little interest in engaging in the low-level harassment and ambush warfare that came to characterize subsequent periods along the DMZ when the North Korean Army was the sole occupier.”

5.396 The Working Party has also concluded from the evidence that service in the period between 20 April 1956 and 27 August 1957 (withdrawal of the Australian signals contingent) was peacetime service. This judgement reflects the conditions under which the unit was established; the security arrangements in which the signals unit operated; and the lower-level conditions of service which were deliberately applied to service during that period.

NOTES ON CHAPTER 5

See the Bibliography in Appendix 9 for full details of books cited.

- i Quoted in Horner, *Strategic Command: General Sir John Wilton and Australia's Asian Wars*, Chapter 11
- ii O'Neill in *Oxford Companion to Australian military history* p.336.
- iii Horner, *Defence supremo: Sir Frederick Shedden and the making of Australian defence policy*, p.307.
- iv O'Neill, *Australia in the Korean War 1950-53*. Volume I: *Strategy and diplomacy*.
- v The War History Compilations Committee, *History of UN Forces in the Korean War*, Volume 3, Chapter IV, p.31.
- vi Vatcher, *Panmunjom: the story of Korean military Armistice negotiations*, p.203.
- vii Blair *The forgotten war: America in Korea, 1950-1953* p.973-4.
- viii Thorgrimsson & Russell, *Canadian naval operations in Korean waters, 1950-1955*, p.129-131.
- ix Grey, *The Commonwealth Armies and the Korean War*, p.182.
- x Horner, *Defence supremo: Sir Frederick Shedden and the making of Australian defence policy*, p.312.
- xi National Archives of Australia, A5954, 1514/3.
- xii British National Archives, ADM205/102.
- xiii National Archives of Australia, A816, 66/301/413.
- xiv National Archives of Australia, A1838, 3127/10/1/1.
- xv Thorgrimsson & Russell, *Canadian naval operations in Korean waters, 1950-1955*, p.129-131.
- xvi National Archives of Australia, A5799, 243/1953.
- xvii Horner, *Defence supremo: Sir Frederick Shedden and the making of Australian defence policy*, p.313-315.
- xviii National Archives of Australia, A2653, item 1953 Vol 1, 31 December 1953.
- xix National Archives of Australia, A5799, 243/1953.
- xx National Archives of Australia, MT1131/1, A100/1/40.
- xxi National Archives of Australia, A5799, 21/1954.
- xxii British National Archives, ADM1/25404.
- xxiii National Archives of Australia, MP729/8, 49/431/356.
- xxiv National Archives of Australia, MP729/8, 49/431/369A.
- xxv British National Archives, ADM1/25404.
- xxvi National Archives of Australia, MP729/8, 15/431/58.
- xxvii National Archives of Australia, MP729/8, 15/431/59.
- xxviii British National Archives, ADM1/25560.
- xxix National Archives of Australia, A816, 19/323/146.
- xxx National Archives of Australia, A816, 19/323/146.
- xxxi National Archives of Australia, A1838, 852/20/4/3/1 Part 2.
- xxxii National Archives of Australia, A1838, TS682/24/4 Pt 3.
- xxxiii National Archives of Australia, A5954, 1536/1.
- xxxiv National Archives of Australia, A5954, 1536/1.
- xxxv National Archives of Australia, A5954, 1536/1.
- xxxvi National Archives of Australia, A1838, 3127/2/1/2 Pt 2.
- xxxvii National Archives of Australia, A5954, 1536/2.
- xxxviii National Archives of Australia, A2653, 1954 Vol 2.
- xxxix National Archives of Australia, A5954, 1536/2.
- xl National Archives of Australia, A5954, 1537/1.
- xli National Archives of Australia, A1838, TS682/24/4 Pt 4.
- xlii National Archives of Australia, MP927/1, A82/1/9.
- xliii British National Archives, ADM1/25404.
- xliv O'Neill, *Australia in the Korean War 1950-53*. Volume II: *Combat operations*, p. 586-7.
- xlv O'Neill, *Australia in the Korean War 1950-53*. Volume II: *Combat operations*, p. 593.
- xlvi Thorgrimsson & Russell, *Canadian naval operations in Korean waters, 1950-1955*, p.129-131.
- xlvii British National Archives, ADM205/102.
- xlviii Australian War Memorial AWM 98, 95/3.
- xlix British National Archives, ADM1/28918.
- i Australian War Memorial AWM 98, 95/3.
- ii British National Archives, ADM205/102.
- iii British National Archives, ADM1/24808.
- liii British National Archives, ADM205/102.
- liv Thorgrimsson & Russell, *Canadian naval operations in Korean waters, 1950-1955*, p.129-131.
- lv Australian War Memorial AWM 78, 40/4.
- lvi Australian War Memorial AWM 78, 40/4.
- lvii British National Archives, ADM1/25560.
- lviii National Archives of Australia, A5954, 1658/3.
- lix Quoted in Horner, *Strategic Command: General Sir John Wilton and Australia's Asian Wars*, p.159.
- lx National Archives of Australia, MP729/8, 49/431/320.
- lxi British National Archives, WO308/4.
- lxii British National Archives, WO308/4
- lxiii Eaton, *Something extra: the story of 28 Commonwealth Brigade in Korea*, p.145.
- lxiv Horner, *Strategic Command: General Sir John Wilton and Australia's Asian Wars*, p.160.
- lxv National Archives of Australia, A2653, item 1953 Vol 1.
- lxvi McGibbon, *New Zealand and the Korean War*, p.350.
- lxvii National Archives of Australia, A5954, 1658/3.

-
- bxviii British National Archives, WO281/701.
 bxix British National Archives, WO308/4.
 box British National Archives, WO281/701.
 boxi British National Archives, BNA WO281/701.
 boxii British National Archives, WO281/701.
 boxiii British National Archives, WO281/701.
 boxiv National Archives of Australia, A2653, item 1953 Vol 1.
 boxv National Archives of Australia, A2653, item 1953 Vol 1.
 boxvi Wood, *Strange battleground: official history of the Canadian Army in Korea*, p.253-255.
 boxvii National Archives of Australia, A5954, 2182/1.
 boxviii British National Archives, WO308/4.
 boxix British National Archives, WO308/4.
 boxx National Archives of Australia, A5954, 1688/2.
 boxxi Wood, *Strange battleground: official history of the Canadian Army in Korea*, p.254.
 boxxii Wood, *Strange battleground: official history of the Canadian Army in Korea*, p.254.
 boxxiii National Archives of Australia, A1838, 852/20/4/3/1 Pt 1.
 boxxiv National Archives of Australia, A1838, 852/20/4/3/1 Pt 1.
 boxxv National Archives of Australia, A1838, 852/20/4/3/1 Pt 1.
 boxxvi National Archives of Australia, A5954, 1658/37.
 boxxvii British National Archives, WO308/4.
 boxxviii British National Archives, WO308/4.
 boxxix Wood, *Strange battleground: official history of the Canadian Army in Korea*, p.255.
 xc National Archives of Australia, MP729/8, 49/431/298.
 xci Eaton, *Something extra: the story of 28 Commonwealth Brigade in Korea*, p.157.
 xcii National Archives of Australia, A5954, 2202/2.
 xciii National Archives of Australia, A1838, 252/20/4/3/1 Pt 3.
 xciv Futrell, *The United States Air Force in Korea 1950-53*, p. 642-643.
 xcv National Archives of Australia, A11268, 9/5/AIR.
 xcvi National Archives of Australia, A9186, 104.
 xcvi O'Neill, *Australia in the Korean War 1950-53*. Volume II: *Combat operations*, p.592.
 xcvi National Archives of Australia, A5954, 1514/13.
 xcix National Archives of Australia, A5954, 1514/13.
 c National Archives of Australia, A5954, 1514/13.
 ci National Archives of Australia, A649, 156/600/125.
 cii National Archives of Australia, A5954, 1514/3.
 ciii National Archives of Australia, A5954, 1514/3.
 civ National Archives of Australia, A5954, 1514/3.
 cv National Archives of Australia, A649, 156/600/125 Pt 2.
 cvi National Archives of Australia, MT1131/1, A12/1/128.
 cvii National Archives of Australia, A5954, 1514/3.
 cviii National Archives of Australia, A5954, 1514/3.
 cix O'Neill, *Australia in the Korean War 1950-53*. Volume II: *Combat operations*, p.587.
 cx British National Archives, ADM1/26103.
 cxi National Archives of Australia, A2653, 1954 Vol 2.
 cxii National Archives of Australia, MP927/1, A12/1/200.
 cxiii National Archives of Australia, A5954, 1536/5.
 cxiv National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxv National Archives of Australia, A1838, 852/20/4/3/1 Pt 4.
 cxvi National Archives of Australia, A5954, 1536/3.
 cxvii National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxviii National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxix National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxx National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxxi National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxxii National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxxiii National Archives of Australia, A5954, 1534/4.
 cxxiv National Archives of Australia, A5954, 1536/2: A1838, TS682/24/4 Pt 4.
 cxxv National Archives of Australia, A1838, TS682/24/4 Pt 4.
 cxxvi National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxxvii National Archives of Australia papers—see Annex 5E at the end of this Chapter.
 cxxviii National Archives of Australia, A5954, 1537/1.
 cxxix National Archives of Australia, A816, 19/323/164.
 cxxx National Archives of Australia, A5954, 1536/2.
 cxix National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxix National Archives of Australia, A1838, TS682/24/4 Pt 6.
 cxix National Archives of Australia, A5799 2001, 131/1955.
 cxix National Archives of Australia, A5954, 1537/1.
 cxix National Archives of Australia, A1838, TS682/24/4 Pt 6.
 cxix National Archives of Australia, A5954, 1536/2.
 cxix National Archives of Australia, A816, 19/323/164.
 cxix National Archives of Australia, A1838, 852/20/4/3/1 Pt 9.
 cxix National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
 cxl National Archives of Australia, A1838, 852/20/4/3/1 Pt 9.
 cxli National Archives of Australia, A5954, 1536/5.

- cxlii National Archives of Australia, A5954, 1537/1.
cxliii National Archives of Australia, A2653, 1955 Vol 3.
cxliv National Archives of Australia, A816, 19/323/164.
cxlv National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
cxlvi National Archives of Australia, A5954, 1537/1.
cxlvii National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
cxlviii National Archives of Australia, A816, 19/323/164.
cxlix National Archives of Australia, A816, 19/323/164.
cl National Archives of Australia, A1838, 852/20/4/3/1 Pt 10.
cli Thorgrimsson, Thor & Russell, E C, *Canadian naval operations in Korean waters, 1950-1955*, p.129-131.
clii British National Archives, WO308/4.
cliii National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
cliv British National Archives, WO308/4.
clv National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
clvi National Archives of Australia, A1838, 852/20/4/3/1 Pt 6.
clvii National Archives of Australia, A816, 19/323/130.
clviii National Archives of Australia, A5954, 1537/1.
clix National Archives of Australia, A5954, 1658/3.
clx National Archives of Australia, MP927/1, A284/1/39.
clxi National Archives of Australia, MP927/1, A284/1/39.
clxii National Archives of Australia, A1196, 36/501/706; A5954, 1514/3; A4940, C1525
clxiii O'Neill, *Australia in the Korean War 1950-53*. Volume II: *Combat operations*, p. 587-588.
clxiv National Archives of Australia, A10299, D7.
clxv National Archives of Australia, A2653, 1957 Vol 1.
clxvi National Archives of Australia, A2653, 1957 Vol 1.
clxvii National Archives of Australia, A1196, 36/501/706.
clxviii Australian War Memorial, AWM 78, 343/5.
clxix Australian War Memorial, AWM 78, 343/5.
clxx National Archives of Australia, A4926, 195.
clxxi National Archives of Australia, A5954, 1514/13.
clxxii National Archives of Australia, MT1131/1, A5/1/112.
clxxiii National Archives of Australia, MP927/1, 386/A1/7.
clxxiv National Archives of Australia, A1838, 682/24/4 Pt 9.

CHAPTER 5
ANNEX A

GRAPH – ESTIMATED TOTAL COMBATANT STRENGTHS, KOREA 1953-55

This Annex contains a graph showing the estimated total combatant strengths in Korea between the Armistice and the end of 1955.

Total Communist forces are shown in red 

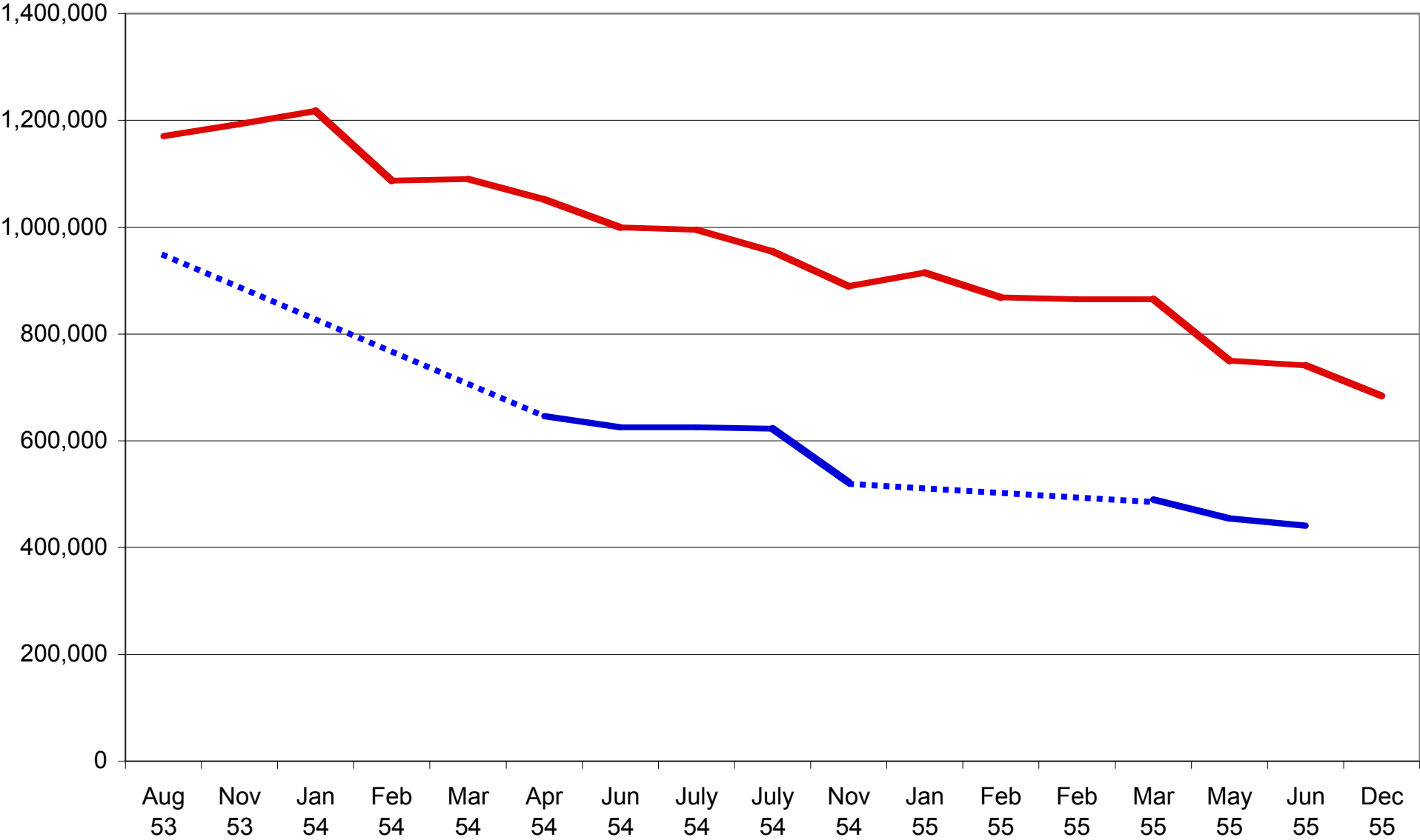
Total UNC forces are shown in blue 

Extrapolation for periods when UNC strengths were not provided
is shown in a dashed blue line 

The graphs shows how the opposing forces were approximately halved over that period, in mutual and parallel force reductions which evolved as the conflict was de-escalated.

Graph

ESTIMATED TOTAL COMBATANT STRENGTHS, KOREA 1953-55



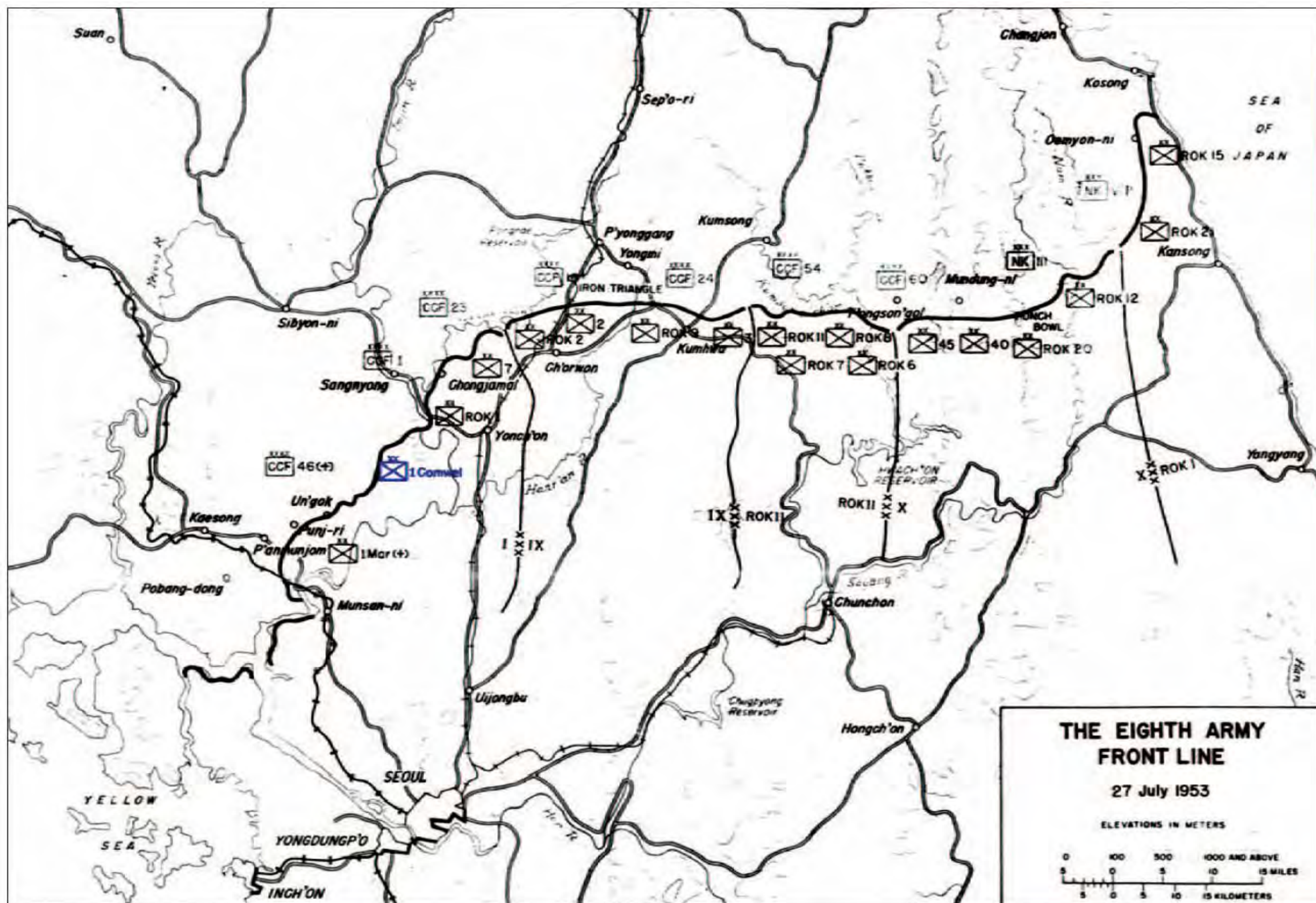
Graph

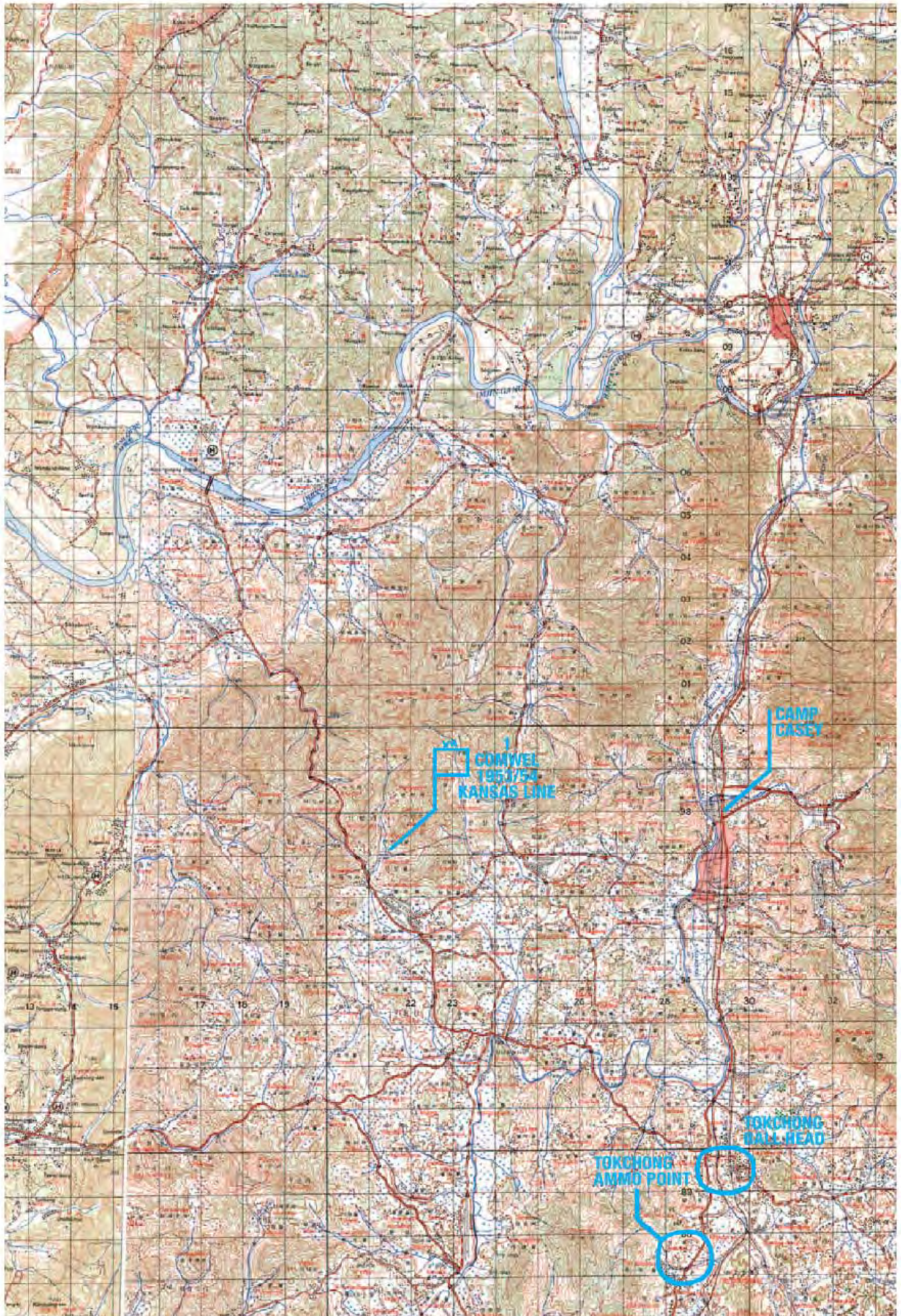
CHAPTER 5
ANNEX B**MAPS**

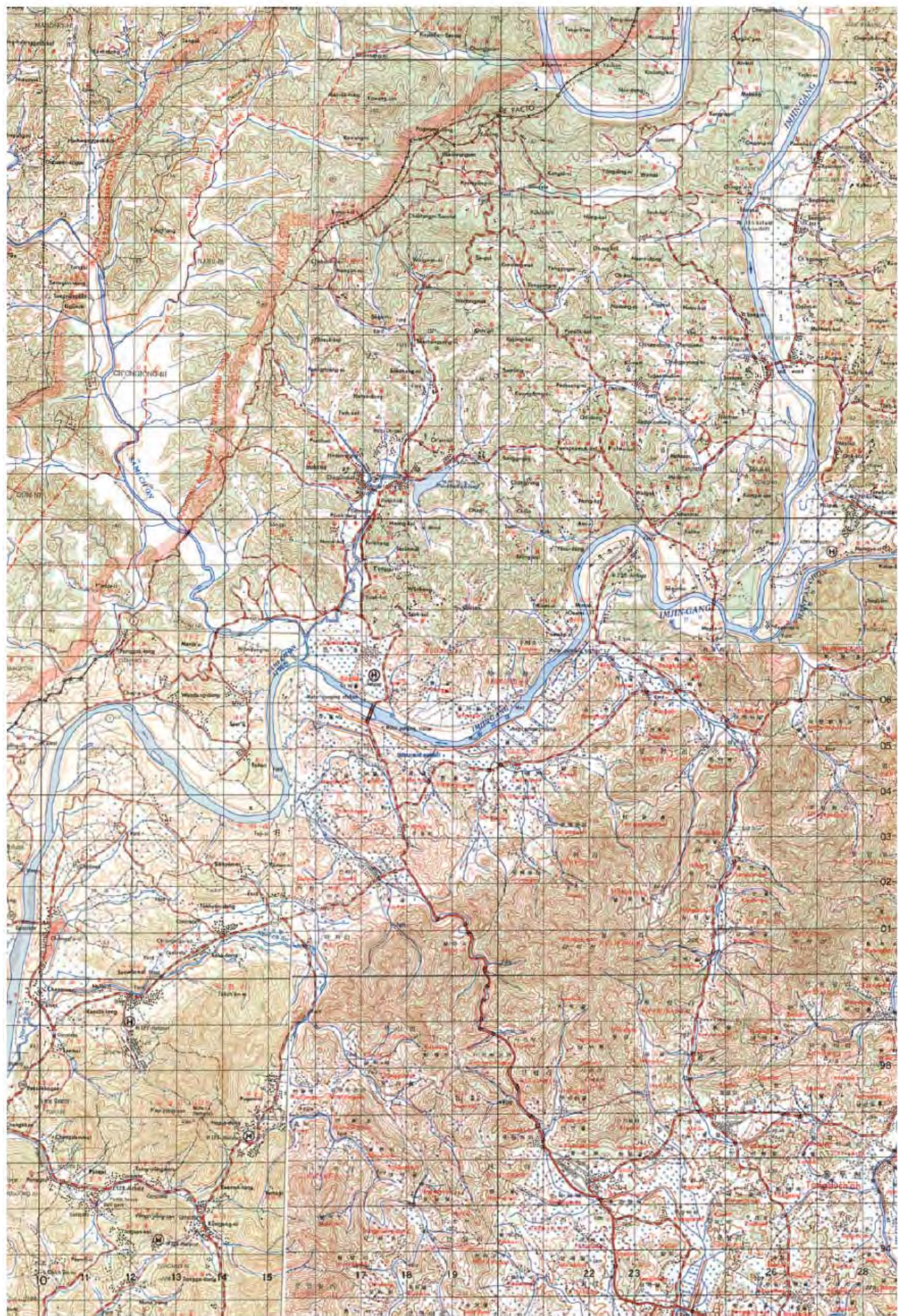
This Annex contains the following maps:

Map No.	Showing	
1	Korean area	
2	Disposition of ground forces at the time of the Armistice	
3	Commonwealth Division area, including Camp Casey, Headquarters and Tokchong facilities	
4	Commonwealth Division sector with two overlays showing:	
	4A	Disposition of Australian units and their superior headquarters during 1953–54
	4B	Disposition of Australian units and their superior headquarters during 1954–55

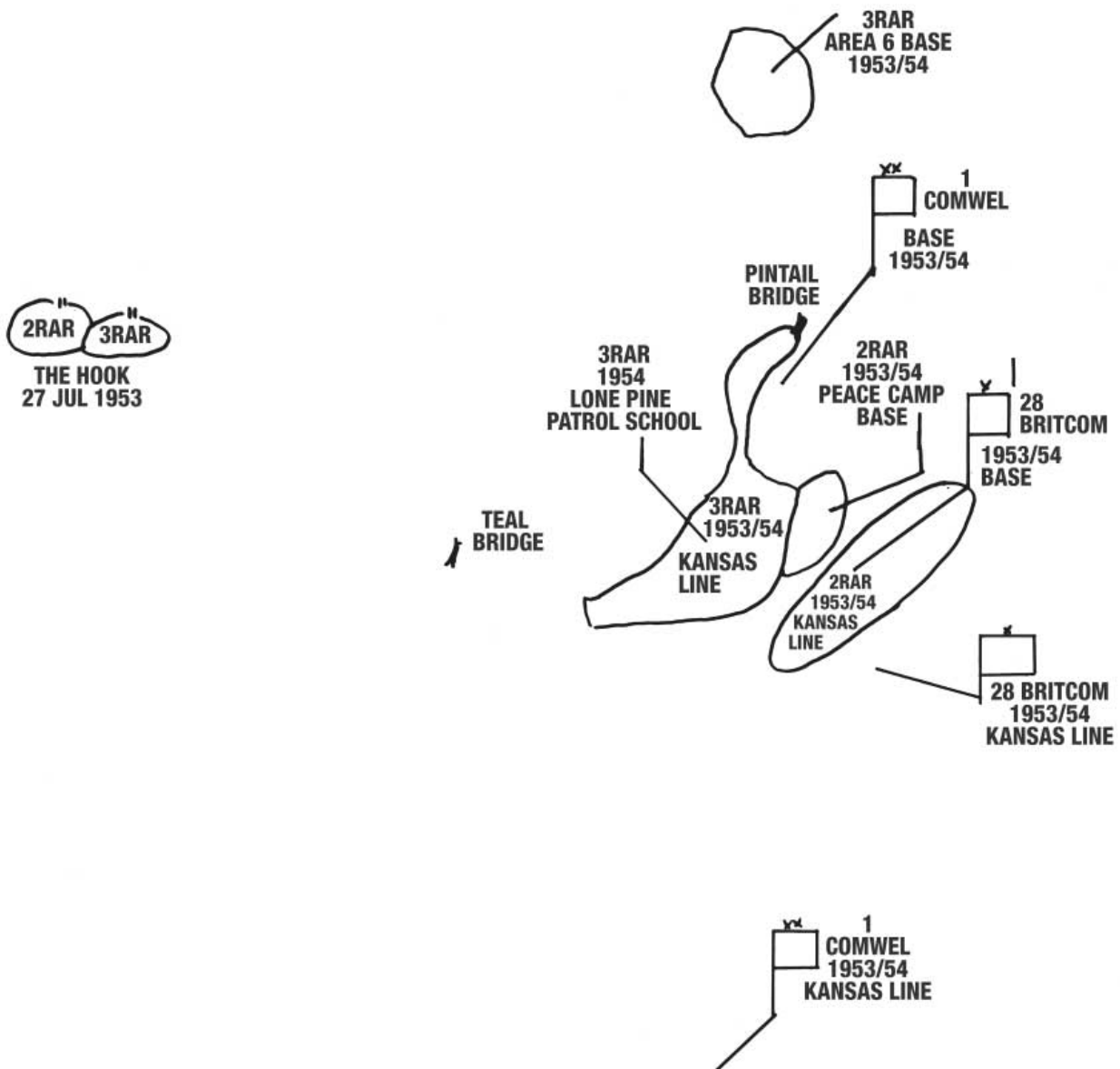




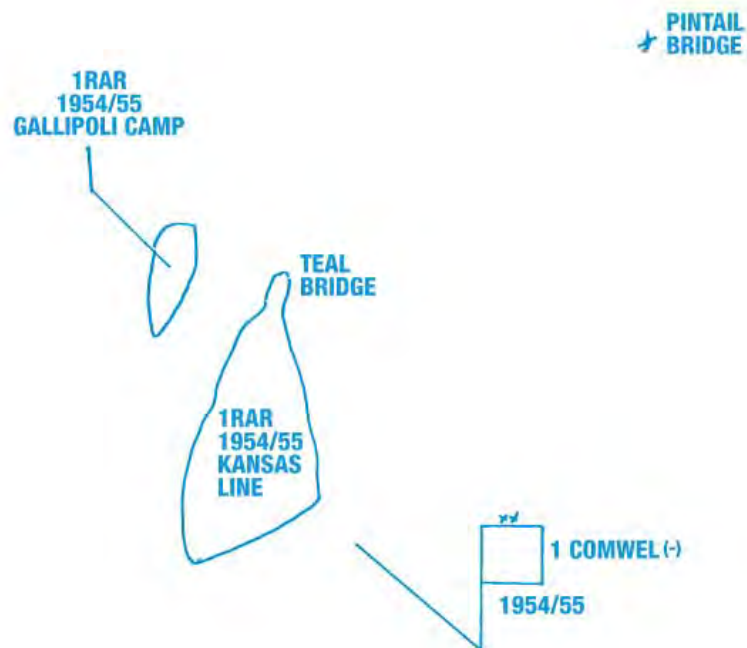




OVERLAY 4A
AUSTRALIAN ARMY DISPOSITIONS IN KOREA POST-ARMISTICE 1953-54



OVERLAY 4B
AUSTRALIAN ARMY DISPOSITIONS IN KOREA POST-ARMISTICE 1954-55



CHAPTER 5
ANNEX C

PHOTOGRAPHS

This Annex contains photographs illustrating post-Armistice conditions of service in Korea. They appear in the chronological order in which they were taken.

All the photographs in this Annex are reproduced by kind permission of the Australian War Memorial.



30 July 1953

Three days after the cease-fire Corporal Larry Nelson of 3 RAR, of Ballarat, Vic, and Private Ray Marshall of 3RAR, of Neutral Bay, NSW, loaded up with their gear, read the sign beside the fence which marks the DMZ. [Australian War Memorial Negative Number HOB4538]



20 October 1953

Private M. A. Conway (left) and Private G. W. Lee, both from D Company, 2 RAR, crouch behind sandbags while on watch for enemy movement during training Exercise SCRAM. [Australian War Memorial Negative Number 157769]



February 1954

A RAN Firefly (left) and Sea Fury (right) parked in the dispersal area of the 77 Squadron airfield at Kimpo, South Korea. Note the sandbag revetments at left rear, the Marsden matting landing strip and the maintenance workers clustered around the Sea Fury. Both aircraft were from HMAS *Sydney*. (Donor B. Chamberlain) [Australian War Memorial Negative Number P02948_038]



23 June 1954

Pilots of No. 77 Squadron RAAF (left to right: Flight Lieutenant Keith Williamson, RAF, Mike Ridgeway and Keith Cottey) at Kunsan, South Korea after an operation in their Meteor MK8 jet fighter aircraft. The Meteor in the foreground is preserved and displayed at the Australian War Memorial in Canberra. [Australian War Memorial Negative Number JK1025]



August 1954

Unidentified soldiers, wearing rain capes, walk down a hillside in single file. The soldiers are possibly on a patrol during a period of torrential rain at the Kansas Line. [Australian War Memorial Negative Number MELJ0278]



24 December 1954

Santa Claus has arrived at the Christmas party given by 1 RAR for two hundred Korean children from villages near Camp Gallipoli. Santa holds a Korean child in his arms and gives careful advice on the choice of a Christmas present, while many other children patiently wait their turn. [Australian War Memorial Negative Number MELJ0496]



20 January 1955

Camp Gallipoli in Korea, under snow. Weather conditions for the men of 1 RAR are very rugged, but living conditions are better than ever before in this theatre. Here some of the office, store and accommodation huts of Support Company are under a coating of snow. These snowfalls occur two or three times a week but thaw sets in very quickly sending the temperature down as far as five degrees below zero. With the reduction in strength of 1 Commonwealth Division, many camps have been evacuated and all the permanent structures concentrated so that now every man sleeps in an insulated and stove-warmed hut. [Australian War Memorial Negative Number MELJ0578]



22 January 1955

The practice occupation of the Kansas Line is an exercise that must be carried out with all possible speed, and the companies of 1 RAR are always trying to better the time taken to complete the job. Here the unidentified sergeant instructor uses an old Korean burial ground as a natural outdoor classroom to discuss the good and bad points of the attack exercise which his squad of newcomers has just completed. [Australian War Memorial Negative Number MELJ0598]



24 January 1955

A section commander urges more and more speed from his men as they hurriedly dress to get on parade for the move out to the defensive positions of the Kansas Line. 1 RAR is continually practising emergency occupations of its battle positions, and these dry runs are put on regardless of weather or the time of day. Speed is naturally the essence of the contract and these men have been caught up in a pre-reveille practice. The soldiers are unidentified. [Australian War Memorial Negative Number MELJ0598]



1 February 1955

One of the duties performed by the men of 1 RAR in Korea, is the manning of a check point in the military road which runs through 'Gloucester Valley', near the scene of the British Regiment's famous stand. It is a double post and any vehicle which managed to force its way through the road block would be brought up short by machine-gun fire from the covering post sited a short distance off the road. Manning the machine gun post is Private John Robert 'Jock' Agar of Busselton, WA, wearing his parka as protection against the icy wind which whistles through the valley. Private Agar, who served in France and Germany during the Second World War with the King's Own Scottish Borderers, came to Australia as a migrant assisted by the RSL. [Australian War Memorial Negative Number MELJ0640]



1 March 1955

A game of rugby union is being held on the football ground of 1 RAR in Korea. It isn't an ordinary game, as members of Headquarters Company and C Company teams are playing on a snow covered field while the snow is still falling. The game is being refereed by Sergeant Arthur Frederick Hird of Support Company, a member of the NSW Rugby Union Referee Association. Here C Company collapses under Headquarters Company in a scrum. [Australian War Memorial Negative Number MELJ0711]



19 May 1955

Corporal Dale Rothwell of Hurstville, NSW, leads an Australian patrol into the DMZ on the Korean truce line. Soldiers of 1 RAR alternate with other Commonwealth units in sending out patrols into that part of the Zone in front of the 1 Commonwealth Division sector. The soldiers are accompanied by a specially trained patrol dog handled by a British soldier from the Dorset Regiment. Members of the patrols wear Military Police (MP) helmets and armbands when they enter the zone. [Australian War Memorial Negative Number MELJ0835]



August 1955

Three soldiers of 1 RAR take a look to see what the Communist (North Korean or Chinese) forces are doing in the DMZ on the Korean truce line. They are standing in one of the old bunkers occupied by men of 3 RAR at the end of the Korean War, and the nearest Communist outposts are about a thousand yards away. From left to right are: Private William (Bill) Francis D'Arcy, of Port Pirie, SA; Corporal William (Bill) Bernard Everon, of Melbourne, Vic; and Private George Mehonoshen, of Brisbane, Qld. [Australian War Memorial Negative Number MELJ1054]



2 February 1956

A 1 RAR patrol gets a final briefing before moving out into the DMZ. From left to right are: Private Graham Owen Penny, of Scarborough, WA; Sergeant Kim Si Hwan, a Korean Army soldier attached to 1 RAR; Private W Price, of Hertford, United Kingdom; Lieutenant Kenneth Robert Hutchison, of Dandenong, Vic; Private Keith Stanley Fields, of Sydney, NSW. The Military Police helmets and armbands are worn by all patrols entering the DMZ. [Australian War Memorial Negative Number SWEJ0170]



June 1956

When the 1st Commonwealth Division began to reorganise into the smaller Commonwealth Contingent Korea, Australia became responsible for signal communications. A group of signals experts, known as the 1st Signal Project Squadron Detachment, arrived in Korea from Australia to set up the equipment necessary for the new signals role. They will return to Australia this month, and the communications task will be carried on by the Australian-manned Signal Squadron, Commonwealth Contingent Korea. Here Foreman of Signals, Warrant Officer Class 2 Charles Edmondson, and Corporal Yoo Am Woo, a Korean soldier attached to the unit, make adjustments to a teletype machine. [Australian War Memorial Negative Number MELJ1405]

CHAPTER 5 ANNEX D

REPORT OF DMZ INCIDENTS, MID-1955

DMZ INCIDENTS INVESTIGATED BY J.O.T.S. (“Hostile acts”, “bombardments”, etc.)

Date of incident	Charge. J.O.T. Meetings	MAC Meetings Results.
9 Aug 53.	Bunker in the northern half of the DMZ. JOT 9	19 Aug 53. No violation.
18 Nov 53.	UNC bombardment of the northern half of the DMZ (one shell). JOT 4. 19 Nov 53.	28 Nov 53. Denied by UNC.
19 Nov 53.	Three KPA men asking refuge in the J.S.A.	SEC meeting, 19 Nov 53. MAC meetings, 28 Nov – 7 Dec 53.
1 Apr 54.	UNC bombardment of the northern half of the DMZ (one shell). JOT 5. 4 Apr 54.	7 Apr 54. Denied by UNC.
3 Apr 54.	Five UNC armed personnel crossing the MDL. JOT 2. 4 Apr 54.	7 Apr 54. Denied by UNC.
1 Jun 54.	Two UNC personnel crossing the MDL. JOT 6. 5 Jun 54.	14 Jul 54. Denied by UNC.
7 Jul 54.	KPA fired at UNC personnel in a UNC boat aground in the Han River Estuary. JOT 1. 10 Jul 54.	14 Jul 54. Denied by KPA.
29 Jul 54.	Two UNC personnel crossing the MDL. JOT 2. 31 Jul 54.	3 Aug 54. Denied by UNC.
10 Aug 54.	UNC personnel crossing the MDL in armed attack. JOT 5. 12 Aug 54.	17 Aug 54. Denied by UNC.
17 Aug 54.	Three UNC personnel crossing the MDL in armed attack. JOT 3. 18 Aug 54.	6 Oct 54. No evidence.
30 Aug 54.	Three UNC personnel crossing the MDL. JOT 4. 1 Sep 54.	6 Oct 54. Denied by UNC.
11 Oct 54.	UNC personnel crossing the MDL. JOT 4. 12 Oct 54.	21 Oct 54. Denied by UNC. (KPA asked the NNSC to send a MIT to the south.)
8 Feb 55.	Two UNC agents captured by the KPA. JOT 5. 12 Feb 55.	22 Mar 55. Denied by UNC.
6 Mar 55.	Four UNC personnel crossing the MDL. JOT 6. 9 Mar 55.	22 Mar 55. No evidence. Denied by UNC.
7 May 55.	Seven UNC personnel crossing the MDL. JOT 6. 9 May 55.	25 May 55. Denied by UNC.
2 Jun 55.	Six UNC agents crossing the MDL. JOT 3. 4 & 6 Jun 55.	14 Jun 55. Denied by UNC. Letter of protestation.

DMZ incidents

**CHAPTER 5
ANNEX E**

**EXTRACT FROM
DEFENCE JOINT PLANNING COMMITTEE REPORT—FORCE REDUCTIONS IN
KOREA**

11 MAY 1955

COMMENTS ON UNITED KINGDOM AND UNITED STATES VIEWS

7. The Committee agrees with the United Kingdom views. It is however, of the opinion that the United States argument relating to the effect of British Commonwealth reductions on the smaller participating nations, and the ultimate effect that this would have on the international character of the United Nations Command has some validity.

8. It also felt that with the plans for the defence of Malaya being, to a large extent, dependent for success on American co-operation and assistance, it would be unfortunate if, in continuing to press for reduction of forces in Korea, we should suffer a loss of American goodwill.

PROBLEM OF MEETING CURRENT AUSTRALIAN COMMITMENTS

9. The commitments of the Services, both at home and abroad, are steadily increasing. Of these, the agreement to provide a proportion of the British Commonwealth Strategic Reserve to be established in Malaya is, in the opinion of the Committee, of overriding importance both for its value, in the long term, to the defence of Australia, and at present, in its relation to the development of SEACDT. The meeting of these commitments gravely affects the capacity of the Services to maintain forces in Korea, and alternately, the reduction or withdrawal of these forces would assist in enabling these commitments to be met.

10. The United States is still considering the Australian request that the R.A.N. Ship in Korean waters should be withdrawn from the United Nations Command. As it has been pointed out to the United States that there would be no objection to an R.A.N. Ship under the operational control of the Commander-in-Chief Far East Station being allocated by him for temporary duty in Korean waters in rotation with ships of the Far East Station, a favourable United States reply is anticipated. It is emphasised however, that the Naval contribution to the Strategic Reserve is dependent on the withdrawal of its ship at present serving with United Nations Command.

11. With the current recruiting and discharge rates, the Army will meet its initial commitment for Malaya only by diverting reinforcements originally destined for Korea and by further reducing the strengths of units of the Field Force remaining in Australia. As a result, it will not be possible to maintain the Army contribution to the Commonwealth Division in Korea at strength after about August of this year.

CONCLUSIONS:

12. The Committee concluded that –

- (a) There has been no change in the military situation since the Commonwealth countries had agreed to propose reductions to their forces in Korea.
- (b) There is some validity in the United States view that further reductions in British Commonwealth forces would have an adverse effect on other participating nations, which might ultimately affect the international character of the United Nations Command.
- (c) The withdrawal or reduction of the Australian Component in Korea would be of assistance to the Services in meeting their increasing commitments at home and abroad.
- (d) In present circumstances, it would be unfortunate if, in pressing for reductions, Australia should suffer a loss of American goodwill.
- (e) In view of its ultimate effect on the defence of Australia, and its importance in relation to SEACDT, the Malaya commitment is of overriding priority.
- (f) Failing a significant change in the current rates of recruiting and discharge, the Army contingent in Korea cannot be maintained at strength beyond August, 1955.

RECOMMENDATIONS:

13. It is recommended that the United Kingdom Chiefs of Staff proposal to make a further approach to the United States should be supported. However, the importance of retaining American goodwill is stressed and to this end the Commonwealth countries should be prepared to delay the withdrawal of forces as long as possible. So far as Australia is concerned, under existing conditions, the present Army component could not be maintained at strength beyond August 1955.

CHAPTER 6

LEGAL ISSUES

The distinction between terms used for military discipline jurisdiction, medal recognition and veterans' entitlements

6.1 In submissions and evidence, post-Armistice veterans relied extensively on these main legal and related arguments for the award of the Australian Active Service Medal (AASM) 1945–75 and the Returned from Active Service Badge (RASB):

- a. Service in Korea up to 19 March 1956 is *qualifying service* under the VEA for the highest level of veterans' entitlements. Warlike service in general is qualifying service for these entitlements. Therefore they maintain that post-Armistice service in Korea (at least up until that date) was warlike service.
- b. They claim that this effect of the VEA (a Commonwealth Act) takes precedence over the executive instruments which authorise the creation and awarding of medals.
- c. Those serving in Korea post-Armistice were treated as being on 'active service'. They claim that this and other similar terms are only used in relation to a war. Therefore they contend that the relevant Australian authorities must have regarded the war period as extending beyond the Armistice.
- d. They put the view that the Korean War has never ended. The Armistice was only a temporary ceasefire. The peace conference failed and there has been no formal treaty. Therefore they assert that technically, the parties are still at war.
- e. The three health studies sponsored by DVA in 2003–2005 looked at veterans of the Korean War. This included those who served up to 19 March 1956. So did the Nominal Roll for the Korean War, which was used for these studies and published by DVA. The veterans argue that therefore the Korean War was taken by the Government to extend up to that date. If the 1953–1956 veterans are treated as not having served in the Korean War, then the results of the studies are invalid.

6.2 Some advocates of a higher level of recognition for post-Armistice service have focussed their arguments in an intensively legalistic way. They seem to embrace the position that the AASM and RASB should be awarded at once as a matter of legal right, drawing on the perceived relevance of Federal legislation, and that officials who raise other important considerations of precedent and public policy are somehow in breach of their duty to apply Federal legislation. For example, one submission sought to limit consideration to the following questions:

“... in order to reach a quick resolution, the Review Panel must be instructed to properly address principally, if not solely, the following:

- a. Were they Allotted for Duty, as legally defined, to the Korean Operational Area as legally defined, between 28 July 1953 and 19 April 1956?
- b. Were they on Operational Service, as legally defined?
- c. Were they on War Service, as legally defined?
- d. Were they on Active Service as legally defined?
- e. Was there [sic] service there during a Period of Hostilities, as legally defined?
- f. Did they serve on the posted strength of a unit in the Korean Operational Area, as legally defined, for the specified period?
- g. Did those who died during Operational Service, as legally defined, were [sic] War-Caused deaths as legally defined.
- h. Did they therefore legally meet the criteria for award of the Returned from Active Service badge, ie that they were legally on active service... ?
- i. On the evidence, and on the arguments presented, did they therefore legally meet what most reasonable persons would accept as warlike service in particular circumstances and historical precedents then existing."

6.3 The Working Party has considered these arguments in depth. They are so important to the outcome of the Review that the Working Party commissioned an independent legal advising from Professor Robin Creyke of Phillips Fox, Canberra.

6.4 Professor Creyke holds the Alumni Chair of Administrative Law at the Faculty of Law, Australian National University (ANU), where she has taught administrative and constitutional law for over 17 years. She is a member of the Administrative Review Council, the body which monitors the Commonwealth's administrative law framework; a Commissioner with the ACT's Independent Competition and Regulatory Commission; the President of the Australian Institute of Administrative Law; Special Counsel with Phillips Fox Lawyers in its Corporate and Government Group; and Interim Director of the ANU's Centre for International and Public Law. She has co-authored the first book on veterans' law—*Veterans' Entitlements Law in Australia*.

6.5 In preparing her advice, Professor Creyke had full access to all submissions and evidence, and all the other relevant source material, held by the Working Party. This Chapter is largely based on Professor Creyke's advice, which is reproduced in full, exactly as provided to the Working Party, in Appendix 7.

6.6 The Working Party's consideration of the key issues is as follows.

The significance of veterans' entitlements

6.7 Full veterans entitlements were an important part of the conditions of service arrangements for Korean service. There is plenty of evidence for four points:

- a. the Government felt a moral and contractual obligation to maintain the special benefits for Korean service, which included veterans' entitlements;

- b. it was difficult to maintain the strength of the forces in Korea after the Armistice because of factors including manpower shortages, the introduction of National Service, and emerging Defence commitments in South East Asia;
- c. the Government saw these entitlements during the War, and increasingly after the Armistice, as an important recruiting inducement (noting the experience of the Canadian Army after their special entitlements were removed); and
- d. the Government deferred a decision on removing the package of 'special benefits' for Korea until well after the time when (in the Treasury view) it would have been justified.

6.8 Thus there were strong non-operational incentives for the Government to maintain veterans entitlements in Korea for as long as possible, regardless of operational conditions.

6.9 Department of Defence representatives pointed out in the public hearings that the Clarke Review had found that "the retention of repatriation benefits after the Armistice was not based on operational considerations". The representatives went on:

"So we've always read Clarke as saying that service after 27th of July 1953 was in fact peacetime service, but the retention of the repatriation benefits was based on a contractual agreement that the Government felt it had and couldn't [avoid]."

6.10 Professor Creyke's advice confirms that there is no legal linkage between service for veterans' entitlements and service for medals, and that the relative status of the VEA and the medal instruments are not relevant to the argument (see Appendix 7). She concludes:

"The meaning of these various terms and expressions [to describe levels of service under the VEA] often overlap... Until relatively recently, there appears to have been little consistency in policy as to when one or more of these terms would be adopted. Although the terms and expressions often have a core of meaning in common, it is necessary to distinguish between them. There is no Principle of law for treating the concepts as equivalent. This is confusing and can lead to false expectations. In particular, although there are similarities between terms used in the *Veterans' Entitlements Act 1986* (Cth) and in the criteria for eligibility in the Regulations for award of medals, there is no necessary connection between the two."¹

6.11 The Working Party considers that as a matter of law, there is no logic in the argument that because post-Armistice Korean service was recognised as eligible under the VEA, it must also be recognised as warlike for medal purposes. The Mohr Review also highlights this separation (see Chapter 4). However, we understand how the lay person could have difficulty understanding the apparent inconsistency.

6.12 Chapter 5 also makes it clear that by convention, there is no nexus between the cessation dates for hostilities, veterans' entitlements and medals and the date on which a peace treaty (if any) comes into force.

¹ Appendix 7, paragraphs 286–287.

‘Active service’

6.13 In submissions and evidence, veterans have correctly pointed out that the term ‘active service’ was in common use to refer to Army service in Korea. In the disciplinary context, the term was confined to the Army. It was used on discharge certificates, on charge sheets for offences, and in initial briefings of personnel. One veteran gave a vivid account of his induction to the active service regime upon his night-time arrival in Korea in mid-1955:

“... our draft was met by the Duty Officer and Orderly Sergeant. In my opinion, the Duty Officer was quite affected by alcohol, was wearing side arms, and with his hand on the holster, loudly and for some reason, angrily, stated ‘that we were now in an active service area, and if we disobeyed a lawful command, we could be shot’. As an impressionable 20 year old, I had no difficulty in believing him.”

6.14 Other veterans provided evidence in similar vein. For example:

“I met a friend last Saturday there at [name] Memorial Club I hadn’t seen for 52 years, and he went to Korea in 1954. Now he was telling me one little incident where he was on guard duty and he happened to fall asleep, because they worked seven days a week, there was no weekends off or anything. And he was caught and he was charged. And he said, on his charge sheet—this is in 1954, after the ceasefire—‘whilst on active service’. And he stressed that point. And he said, ‘I came back and wasn’t entitled to a Returned from Active Service Badge, and yet I was charged “whilst on active service”.’ So we don’t know how the Government got this, that they weren’t on active service.

“We were also constantly reminded by our Officers and Senior NCO’s that we were on Active Service, that we were only on a ‘cease-fire’ condition and that any lapse of military discipline would result in punishment much more severe [than] under AMR & Os... any infraction of rules resulted in much more severe punishment than would have been the case in, say, Japan.”

“My discharge certificate states the number of days I was on Active Service. I have a further certificate stating that ‘a grateful nation expresses its thanks for contributing to Australia’s effort in the Korean War’.”

“The Department [of Defence] knew that we were on Active Service because it was written on our orders.”

“It should be noted that any soldier who was charged with an offence was charged, ‘Whilst on Active Service’, therefore, the liabilities of Active Service were incurred and applied, but tangible recognition was not—tangible recognition being the exclusion of the issue the Active Service Medal and Badge.

“If they played up and went out on the street after curfew of a night and the Military Police caught them and brought them in, they were charged with ‘Whilst On Active Service’. And I know that, because I used to write out their charge-sheets and help take them in to the RSM and they were all marked ‘on active service’. Everybody that went through was ‘in good conduct and military discipline, you did remain out after curfew’ and ‘on active service’.”

6.15 A post-Armistice Army veteran wrote:

“When any soldier was killed after 1953, he was classified as killed on active service.”

6.16 Use of the particular term ‘active service’ appears to have been confined to the Army. At that time, the Army disciplinary code only applied within Australia. The stricter disciplinary regime for overseas deployment was still derived from British legislation which applied to soldiers ‘on active service’.

6.17 Correspondence between the three Service Departments and the Department of Defence in 1952 makes it clear that ‘active service’ was an issue for the Army only, and was for the purpose of applying the overseas disciplinary regime.² The Department of the Navy wrote:

“As far as this Department is concerned, no necessity is seen for the declaration regarding active service... It is understood that the Army Disciplinary Code necessitates the declaration, whereas the Naval Discipline Act meets all requirements.”

6.18 The Department of Air wrote:

“... the R.A.A.F. in relation to its disciplinary code is governed by the Imperial Air Force Act at all times. The difficulties which, it is understood, the Department of the Army envisages apparently relate to the fact that the Imperial Army Act does not apply to the Australian Military Forces at all times.”

6.19 A 1965 Department of Defence record reads in part:

“... a proclamation in 1942 declared that persons subject to military law serving in the Commonwealth and the Territories were ‘on active service’. This proclamation was issued to overcome certain difficulties experienced in administering the disciplinary code under war conditions and did not vary the conditions of service prescribed as necessary to qualify for the Returned from Active Service Badge.”³

6.20 Similarly, on 10 March 1966 the Minister for Defence replied to a representation partly in the following terms:

“Members of the Australian forces which were part of the Australian contingent in Korea were declared as being on ‘active service’ until 1957 when the decision was taken to withdraw them. The definition of ‘active service’ under the Defence Act is distinct from ‘war service’. Service personnel may be declared to be on active service although not engaged in operations against an enemy. This was the case with personnel serving in Australia during the 1939–45 War as well as those in Korea after hostilities ceased... The definition of active service in areas where there is no action against hostile forces is imposed for administrative reasons to enable the more effective handling of such matters as discipline and the administration of the Forces as a whole.”⁴

6.21 The Departmental brief of 9 March 1966 accompanying the reply comments further on the definition of ‘active service’ in the then section 4 of the Defence Act. It distinguishes as follows between paragraph 4 (a) (which refers to operations against an enemy) and paragraph 4 (b) (which refers to the Governor-General’s power to declare that a force is on active service):

² National Archives of Australia, A705, 90/1/194.

³ Department of Defence file 167/1/51, original on file 66/301/234.

⁴ Department of Defence file 167/1/51.

“Whereas (a) applies more to active operations of war or of a warlike nature (b) is an administrative measure taken when forces are overseas to allow more effective control. Powers of discipline are much wider when troops are declared to be on active service.”

6.22 Significantly, it was not until October 1957 (after the last Australian troops had left the CCK) that the British Government wrote to the Australian Government²:

“... proposing to bring ‘Active Service’ in Korea to an end on 31st October, 1957, in respect of United Kingdom forces attached to the Commonwealth Liaison Mission in Korea and suggesting that the Commonwealth may wish to take parallel action”.

6.23 In this exchange at a public hearing, Department of Defence witnesses commented on the confusion that arises over the use of the term ‘active service’ in the context of military discipline:

“Garry Nehl:

The other thing, of course, is that it’s extremely unfortunate that the AASM has the words ‘Active Service’ in it, because there is a widespread, generally-held perception—right throughout the whole Australian community—that ‘active service’ is not just disciplinary action relating to the 1881 Imperial [Army] Act to enable discipline while overseas, but it means active service. And even in World War Two—in which my father served—the War Memorial published a whole range of publications every year, and there’s one called *Active Service*. So this is one of the difficulties we’ve got in trying to satisfy the people who are interested in some resolution.

“Witness:

‘Active service’ can also be a perception, too. And in the case of Butterworth, they perceive they had active service on the basis that Communist terrorists were still operating in Malaya. They were up there to protect the Butterworth base as a ready reaction force. They had certain Rules of Engagement. They patrolled with live ammunition, weapons; but it’s considered peacetime service.

“Now we’ve explained to people who make submission that it should be active service for the Active Service Medal on the basis... And their submissions always surround this word: ‘We were placed on “active service”’. We explained I think quite fully and quite reasonably to them that it is purely a term within the Defence Act. It did not put you on active service from another meaning of (you know) in active pursuit of objectives. In other words, to go out and hunt these people down. But people will also put that barrier down in front of their eyes as well, and don’t want to see any further.

“Garry Nehl:

We here fully understand what’s involved, and I can assure you that everybody who served in Korea post-Armistice strongly and firmly and deliberately believe they were on active service. And they say, ‘Here’s my discharge certificate and on the back it says: “One year and 23 days’ active service”’.

“Gordon Jones:

And it’s very difficult—well, we haven’t tried to do that, but it would be very difficult to try and explain to them that it’s on that certificate only because it relates to how many days you were under that disciplinary instrument. Because it doesn’t sound like a very rational argument, does it?”

6.24 The legal advice to the Working Party (Appendix 7) confirms that the use of this term has no bearing on the status of service for medal and badge recognition. As Professor Creyke points out:

“In any event, since the expression no longer appears in either the VEA or in the Regulations governing the award of either the AASM 1945–75 or the ASM 1945–75, having ‘active service’ is not relevant for the purposes of award of those medals.”⁵

...

“Awardees of the AASM 1945-75 need not, however, have actually experienced casualties. As the Defence submission to the Mohr report noted:

... the AASM is in recognition for having served in a warlike area of operations, not necessarily having rendered combat duties, if you like, or active service. It is purely recognition in that area which has been declared a warlike area of operations.”⁶

...

“The reason for designation of service as ‘active service’ was discussed in the Clarke report as follows:

The proclamation was necessary under s 4 of the Defence Act 1903 in order to place Army personnel serving anywhere in Australia on *active service*, whilst they were on war service, for the purpose of invoking increased powers of military discipline under the Imperial Army Act 1881. (emphasis added)”⁷

...

“... to argue that being on ‘active service’ for disciplinary purposes should translate into being on ‘active service’ for other purposes is mistaken.”⁸

6.25 The same applies to other similar phrases which were in use for various purposes post-Armistice. For example, accidental injuries to aircrew were recorded by the RAAF as injuries ‘on war service’, probably for veterans’ entitlements. This has no bearing on the status of service for medal and badge recognition.

6.26 There is also no evidence that the terms ‘Killed in Action (KIA)’ or ‘Wounded in Action (WIA)’ were used in Army records after the Armistice.⁹

6.27 We are also acutely aware, however, of the unfortunate confusion that has arisen in the minds of reasonable people as a result of the ordinary English meaning of ‘active service’: ‘The performance of military duty in the field in time of war.’¹⁰ Ironically, the only places where this phrase is still used officially are the titles of the AASM and the RASB.

6.28 The Working Party therefore considers that no conclusion can be drawn from the use of these expressions, as to the appropriate level of recognition of post-Armistice service. The argument that, of itself, the use of ‘active service’ and other such phrases in this context justifies the award of the AASM, does not stand up.

⁵ Appendix 7, paragraph 123.

⁶ Appendix 7, paragraph 39.

⁷ Appendix 7, paragraph 128.

⁸ Appendix 7, paragraph 141.

⁹ Report by Major T Kemp, based on data held at the Central Army Records Office.

¹⁰ Macquarie Dictionary.

Status of hostilities in Korea

6.29 In both submissions and evidence, many veterans supported their case with the view that technically, the Armistice was no more than a ‘ceasefire’ or an ‘armed truce’, and the War was ongoing. It had never been formally resolved—just suspended. These quotations indicate how various witnesses saw it.

“From the date of the Armistice to the present date, a state of war continues to exist. This state of war has never gone away. There has been no surrender by either side and no permanent peace treaty has ever been signed by either country. The Armistice signed by US Lieutenant General William K Harrison and his counterpart from the North’s Army, General Nan Il, was only ever intended as a temporary measure. A conference in Geneva in 1954, which was designed to thrash out a formal peace accord, ended without agreement. Accordingly the border bristled with artillery and troops.”

“An armistice was signed on the 27 July 1953 which was never ratified and the situation became an armed truce against a massive force that was never defeated and had the potential to explode at any second.”

“So there was a ceasefire signed, only a temporary ceasefire signed on the 17th of July—the 27th of July, I should say. It was only a temporary ceasefire and no-one thought it will ever hold. And what was initially thought was, that it was just a means of the Chinese for building up their armoury again for another stoush, like they did when they started talking at the first ceasefire—that was after the battle of Kapyong.”

“... while a cessation in fighting had occurred it was treated by all participants on the United Nations Forces as temporary only, and that hostilities could recommence at any moment.”

“... an armistice agreement was signed at Panmunjom on 27th July 1953. This agreement did not formally end the war ... but was more of a cease fire or truce which was to be formalised at a later date. On the 15th June 1954, the Geneva Conference failed to settle the Korean dispute, the result of which was that the truce signed on the 27th July 1953 ceased to be in force and the divided country was formally at war again.”

“At that time, it wasn’t long after the Armistice had been signed (as we stated), which was the ceasefire that was never, ever consolidated, and nothing was there to say that it could not flare up. And we always maintained that approach to it, that it could break out again, because it was never consolidated and we still remained as prior to the signing of the ceasefire.”

“... the Armistice as such was really at that point in time just a ceasefire. But from then to this day it’s still their intent that they would like to cross over that little bit of real estate and give the people on the other side a hard time. So that’s why I said, you had to be alert if you were on patrol.”

6.30 There is some technical uncertainty around the issue, as the following exchange indicates:

“Garry Nehl:
Tell me, was the Korean War a war?

“Witness:
I couldn’t really answer that question from the point of view of...

“Ian Crawford:
It’s a very important issue.

“Witness:
I know there’s often arguments about whether a declaration of war had been made. I don’t know. And certainly it was a UN action and it no doubt operated under Chapter VII of the UN’s Charter, so...

“Ian Crawford:
Australia was responding to a call by the United Nations.

“Garry Nehl:
Yes. But was it a war? Because it’s a fairly significant issue, isn’t it.

“Witness:
I think it’s like saying, ‘Was the Vietnam War a war’, as well.

“Witness:
I think perhaps, in terms of aiding your reflections for this particular matter, where we’re talking about essentially from the period from the 26th of... well, from the signature of the Armistice, it wasn’t a war from that period onwards.

“Garry Nehl:
But it was a war before?

“Witness:
Well, I think you’d need to get an international lawyer to comment upon that particular one and I wouldn’t feel comfortable commenting upon it. But certainly, the period that we are interested in, I think it’s safe to say that it’s not a war—as we would colloquially understand it.

“Garry Nehl:
We’re constantly being told that the war is still going, there’s no peace treaty been signed.

“Witness:
What you’re saying is, and the argument as I understand it is, that from the signature of the Armistice it wasn’t really an Armistice, it was an Armistice in name only. It was really a ceasefire, and the implications are that the warlike nature—if I can use that general non-specific term—still endured. That’s essentially the argument, as I understand it.”

6.31 Some witnesses also pointed out that the failure of the parties to comply with Article 60 (to implement what might these days be described as a peace process) meant that the Armistice was technically defunct, and that (by implication) a state of war pertained by default.

“Just let’s clarify the Armistice situation first. And this is a big bugbear with a number of Associations that I hear. The first thing they say: ‘Armistice finished’. The Armistice is a temporary cessation of hostilities. In Article 60 of this particular Armistice ... [it] says that within 90 days, both belligerent parties come together and operate and put the question of Korea together and the removal of forces from it. And we all know that that has not been done to this day, so many decisions have been made by many people and many Associations in past reviews—and I speak specifically of the CIDA Report, where they said... consider the Korean issue and they come up and they put. [After the Armistice]. Area dead, finished. They didn’t go on to even consider what went on.”

6.32 Department of Defence witnesses commented at a public hearing on how far this kind of argument could be taken:

“You mentioned that the Armistice was signed in July 1953, but the argument is that the war still exists today because it’s only an Armistice. A peace treaty was not signed with Japan until 1952 and Japan opted out of the war by a conditional surrender.” [Note: The Working Party notes for purposes of historical accuracy that the Japanese surrender was unconditional.] “Now that surrender didn’t necessarily mean that they didn’t consider themselves at war. And it has been an argument for a long time that the [Second World] War didn’t end until 1952. So BCOF (I think) is a good example, because those people have been arguing that very point: even though they didn’t get qualifying service under the VEA like these people did in Korea, they still have that argument about ‘The war was still on’.”

6.33 The Working Party asked Professor Creyke to include advice on the legal status of the hostilities in Korea before and after the Armistice. She found that:

“Under the prerogative powers provided for in the Commonwealth Constitution s 61, the Governor-General may declare a conflict to be a ‘state of war’. A ‘state of declared war’ is a conflict between state parties which has been declared by the Governor-General to be a war. No declaration that Australia was at war was made by the Governor-General in 1950 in relation to the conflict in the Korean peninsula. More importantly, no ‘declared state of war’ existed for the period of the Armistice, since during an armistice hostilities cease.”¹¹

...

“An armistice is a ‘temporary suspension of hostilities by agreement of the parties, as to discuss peace; a truce’. It is not a termination of hostilities or the end of the state of war. Since during an armistice there is no ‘fight’, nor a ‘campaign’ and hostilities are generally suspended, there can be no ‘conventional combat operations’. It follows that the ‘conventional combat operations’ element of ‘warlike operations’ does not apply to an armistice.

“... Nor does an armistice involve ‘peace enforcement’ since no peace agreement has yet been reached. The armistice is a prelude to peace negotiations. During an armistice, combat activities are not conducted. There has been a cessation of hostilities. It follows that this element of ‘warlike operations’ could not apply to the Armistice.”¹²

...

“... service during the Armistice did not involve those indicia established at law for ‘warlike operations’. That in turn means that this key criterion for the award of the AASM 1945–75 is not present for those members of the Forces who served during the Armistice.”¹³

6.34 The Working Party concludes that the narrow legal question of whether the Korean War was technically ongoing adds little value to the debate about the recognition of service. For what it is worth, we accept that service during an Armistice can hardly (from a purely legal standpoint) be characterised as warlike. By definition, an Armistice means a suspension of full-scale hostilities, whatever random violations have occurred in the meanwhile. It also follows that we reject the criticisms which have been levelled—often in quite intemperate terms—at responsible public officials who have based their decisions on the existing formal criteria of eligibility.

6.35 At the same time, we acknowledge that uncertainty surrounding the Armistice was a powerful factor in the prevailing tension and stress experienced from mid-

¹¹ Appendix 7, paragraph 46.

¹² Appendix 7, paragraphs 49–50.

¹³ Appendix 7, paragraph 51.

1953—what one witness tellingly described as ‘the Sword of Damocles’. This aspect is further explored in Chapter 5.

The DVA health studies

6.36 Several veterans argued that their inclusion in the nominal roll for the DVA health studies (see Appendix 9, Bibliography) confirmed that the Government regarded them as having been involved in ‘the Korean War’ beyond July 1953.

6.37 For example, one veteran commented as follows on the broad definition of ‘Korean War veterans’ for these studies:

“Therefore, by legal definition, all those persons involved in conducting those studies must support the proposition that all of those *Korea War Veterans* who served in Korea between the dates 27 June 1950 – 19 April 1956 (inclusive), were *Allotted for Duty* in the *Korea Operational Area* and therefore by legal definition were on *War Service* (by legal definition), were on *Active Service* (by legal definition), and any deaths during that period were *War-caused Deaths* (by legal definition) and that such service was *Hazardous* (by legal definition).

“... they did NOT consider that those who served after 27 July 1953 constituted a group different from those who served between 27 June 1950 and 27 July 1953...”

“... any findings by the Working Party which do not support the 3 matters now raised... would also cast serious doubts on the validity and methodologies of the dramatic statistical findings of the 3 separate Korean War Veterans Study Reports.”

6.38 Another witness stated:

“Well, I know there’s been some discussion and I’ve seen it in the submissions of the acceptance of ‘operational’ and ‘qualifying’ service and that various surveys which the Department of Defence have carried out—or the Department of Veterans’ Affairs and Defence—with regard to Korean health surveys and mortality surveys would indicate that service post-ceasefire—members who’ve served post-ceasefire—have been seen as subjects to that survey and therefore have been seen to be no different to those who served in Korea pre-ceasefire. And therefore it does appear to me as a—I wouldn’t say completely objective observer, but hopefully you know, a sensible one—that there is no logic or indeed argument that can be made for the non-acceptance of that service as has been submitted to you for recognition for the Returned [from Active] Service Badge and the appropriate campaign medal.”

6.39 In the public hearings, the Working Party followed up the question of how the survey group was selected. This is the relevant extract of evidence.

“Ian Crawford:

You’ll appreciate that we’re examining the identification of the people after the Armistice. And the fact that they have been included in the various studies is being used as an argument by some of the veterans—some of the submissions—that they were recognised as veterans of the Korean War; here’s the title in these studies; why aren’t we recognising them the same way with the medals? Could you explain the logic that was used at the time to include the people after the Armistice in the health studies, as well as the people before the Armistice?

“Witness:

Look, I must be honest with the Committee and say that I’m not sure we thought through that in any great detail. We took a point in time and said, ‘OK, well, look, this is still what we think of as the Korean War. Let us look at all of these people’. We did come to know that many of those people had served—or some of those people had served—after the Armistice and that there were different phases of the War which were quite different: the early phase (with the very rapid retreat, and then the very rapid advance, and the subsequent retreat) was quite

different in terms of exposures to what we call the 'static' phase which was largely confined to trench warfare. And then that 'static' phase gradually led on to a post-Armistice phase. I must confess, I don't think we thought through in any great depth where we should draw the line in terms of whether or not it was active service, or operational service, or hazardous service. We drew a fairly arbitrary line and said, 'Well, we'll make this where we'll look at it'. Now, I'm not an expert on the history of the Korean War, but my understanding is that even though the Armistice was signed, there were still sporadic exchanges of unpleasantness between the two sides that continued after that time.

"Ian Crawford:

This is what we're trying to establish too.

"Witness:

Certainly, that's the evidence that we were given—that there were times when they were doing things like sniper fire at each other, and they continued to do things like patrolling and that sort of thing. But I'm afraid (I think) your Committee would be better advised to seek a better expert than me on that issue.

"Ian Crawford:

I had raised it with [name] during the studies, and he said an arbitrary decision had been made to do it that way. I was wondering whether there were any deeper reasons for it, because people have used the argument: 'Hey, you included us in these studies, then why aren't we being recognised the same way as everybody else?' So I am inclined to the view that it was an arbitrary decision and there's no basis for their being recognised, other than they're in the total Korean experience.

"Witness:

I think you're right, Ian. And technically—I'm not an expert on these things, but my understanding is technically—the Korean War continues to this day.

"Ian Crawford:

Oh, it does.

"Witness:

And so people who go who are military people... throughout the '60s and '70s and '80s we will have had military people go to Korea for a variety of purposes. Technically, they were military people in a war zone, if you like. We just had to draw some arbitrary point, and we did draw an arbitrary point and it was pretty arbitrary. There were people who came along afterwards and said, 'Hey, we've been left out', and we just said, 'Well look, we're sorry, we have to draw the line somewhere'. I mean, technically you could still be in the Korean War in 2005, I suppose.

"Gordon Jones:

It's interesting, though, that the arbitrary date that was selected... not only is the time which I note is actually acknowledged in the Cancer Incidence Study as being the time when the last ADF units were withdrawn—but it's also the time at which the operational and qualifying service for veterans' entitlements also ceased. That is, the two entitlements, or the two qualifying things, ceased.

"Ian Crawford:

Well, coming out of the Department of Veterans' Affairs, that probably would not be surprising, because that was when the repatriation benefits...

"Garry Nehl:

It will have been the influence in deciding the area to undertake the study.

"Witness:

I think exactly that—I think you're exactly right.

“Garry Nehl:

And what you were saying about the war still being on since the Armistice—it’s in excess of 1,300 people have been killed in the Demilitarised Zone.”

6.40 The Working Party accepts the view of the witness that the target group for the studies was probably selected by DVA on the basis that they were the veterans who were eligible for full VEA benefits. No greater significance should be attached to it than that. We do not accept either of the exaggerated constructions that some have tried to put on this fact: either that the inclusion of post-Armistice veterans proves their service was warlike, or conversely that the findings of the studies are invalid.

6.41 The Working Party has further considered the implications of the 2005 study in Chapter 4.

Conclusion

6.42 The Working Party accepts Professor Creyke’s expert advice on the issues set out at the beginning of this Chapter. There are no grounds under the law for asserting that post-Armistice service in Korea must be recognised as warlike, and there is no legal linkage between service for veterans’ entitlements and service for medals. A higher level of recognition for this service must stand or fall on the reality of what our soldiers, sailors and airmen were required to do and the conditions they experienced (see Chapter 5).

6.43 Although some veterans and their representatives appear wedded to a legalistic approach, the Working Party (having regard to its own legal advice) has come to the view that this approach is unfounded and unproductive. It is time to move on and resolve claims for higher recognition on their merits.

6.44 At the same time, the Working Party acknowledges that there is scope for a reasonable person to be puzzled by the apparent paradox between the legal arrangements for Korean service (in particular the VEA entitlements and the use of ‘active service’ and related expressions) and the policy approach over medals.

6.45 In the absence of evidence revealed elsewhere in our Report, this paradox would not be capable of resolution as a narrow point of law. However, the Working Party considers that the scope for misunderstanding should be dispelled. This issue is examined further in Chapter 8 (Broader Policy Options relating to the Award of Medals).

CHAPTER 7

CASE FOR MEDAL AND BADGE RECOGNITION

7.1 In this Chapter, the Working Party responds to the requirement of the Terms of Reference ‘to make specific recommendations concerning the appropriateness of the award of the *Australian Active Service Medal 1945–75* (AASM 1945–75) with clasp ‘KOREA’ and the *Returned from Active Service Badge* (RASB) for this period of service’. In addressing this matter the Working Party took note of the source references listed in the Terms of Reference. We also took note of the encouragement to interpret the terms of reference freely to give effect to the wish of the Minister to be advised how those Australian Servicemen and women who served in post-Armistice Korea should be recognised.

7.2 The Working Party was guided by the statement of methodology that it developed to guide it in its conduct of the Review (see Chapter 2):

“2.3 ... the essentials of the Review are to examine the criteria of eligibility for the Australian Active Service Medal and the Returned from Active Service Badge and to determine whether these criteria of eligibility have been met by the conditions and experience of those who served in Korea after the 27 July 1953 Armistice. Here it is necessary to take note of what the Government had in mind when it established new medals, even though the definitions and criteria of eligibility may not be clear in the light of more recent determinations.

“2.4 In this process it will be necessary to identify words, which are defined and used in other contexts of military service, to determine the appropriateness of the use of the same words as criteria of eligibility. The term ‘active service’ in particular requires careful examination. A legal advising was sought (see Chapter 6 and Appendix 7).

“2.5 The methodology needs to establish through research and submissions, tested through evidence at public hearings, the circumstances under which sailors, soldiers and airmen served in Korea after the Armistice and their physical and mental experience.”

7.3 Through submissions and evidence given at the public hearings, the Working Party was aware that for access to the AASM 1945–75 with clasp ‘KOREA’ and the RASB there was a view that relied on interpretations of Federal legislation, principally the *Repatriation Act 1920* and the *Veterans’ Entitlements Act 1986*, which were enacted to provide for repatriation benefits, with some support from other legislation. This Federal legislation has been interpreted by some veteran groups, supported by their legal advisers, as the justification for their claim. Indeed it was their contention that no review was necessary and the matter could be determined through interpretations of the *Repatriation Act 1920* and the *Veterans’ Entitlements Act 1986* (VEA), and other legislation specified by them, to confer the eligibility sought.

7.4 The legislation is complex and the case made for access to the AASM 1945–75 with clasp ‘KOREA’ and RASB relied on the perception of criteria of eligibility drawn principally from the repatriation legislation. For these reasons, the Working Party sought a legal advising from an independent authority with recognised competence in this field of the law. This has now been provided and is included in this report at Appendix 7.

The Australian Active Service Medal 1945–1975 (AASM 1945–75)

7.5 The outcome of this legal advising in respect of eligibility for the AASM 1945–75 draws on the views expressed in the Report of the Committee of Inquiry into Defence Awards of March 1994 (CIDA), chaired by General Peter Gration AC, OBE and in the Report of the Review of Service Entitlement Anomalies in Respect of South-East Asian Service 1955–1975 by The Honourable Mr Justice R F Mohr RFD ED RL dated 9 February 2000.

7.6 Principle 10 of the CIDA Report is:

“Matters relating to honours and awards should be considered on their merits in accordance with these principles, and these considerations should not be influenced by the possible impact, real or perceived, on veterans’ entitlements.”.

7.7 At page xlii in the Preface to his Report under the heading ‘Medals and repatriation benefits’, Mr Justice Mohr reported:

“I hasten to confirm the generally expressed view that the receipt of medals does not necessarily mean that repatriation benefits would flow as a natural consequence or vice versa. The two areas of benefits are really unconnected and for good reasons.”.

7.8 The key principle developed in the legal advising provided to this Working Party (see Appendix 7, paragraph 91) to guide our assessment of the eligibility for the AASM 1945–75 confirms these opinions in the following statement:

“The consequence of these principles is that where terms or expressions are used in criteria of eligibility for award of medals and those terms or expressions are also found in the VEA, the meaning of the terms or expressions for the purpose of the VEA should not necessarily be considered to apply when those or similar terms or expressions are used for the award of medals. This assumption has particular force when the drafting of the conditions for the award of the medal is an Imperial award.”.

7.9 This was reinforced by a statement by the Shadow Minister for Veterans’ Affairs and Defence Science and Personnel, where he said in a media release dated 27 September 1995:

“Receiving medals does not entitle veterans to automatic service pensions. The eligibility for medals and benefits are considered entirely separately and will remain so under a Coalition Government.”

7.10 The Working Party was comfortable with this outcome of the legal advising, which eliminated the reliance on the interpretation of the Federal legislation referenced by the main proponents and their legal advisers. It was now for the Working Party to determine whether the criteria of eligibility for the AASM 1945–75 have been met by the conditions and experience of those who served in Korea after the Armistice, 27 July 1953.

7.11 To meet this requirement, the review established through research and through submissions, tested through evidence at public hearings, the conditions under which sailors, soldiers and airmen served in Korean service after the Armistice and their physical and mental experience.

7.12 In the interests of fairness and justice, the Review needed to establish as a parallel research whether there are significant differences between on the one hand, conditions of post-Armistice Korean service and the criteria for its recognition; and, on the other hand, the criteria and conditions for the award of other campaign and operational medals since 1945 within the Imperial Honours and Awards System and the Australian Honours and Awards System.

7.13 The Working Party examined the criteria of eligibility for the AASM 1945–75, which had as its key ingredients:

- ‘prescribed operations’; and
- ‘warlike service’.

7.14 In the Schedule to the *Regulations Governing the Award of the Australian Active Service Medal 1945–1975*, instituted by Her Majesty The Queen on 11 December 1997, a ‘prescribed operation’ is one declared a warlike operation by the Governor-General on the recommendation of a Minister. No such declaration has been made by the Governor-General in respect of the service in Korea after the Armistice of 27 July 1953. This does not prevent the Working Party from recommending to the Minister Assisting the Minister for Defence that service in Korea after the Armistice of 27 July 1953 should be recommended to the Governor-General as a prescribed operation if (in the opinion of the Working Party’s Review) such service meets the criteria of a warlike operation.

7.15 The definitions of ‘warlike’ and ‘non-warlike’ were determined by the Federal Government in 1994 so the *Regulations Governing the Award of the Australian Active Service Medal 1945–1975* would have had these definitions in mind when establishing the criteria of eligibility for the AASM 1945–75 in 1997. If the content of submissions, the evidence submitted through the public hearings and the research of contemporary records persuaded the Working Party that the service in Korea after the Armistice of 27 July 1953 met the definition of ‘warlike’, it would be appropriate for the Working Party to recommend to the Minister Assisting the Minister for Defence that service in Korea after the Armistice of 27 July 1953 should be recommended to the Governor-General as a prescribed operation, thereby giving access to the AASM 1945–75.

7.16 The Working Party also took note of what the Government had in mind when it established the AASM 1945–75. In a media release dated 24 September 1997 announcing a new Australian Active Service Medal, the Minister for Defence Industry, Science and Personnel said:

“The Government’s decision reaffirms and delivers on its election promise to have a distinctly Australian award for recognition of warlike service between 1945 and 1975...”

7.17 The Working Party examined the conditions experienced by Australian servicemen and women in Korea after the Armistice of 27 July 1953 against the definition of ‘warlike’, which is:

“Warlike operations are those military activities where the application of force is authorised to pursue military objectives and there is an expectation of casualties. These operations can encompass but are not limited to:

- a state of declared war;
- conventional combat operations against an armed adversary; and
- Peace Enforcement operations which are military operations in support of diplomatic efforts to restore peace between belligerents who may not be consenting to intervention and may be engaged in combat activities.

“Normally, but not necessarily always, they will be conducted under Chapter VII of the UN Charter, where the application of all necessary force is authorised to restore peace and security or other like tasks.

“The eligibility criteria for the award of a service medal for warlike service is generally one day or more on the posted strength of a unit or formation allotted (or assigned) to and serving in the operational area, or one operational sortie into or over the operational area from a unit allotted for such service. Visit or occurrences of a temporary nature usually attract a 30 day qualifying period.” [Government decision of 1994]

7.18 In examining the conditions against the definition of ‘warlike’ it was helpful to the Working Party to be aware of the alternative to ‘warlike’, which was ‘non-warlike’ and was defined as:

“Non-warlike operations are defined as those military activities short of warlike operations where there is a risk associated with the assigned task(s) and where the application of force is limited to self defence. Casualties could occur but are not expected.”

7.19 The included consideration of ‘hazardous’ and ‘peacekeeping’ operations is not relevant to this comparison.

7.20 Evidence from submissions and given at the public hearings gave different impressions of the conditions experienced by Australians serving in Korea after the Armistice of 27 July 1953. It was therefore necessary to seek contemporary records of the situation and conditions experienced at this time.

7.21 The Working Party examined contemporary records, including reports of proceedings of HMA Ships, battalion war diaries and RAAF squadron records as well as the records of British and US higher formation commands to which Australian units reported in the Korean theatre chain of command. It also examined the terms of the Armistice Agreement, the terms of reference of the Military Armistice Commission, the roles of Joint Observer Teams, the activities set for the Neutral Nations Supervisory Commission and the instructions given to United Nations forces to avoid violations of the Demilitarised Zone.

7.22 There is no doubt in the minds of the Working Party that higher command military objectives were to avoid any renewal of hostilities and that application of force was limited to self-defence. Research of British and US records confirm the assessments drawn from reading Australian unit records. A report provided by US Army historical sources includes the following comment:

“Although the declassified records in the National Archives do not provide a thorough coverage of I Corps between August 1953 and 1957, enough material is available to make some conclusions concerning conditions in the corps’ sector during this period. Key documents are the August 1953 and September 1953 I Corps command reports, the I Corps quarterly historical reports for 1954, the I Corps periodic operations reports for December 1955 to December 1956, and the I Corps G-2 journal for 1955.

“These documents show a corps, after the DMZ salvage mission is concluded and the new Main Battle Positions are established in 1953, which is focused on training, updating war plans, routine military housekeeping, robust observation of enemy activity, and preventing UN forces from violating the Armistice agreement. The forces opposing I Corps during this period only occasionally violated the terms of the Armistice agreement, and when they did so, the violations did not lead to combat.”.

7.23 Other commentaries drawn from primary and secondary US sources make the point that:

“I Corps in the years after the Armistice focused on training, building fortifications, and avoiding incidents in the DMZ while keeping communist activities under close observation. I Corps did regularly update its contingency plans and its units did regularly practice moving into Main Battle Positions, as well as other aspects of the plans such as retrograde and counter-attack operations. These exercises, however, were no different from what V and VII Corps were conducting in Germany during this period.

“To avoid incidents in the DMZ, the only troops used to patrol inside the zone were provisional DMZ Police companies formed shortly after the Armistice. These companies were all-volunteer units with the men carefully screened and trained for this mission. The DMZ Police Company in the Panmunjom area in its 1959 history noted that it ‘has never seen combat’.”.

7.24 The employment of troops as ‘provisional DMZ Police companies’ is confirmed from the evidence of photographs of Australian patrols wearing helmets with prominent MP markings in Chapter 5, Annex 5C.

7.25 Summaries of intelligence reports sourced from the I Corps sector reviewed possible enemy courses of action ranging from:

“... a major offensive across the DMZ through ambushes and other harassing operations to continuing their current course of action (that is, observing the terms of the Armistice). In each case, the most likely course of action for the enemy to take was listed as continuing to observe the Armistice.”.

7.26 An Enemy Situation report from 28 British Commonwealth Infantry Brigade sourced from 2 RAR records in August 1953 has similar assessments, which, after reviewing the enemy order of battle and potential for offensive, concludes:

“There is no indication, however, of an imminent offensive and for the immediate future the enemy is believed likely to organise, occupy and defend battle positions of the DMZ, simultaneously maintaining the ceasefire status but offering covert assistance to subversive elements in South Korea.”.

7.27 This is consistent with a commentary from US Army historical sources that the Chinese PLA (identified in the Korean War Armistice Agreement as the Chinese People’s Volunteers and elsewhere in this Report as the Chinese Communist Forces [CCF]) “occupied positions opposing them across the DMZ, and the PLA had little interest in engaging in the low-level harassment and ambush warfare that came to

characterize subsequent periods along the DMZ when the North Korean Army was the sole occupier". It should be noted that it was the Chinese forces that were opposite 1 British Commonwealth Division.

7.28 Again the nature of the conditions experienced by the Australian battalions can be drawn from this 3 RAR document:

"OP INSTR NO 17 – Security of 28 BRITCOM Inf Bde Area:

Aim: To prevent the entry of unauthorised persons into 28 BRITCOM Inf Bde Area through South Bank of R Imjin within 3 RAR area of responsibility from last light to first light."

7.29 The change from the situation before the Armistice, when clearly warlike operations criteria were met, to the situation after the Armistice is demonstrated by a British Commonwealth Forces Korea Special Order of the Day, which was quoted in 2 RAR Routine Orders Pt 1 Serial 86 dated 28 September 1953:

"1. Personal arms will NOT now be carried except for guards and piquets or when ordered for tng or occupation of KANSAS posns.

2. Coys will withdraw all personal weapons... Bolts etc will be removed from weapons and will be kept in locked security boxes.

3. Weapons will be stored so that they are available for immediate issue in case of emergency."

7.30 The factor of orders to 'shoot to kill' has been raised by those giving evidence and in submissions to support the case for access to the AASM 1945–75.

7.31 Orders for picquets for 1 RAR dated 3 April 1954 include the circumstances under which there was authority to 'shoot to kill'. These orders provided instructions to meet the threat of unauthorised entry to Battalion camp areas including officers' lines at a time when there was a concern about area security and theft of military property by Korean nationals.

7.32 In providing for security threats, the orders to 'shoot to kill' amount to criteria of self-defence and are therefore consistent with the criteria for 'non-warlike' service. These orders do not amount to Rules of Engagement to meet a Communist attack. Nevertheless the security threat and the authority to 'shoot to kill' contributed to the tension within Australian battalions.

7.33 Extracts from instructions from 1954 to 1955 show a moderating position on self-defence. A 1 British Commonwealth Division Operating Instruction of 18 September 1954 includes the following:

"... at roadblocks, checkpoints and bridges, a sentry may open fire at any time without warning if his life or the life of a comrade is endangered."

7.34 In June 1955, 1 RAR orders for sentries include:

"Firing.

a. You will fire only

- (1) when your life or that of another sentry is in danger.
- (2) If attacked.
- (3) If a vehicle breaks through the barrier and does not halt you will fire AT THE TYRES.

b. USE MINIMUM FORCE.”

7.35 It was evident to the Working Party from contemporary records that most security instructions, while recognising the factor of enemy agents entering South Korea, were concerned with last light to first light security against Korean nationals including ROK Army, Korean Service Corps and civilians’ unauthorised entry to British Commonwealth Division areas and that most incidents involved such incursions. This is reinforced by a 1 Commonwealth Division Operational Instruction of 18 September 1954 on area security, which read as follows:

“(1) Enemy agents continue to enter South Korea and the probability of such persons infiltrating 1 Commonwealth Division area still exists...

“(2) Undesirable elements of the civilian population in South Korea continue to enter the Divisional area to organise petty or major larceny of military property for black market disposal.

“(3) Armed raids by ROK Army personnel to secure military property may well take place.”.

7.36 Reports of proceedings of HMA Ships and RAAF squadron records also provided evidence of a high state of readiness of units in Korean waters or at air stations and measures to establish local security, but no incidents of violations of the Armistice that could have led to combat.

7.37 HMAS *Culgoa*’s August 1953 Report of Proceedings stated in part:

“2. From the 1st to the 13th the ship was in the Worthington area, and I held the position of CTU 95.1.5. It was a period of little activity, as the Korean Ceasefire had become effective, and the consequent concentration of forces on Paengnyong Do, Sochong Do and Taechong Do had been speedily effected without our being required to assist.

“3. Patrols of the Worthington area were carried out from the 2nd to the 6th by ships of Task Unit 6.1, which was placed under my command for that period. From the 7th to the 13th with the exception of the 9th when weather conditions were poor, we carried out daylight patrols in either the Chodo area or Worthington area. All patrols were carried out with a supporting ship, to lessen the chances of false claims of violation of North Korean territorial waters being made. Little surface traffic was seen in enemy waters, and no evidence of activity on Chodo or Sokto was found.”

7.38 HMAS *Culgoa*’s September 1953 Report of Proceedings included the following:

“3. After taking over I anchored to the East of Paengnyong Do, in a position giving radar coverage of the Northern and Eastern approaches to that island. This was done to detect any clandestine junk movement, as an infiltration of agents into Paengnyong-Do had recently been attempted. The ships of the unit anchored in company with us by day, and each night were sent to night stations...

...

"6. At 0928/4th we proceeded to an anchorage off Taechong Do. Here I lunched on board H.M.S. *Crane*... Entered the anchorage at 1640 with mail... We sailed at 1731 and returned to our anchorage off Paengnyong Do.

...

"9. At 0717/9th we weighed and steamed to rendezvous with H.M.A.S. *Tobruk* at Taechong Do... At 1000 we sailed for Sasebo..."

7.39 The Flag Officer Second-in-Command, Far East Station, states in a Report of Proceedings for 11 November 1953:

"There have been a few instances of unidentified aircraft approaching the islands at night. Red warnings have been issued by the TADC on Paengyong-Do but no incident developed until 11 November when, at 2010i two slow low-flying aircraft were sighted over Paengyong-Do. Guns on the island opened fire and claimed hits: there is some evidence that one aircraft may have crashed later. Ships were not involved."

7.40 The Commander-in-Chief, Far East Station wrote to the UK First Sea Lord [Chief of Navy] on 30 November 1953 about the political and military outlook:

"Assuming that the present uneasy truce conditions persist (and I see no real hope of a political settlement), I shall want soon to get free to move the majority of my ships around the Station as I think fit, leaving only a small standing 'ration' in Japan".

7.41 South Korean intentions were still a matter of concern. For example, in a Report of Proceedings for 14 July 1954, the Flag Officer Second-in-Command, Far East Station, said:

"I waited on Vice Admiral Sohn at the [ROK] Ministry of Defence. He told me again how Korea had suffered from the War, how terrible it would be to fight again, but if they had to, how important to start it first."

7.42 HMAS *Arunta*'s July 1954 Report of Proceedings reads in part:

"2. From the beginning of the month until... 6 July 1954, H.M.A.S. *Arunta* remained in the vicinity of Paengyong Do carrying out the duties of CTU 95.1.2 and CTU 95.1.5. During this latter period of a 16-day patrol there were no incidents of an operational nature and no violations of the Armistice Agreement were observed..."

...

"7. ... H.M.A.S. *Arunta* returned to Yongpyong Do..."

"8. There were no incidents of an operational nature and no violations of the Armistice Agreement during the period H.M.A.S. *Arunta* was acting as CTU 95.1.2 and CTU 95.1.6. ships were disposed at night stations each night and the minesweepers carried out a planned minesweeping program to check-sweep the searched channels."

7.43 In the Report of Proceedings by the Flag Officer Second-in-Command, Far East Station, for November 1954–February 1955, there is the general observation that:

"... the situation has remained generally unchanged, though there have been noticeable reductions in the strength of UN forces deployed in [Korean waters], and a reorganisation of the command is now taking place... [11 November] The Squadron anchored [at Chinhae] in company at a few minutes past 8 a.m. after saluting the Republic of Korea with 21 guns."

7.44 Submission from sailor, HMAS *Shoalhaven*:

"The ship's company was getting ready for church services in No. 1 dress uniform when it was called to 'action stations'. A first degree of readiness was adopted, all hands closed up, all positions fully manned and all the ships guns primed and ready for action... We received a Red Alert and were told that hostile aircraft were approaching. Russian MiG fighters were sighted high in the sky and perhaps out of range of the main armament. ... Guns were loaded and ready to fire... Remained at action stations for approximately one hour."

7.45 Submission from officer, HMAS *Condamine*:

"During the fragile Armistice, when at anchor off the outlying islands bordering the DMZ, the ship remained in an operational state of readiness with armed sentries on the upper deck. Because of the sensitivity of breaching the Armistice in any way, ammunition was not provided to sentries, as a safety measure against the accidental or precipitant [sic] discharge of fire-arms!"

7.46 The following is extracted from the Korean patrol report for May 1956 of HMA Ships *Tobruk* and *Anzac*:

"8. ... In all the visit to Chinhae was most interesting and I feel it was an ideal port in which to 'show the flag' as it is the centre of Korean Navy training.

...

"12. Extra time in Chinhae is required to arrange sporting fixtures with the various ROK units and to take advantage of the excellent shooting to be had in the hills above the harbour."

7.47 For 27 July 1953, 91 Wing's war diary includes the following entry:

"It was interesting to note the reaction of Wing personnel to the news of the Truce. The ceasefire negotiations had dragged on for so long and with such marked lack of sincerity on the part of the Communists that the actual signing came as something of an anti-climax. None of the hilarious relief and celebration which marked the ceasefire with Japan in 1945 was evident. The general attitude was somewhat cynical of the outcome of the Armistice—a feeling of 'Well, what now?' Most of us feel sceptical that the Armistice can be developed into a satisfactory peace and are apprehensive that the War might well be resumed with increased ferocity."

7.48 In his submission, an officer of 77 Squadron stated:

"We were aware of the constant threat of a resumption of the War, since our air base at Kimpo was three minutes flight time from the DMZ and certain to be a prime target for an opening air strike—subsequently demonstrated by the unopposed penetration and landing of a single MiG 15..."

7.49 In his book *The United States Air Force in Korea 1950–53*, R F Futrell makes the following statement:

"The Armistice meant the end of the shooting war in Korea, but the Far East Air Force's duty was not yet completed. The 16 nations affirmed that if the Communists renewed armed attack they would be prompt in resisting aggression. USAF Chief of Staff, General Nathan F Twining, cautioned the men of FEAF: 'Yours is now the role of watchfulness and preparedness, for you must continue to be the most vigilant and best prepared of all the forces that guard... the security of the free world.'"

7.50 In August 1953, 36 Squadron carried out a series of POW special flights and then engaged in routine transport tasks. On 1 February 1955, operational control of 36 Squadron was transferred to HQ US Far East Air Force, delegated to 5th Air Force, nominal control only, so the Squadron continued to supply the transport needs of BCFK.

7.51 91 Wing records for 7 September 1953 include the following entry:

“Since the cessation of hostilities, No. 77 Squadron operational activities have consisted of after-dusk and predawn standby. Training has comprised various exercises and mock operations, some in conjunction with other units of 5th Air Force and RN carriers. These exercises are designed to keep the Squadron at top efficiency so that in the event of renewed fighting, the Squadron could be airborne within 30 minutes.”

7.52 Comment from 91 Wing on the September period is:

“In accordance with the 5th Air Force preparation to meet a treacherous Communist attack should the peace talks fail, No. 77 (I/F) Squadron has four Meteor aircraft at runway readiness from half-hour before dawn, and again until half an hour after dark. The remaining effort is devoted to operational training at approximately one-third normal operational intensity.”

7.53 91 Wing’s report for the month of October 1953 stated:

“The number of aircraft accidents and incidents occurring is causing concern. The most obvious and possible cause is the lack of experienced pilots being posted to No. 77 (I/F) Squadron.”

7.54 91 Wing’s report for the month of January 1954 included the following entry:

“Several unidentified aircraft alerts occurred during the period but no hostile action took place and although USAF fighters were scrambled, no interceptions were made.”

7.55 A RAAF History Unit report of July 2005 notes that:

“After the Armistice 77 Squadron reverted to training and GCI [Ground Controlled Intercept] scrambles. The unit maintained a 30-minute alert for 2–3 months after the ceasefire.”

7.56 77 Squadron’s war diary for January–March 1954 records three Yellow Alerts over the period and a scramble on 18 March 1954.

7.57 In his evidence, an NCO ex-77 Squadron said:

“We had alerts at irregular intervals, which of course is the standard practice with these sorts of things. When these alerts occurred, all personnel who could be spared from the aircraft line immediately entered slit trenches in full battle equipment, including weapons. The whole perimeter of the base was protected by 8th Army AAA and these people delighted in clearing their guns at all sorts of inappropriate hours and it was pretty noisy.”

7.58 None of these reported or submitted circumstances bring the situation after the Armistice within the criteria for ‘warlike’ service, and therefore within the eligibility for the AASM 1945–75. They do, however, contribute to an understanding of the demanding nature of service during the post-Armistice period.

Conclusion and Recommendation in respect of the Australian Active Service Medal 1945–1975

7.59 It is not possible to make a case for warlike service in post-Armistice Korean service to meet this condition of eligibility for the AASM 1945–75. The United Nations Command measures in force were intended to prevent any military action which would put at risk the stability of the military Armistice. There is no evidence at this stage of military objectives other than the maintenance of the stability of the military Armistice.

7.60 There is no doubt that there was tension and stress due to the need for a high level of preparedness to meet a range of possible hostile actions by numerically strong and well-equipped Chinese Communist Forces and the North Korean Army confronting the United Nations Command. Despite assessments that there was no indication of an imminent offensive, the high state of readiness of the Australian battalions would have been maintained by training, exercises and briefings that had to be prepared for a worst-case scenario of renewal of hostilities. This would have established a perception of threat and danger. There was a similar situation for the RAN ships and the RAAF squadrons committed to Korean service at this time.

7.61 In the light of this evidence the Working Party could not support the proposition that the service of Australian forces in Korea after the Armistice on 27 July 1953 met the key condition of warlike service for the criteria of eligibility for the AASM 1945–75.

Recommendation

7A. The Working Party recommends that the AASM 1945–75 should not be awarded for post-Armistice service in Korea.

An Award for those who served in Korea after the Armistice, 27 July 1953

7.62 The Working Party examined the separate declared operations of Korean service that were declared as non-warlike operations for the purpose of the Australian Service Medal (ASM) 1945–75 regulations to determine whether particular operations could meet the defined criteria of eligibility for recognition beyond the award of the ASM 1945–75 with clasp ‘KOREA’. Through research, submissions and evidence, the Working Party explored whether the in-theatre conditions and experience of some operations of post-Armistice Korean service met the criteria of eligibility of some other campaign and operational medal. The Working Party gave attention to existing provisions for recognition of service short of warlike operations and the conditions experienced.

7.63 The Working Party explored the argument in the Report of the Committee of Inquiry into Defence Awards (CIDA), which included the recommendation for the institution of the ASM 1945–75 to recognise service in prescribed peacekeeping and non-warlike operations for the period 1945–1975. In a declaration and determination under the ASM 1945–75 regulations made on 23 March 2001, the Governor-General declared in the context of the ASM 1945–75 with clasp ‘KOREA’, the following non-warlike operations to be a declared operation for the purpose of the Regulations:

- a. participation in United Nations Commission activities in Korea during the period that commenced on 9 June 1950 and ended on 23 June 1950;
- b. participation in British Commonwealth Forces Korea in Japan and Okinawa that commenced 29 April 1952 and ended 26 August 1957;
- c. participation in operations afloat and in the air off Korea to a distance of 161 kilometres seaward from the coast during the period that commenced on 28 July 1953 and ended on 26 August 1957;
- d. participation in ceasefire monitoring activities in Korea during the period that commenced on 28 July 1953 and ended on 26 August 1957; and
- e. participation in United Nations Command (Military Armistice Commission) on the Korean Peninsula involving the preservation of the Armistice between North and South Korea that commenced on 27 August 1957 and ended on 13 February 1975.

7.64 The qualifying period of service for eligibility was 30 days.

7.65 In Chapter 5, 'Australia in Korea 1950–1957: the War and Post-Armistice Service', the Working Party through its consideration of submissions, evidence at public hearings and research analysed the separate periods of the service of Australian units in Korea. The Working Party recognised that there was a number of different operations in respect of Korean service that were declared as non-warlike operations for the purpose of the ASM 1945–1975 Regulations. Some of these were not exposed to the dangers, and harsh physical and mental conditions of service in Korea during the period after the Armistice from 27 July 1953 to 19 April 1956. Submissions and evidence given during public hearings and research support this view.

7.66 While adhering to the principles established through legislation and reinforced in earlier reports that the meaning of the terms or expressions for the purpose of the VEA should not necessarily be considered to apply when those or similar terms or expressions are used for the award of medals, the Working Party nevertheless recognises that the Review of Veterans' Entitlements (the Clarke Review) addressed some of the factors relevant to medal recognition and in particular how some of the operations in respect of Korean service, declared as non-warlike operations for the purpose of the ASM 1945–75 regulations, met definitions of warlike and non-warlike service.

7.67 On the basis that Cabinet had decided on 7 March 1956 that:

"The actual tasks performed by members of the Australian forces within South Korea were considered non-operational and according to the information available, would not have involved a degree of risk significantly over and above peacetime operations. Casualties would generally not be expected in South Korea while the Armistice remained in place."¹,

¹ Clarke Review, Volume 2, page 308, paragraph 14.34.

the Committee of the Review of Veterans' Entitlements (the Clarke Review) concluded that service outside the DMZ after 19 April 1956 was not warlike or non-warlike and should remain peacetime service. For this reason the Working Party distinguished service after 19 April 1956 from operations in Korea during the period from 28 July 1953 to 19 April 1956.

7.68 Also the Working Party considered that service with British Commonwealth Forces Korea in Japan and Okinawa that commenced on 29 April 1952 and ended 26 August 1957 met neither the definitions of warlike or non-warlike service and should also be distinguished from operations in Korea during the period from 28 July 1953 to 19 April 1956.

7.69 Since the whole period covered by the *Declaration and Determination Under the Australian Service Medal 1945–1975 Regulations* in respect of post-Armistice Korean service has been recognised by the award of the Australian Service Medal 1945–1975 with clasp 'KOREA', it is the view of the Working Party that the more demanding service in Korea during the period from 28 July 1953 until 19 April 1956 warrant recognition beyond the Australian Service Medal 1945–1975 with clasp 'KOREA', taking particular note of the fact that service in Korea after 19 April 1956, for which the Australian Service Medal 1945–1975 with clasp 'KOREA' has been awarded, is determined to be peacetime service.

7.70 There was no doubt, in the view of the Working Party, that personnel of Australian navy, army and air force units deployed for service in Korea after the Armistice for the period from 27 July 1953 to 19 April 1956, experienced climate extremes of heat and cold, lived and worked under harsh conditions, were justifiably conditioned physically and mentally to meet a perceived threat, and exercised standard operating procedures to maintain a high level of readiness for combat to meet an enemy offensive. They also experienced the trauma of casualties, including deaths, amongst members of their units that resulted from operations at the extremes of service outside the warlike service envelope. In the judgment of the Working Party and by any criterion, this service was beyond the requirements of peacetime, training and garrison duties and included times when "enemy potential for offensive action in Korea has never been higher".²

7.71 The Working Party is of the view that there needs to be a clear distinction between Korean service in operations afloat and in the air off Korea and in the ceasefire monitoring activities in Korea during the period from 28 July 1953 until 19 April 1956 and the other operations which were declared operations for the award of the ASM 1945–75 with clasp 'KOREA'. This view is reinforced by the fact that the value of the ASM 1945–75 with clasp 'KOREA' as a recognition of non-warlike service has been eroded because this medal has been awarded for service that has been recognised as peacetime service, that is, service in Korea after 19 April 1956.

7.72 In light of the above and notwithstanding the principle established by CIDA:

"that an appropriate benchmark in considering hitherto unrecognised service between 1945 and 1975 is the terms and conditions that are currently attached to an award of the Australian Active Service and Australian Service Medals",

² 28 British Commonwealth Infantry Brigade Weekly Summary August 1953—Enemy Situation 15 August

the Working Party has identified factors that persuade it to recommend Australian Government recognition that a medal specifically recognising service from 28 July 1953 to 19 April 1956 and distinct from the ASM 1945–75 with clasp ‘KOREA’ is warranted.

7.73 This period of service, however, does not meet the criteria for a separate campaign medal. The only campaign medals that meet the general conditions experienced by the navy, army and air force units in Korea during the period from 28 July 1953 until 19 April 1956 apart from the ASM 1945–75, which has been already awarded, are the Naval General Service Medal (NGSM) 1915–1962 and the General Service Medal (GSM) 1918–1962.

7.74 The NGSM 1915–62 and the GSM 1918–62, introduced to recognise actions which fell short of actual war, provide scope for a different perception of how these medals might be used by Australia for a time when they were the only campaign or operational medal available for actions short of war. The way that the Australian armed forces since the Second World War were committed to meet Australia’s national strategic requirements, taken with the historic basis for the United Kingdom’s general service approach to recognise actions, which fell short of actual war when Britain was garrisoning an empire between the First World War and the Second World War, has led to an emerging different approach to medal recognition for such operations. This has provided scope for a perception of how the NGSM 1915–62 and the GSM 1918–62 might be used by Australia to meet the general service conditions experienced by the navy, army and air force units in Korea during the period from 28 July 1953 until 19 April 1956 beyond the ASM 1945–75. It was felt by the Working Party that, apart from the appropriateness of these medals for recognition of service in this period, it was also appropriate to award a medal of the medal regime in force at the time with its culture established through Australia’s use of the Imperial Honours and Awards System.

7.75 The argument that it is within the authority of the Government of Australia to recommend to the Queen of Australia that the NGSM 1915–62 with clasp ‘KOREA’ and the GSM 1918–62 with clasp ‘KOREA’ could be awarded for post-Armistice Korean service cannot be sustained in the light of the advice of the Chief General Counsel, Office of General Counsel, Australian Government Solicitor that access to Imperial awards is no longer consistent with Australia’s status as a sovereign nation. This has led the Working Party to seek another solution. Nevertheless the award of a medal consistent with the medal regime in force at the time was considered to be an important principle.

7.76 The Working Party noted the way Canada had addressed the question of instituting medals for service, which Canadian armed forces had shared with UK armed forces. These medals were distinctly Canadian and therefore within the authority of the Government of Canada to institute, although their design characteristics were obviously influenced by medals of the Imperial Honours and Awards System for the same service. An example was the Canadian Korea Medal with the same conditions of eligibility and similar design features to the Korea Medal of the United Kingdom and yet distinctly Canadian.

7.77 The Working Party, in the light of its view that:

- a. there needs to be a clear distinction between (on the one hand) service in Korea during the period from 28 July 1953 to 19 April 1956 and (on the other hand) the operations which were declared for the award of the ASM 1945–75 with clasp ‘KOREA’;
- b. this period of service does not meet the criteria for a separate campaign medal;
- c. the only campaign medals that meet the general conditions experienced by the navy, army and air force units in Korea during the period from 28 July 1953 until 19 April 1956 apart from the ASM 1945–75, which has been already awarded, are the NGSM 1915–62 with clasp ‘KOREA’ and the GSM 1918–62 with clasp ‘KOREA’;
- d. since the award of the NGSM 1915–1962 with clasp ‘KOREA’ and the GSM 1918–1962 with clasp ‘KOREA’ can no longer be sustained in the light of the advice of the Chief General Counsel, Office of General Counsel, Australian Government Solicitor that access to Imperial awards is no longer consistent with Australia’s status as a sovereign nation, these medals are no longer available to Australia;
- e. the principle of awarding a medal consistent with the medal regime in force at the time is important;
- f. there is scope offered by the example of the Government of Canada to institute an Australian medal similar in eligibility and design features to the desired medal in the Imperial Honours and Awards System,

concluded that the appropriate outcome for recognition of the service in the period 28 July 1953 to 19 April 1956 would be a newly instituted medal to recognise the unique circumstances in the nature of the general service, which did not meet the criteria of warlike service and yet warranted recognition beyond the ASM 1945–75, which for Korean service had included peacetime service after 19 April 1956.

7.78 The unique circumstances include:

- a. the threat posed by the size, posture and recent combat experience of the opposing forces;
- b. the uncertainty surrounding Communist intentions, compounded by a history of unprovoked aggression, and the possibility of unilateral action by South Korean forces;
- c. although combat did not occur, the strain imposed by preparing and training for combat in response to threats articulated by the UN chain of command;
- d. the Rules of Engagement which provided for use of force in self-defence under special conditions; and

- e. the setting of the Korean situation in the context of the Cold War confrontation, which included the risk of deployment of nuclear weapons.

7.79 The need to find an Australian solution for general service for which access to the Imperial NGSM 1915–62 and the GSM 1918–62 was not possible presents Australia with the opportunity to institute a medal that recognises the common cause of all three Services to preserve the ceasefire in the same way that the Korea Medal was instituted for all three Services for the “general recognition of service by British Commonwealth Forces on behalf of the United Nations in repelling aggression in Korea”³. The separate Imperial Naval General Service Medal and General Service Medal instituted for recognition of separate service operations did not permit this joint approach which clearly was identified as important when the later General Service Medal 1962 was introduced with availability to all three Services.

7.80 The Working Party has concluded that it is appropriate to institute the Australian General Service Medal for Korea. There would be no clasp since service in Korea for the period 28 July 1953 to 19 April 1956 would be the only service recognised by this newly instituted medal.

7.81 In assessing a general service recognition of the period 28 July 1953 to 19 April 1956, it is important to determine the period of eligibility. Noting the distinction between the AASM period of eligibility of 24 hours and the ASM eligibility period of 30 days or in other general service periods of 28 days, the Working Party noted that it has been the practice to identify 24 hours or one day where combat contact is the important condition and 28 or 30 days when endurance or exposure are the important conditions. In accordance with this established practice in the Australian Honours and Awards System, the Working Party considered that 30 days in the prescribed operation should be the appropriate period of eligibility.

7.82 There is a difficulty that the ASM 1945–75 with clasp ‘KOREA’ has already been awarded for this service and to award the proposed Australian General Service Medal for Korea for the same service would compromise the principle established by CIDA that only one campaign medal should be awarded for a particular operation, in order to avoid a situation known as ‘double-medalling’.

7.83 It is clear, however, that this principle has already been compromised with the award of the AASM 1945–75 for the service recognised by the Korea Medal and this compromise has been accepted not only for service in Korea but also in respect of the Malayan Emergency, South Vietnam service before 1962, Borneo, Malay Peninsula, Vietnam and Vietnam Logistic and Support. This issue of compromise is compounded by the fact that in the view of the Working Party service in Korea during the period from 28 July 1953 to 19 April 1956 was at least as arduous and hazardous as some of the operations for which campaign awards that led to the award of the AASM 1945–75 were awarded. This view is reinforced by the casualties experienced (see Chapter 9).

³ British Command Paper 8314, Institution of the Korea Medal for Service in the Korea Operations since 2nd July 1950

7.84 The Working Party is aware that award of the AASM 1945–75 relied on first qualifying for one or more of the Korea Medal, the NGSM 1915–62 with clasp ‘MALAYA’, the GSM 1918–62 with clasp ‘MALAYA’, the GSM 1962 with either clasps ‘SOUTH VIETNAM’, ‘BORNEO’ or ‘MALAY PENINSULA’, the Vietnam Medal or the Vietnam Logistic and Support Medal. Because the Working Party could not support the proposition that the service of Australian forces in Korea after the Armistice on 27 July 1953 met the key condition of ‘warlike’ service to confer eligibility for the AASM 1945–75 and therefore that the AASM 1945–75 should not be awarded for this service, the Working Party would not see qualification for the award of the proposed Australian General Service Medal for Korea as conferring eligibility for the AASM 1945–75. This view re-asserts a need to judge eligibility on key criteria of eligibility and not rely on the award of another medal.

7.85 The circumstances of the uniqueness of the service in Korea after the Armistice until the final withdrawal of the last major Australian unit, and the conditions of eligibility of this award, isolate this period and the medal from other operational situations that the Working Party noted through its examination of other medal reviews.

7.86 Although there remain many unsatisfied claims for campaign medal recognition in the period 1945–75, the Working Party is confident that by offering solutions to the difficulties for recognition of Korean service that arose from the perceived anomalies from the introduction of the AASM 1945–75, we can contribute to the medal stability for this period. Through consideration of the factors discussed here, it is possible to isolate the Korean service recognition outcomes from an influence on later medal philosophy and perceptions.

Conclusion and Recommendation on an Award for those who served in Korea after the Armistice, 27 July 1953

7.87 If there is to be even-handedness and fairness in the recognition of all 1945–1975 service it needs to be recognised that conditions experienced during the more demanding service in Korea during the period from 28 July 1953 to 19 April 1956 warrant recognition beyond the ASM 1945–75 with clasp ‘KOREA’.

Recommendation

7B. The Working Party recommends that the Australian Government should be advised to proceed to establish conditions of eligibility for the award of a newly-instituted Australian General Service Medal for Korea for service in Korea during the period from 28 July 1953 until 19 April 1956 with a period of eligibility of 30 days in the prescribed operation.

The Returned from Active Service Badge (RASB)

7.88 An outline of the history of the Returned from Active Service Badge (RASB) has been provided at Chapter 3 (History of Medal and Badge Recognition for Australian post-Second World War deployments).

7.89 Among the Second World War veterans, the period after 1945 was characterised by (among other things) the wide practice among veterans of wearing the RASB. The Working Party felt that this practice has probably influenced attitudes to the RASB among the veterans of the 1945–75 period.

7.90 The instruction in respect of the Korean War limits qualification to service between 1 July 1950 and 27 July 1953 and this would exclude those who served in Korea after the Armistice on 27 July 1953 from qualification for the RASB. In addressing the claim for access to the RASB for service in Korea after the 27 July 1953 Armistice, the Working Party was aware of the danger of relying on the inclusion of the words ‘active service’ in the title of the RASB since these words do not appear in the criteria for the award of the badge, which rely on conditions which are specific to particular wars or campaigns.

7.91 Since 31 July 1962, conditions of eligibility included the requirement that a member had to be allotted to special service (that is, special duty in a special area) as defined under the *Repatriation (Special Overseas Service) Act 1962*. This led to recognition that the condition of eligibility for the RASB since July 1962 was linked to repatriation benefits.

7.92 The conditions for the RASB are in the course of being codified to reflect current policy and practice, with a view to promulgation as a Defence Instruction (General). In a Ministerial approval to a CDF proposal on 8 November 1994, all future awards of the RASB would be linked to an award of the AASM. As a policy, this has been extended to include the AASM 1945–75. This is confirmed in the content of the draft Defence Instruction (General), which notes that in addition to the criterion of the link to repatriation benefits, the award of the RASB is connected to awards of the AASM 1945–75 and the current AASM. It could be seen that the AASM or the condition giving access to repatriation benefits have been identified as the critical criteria of the nature of service to confer eligibility for the RASB, but what is not clear is what condition would prevail in retrospective application.

7.93 Notwithstanding the stated link of the RASB to the AASM, it should be noted that this Badge was awarded to those employed on Vietnam logistic and support operations before the Vietnam Logistic and Support Medal was awarded, and, therefore, it is only through the award of this medal that there was a link to the AASM. It would appear, therefore, that the RASB could be introduced without a concomitant entitlement to the AASM 1945–75.

7.94 The inconsistent treatment of service amongst wars and campaigns in the Defence Instruction raises doubts about what has been intended as the service to be recognised by the award of the RASB. While the Defence Instruction notes that in addition to stated criteria, the award of the RASB is connected to awards of the AASM 1945–75 and the current AASM, elsewhere the Defence Instruction states that the conditions of eligibility for the Badge for service since 31 July 1962 are similar to those governing eligibility for repatriation benefits, that is allotment for special service in a special area.

7.95 The history of the RASB includes many refinements of the conditions of eligibility and this history and the random use of AASM or repatriation eligibility links

would suggest that the conditions of eligibility are not yet firmly settled. This is further reinforced by the Clarke Review conclusion that the RASB criteria do not require the “veteran to have incurred danger from hostile forces and there is no cut-off date for eligibility based on the level of risk of harm”.⁴

7.96 Furthermore, in the light of the complexity and variety of deployments of Australia’s armed forces since the Second World War, earlier definitions and conditions of eligibility for recognition of service may not have an enduring relevance to the strategic circumstances and in-theatre conditions of later deployments. The circumstances under which Australian servicemen and women have been committed to deployments range from wars, campaigns, peacekeeping, peace enforcement to humanitarian operations. The conditions experienced could not have been envisaged when the RASB was instituted. They are beyond those normally experienced in administrative, training, garrison, support outside an operational area or diplomatic postings.

7.97 Those who served in Korea from 28 July 1953 to 19 April 1956 meet the condition applied to operations since 31 July 1962 of eligibility for repatriation benefits. Regardless of the reason for providing repatriation benefits for those who served in Korea after the Armistice, in the public perception of the situation it is incongruous that those who receive veterans’ entitlements for disabilities normally associated with warlike service should not be seen to meet the criteria of eligibility for RASB. It is also unfair that the eligibility for the RASB should not be the same as for those who since 31 July 1962 have received the RASB through the conditions similar to those governing eligibility for veterans’ entitlements, ie having been allotted for service in a special area.

7.98 Also, in the light of the conditions experienced during this period and the judgment of the Working Party that this demanding service warrants recognition beyond the ASM 1945–75 with clasp ‘KOREA’, and that this service was at least as demanding as other operations in the period 1945–75 for which the RASB was awarded, the Working Party concluded that service in Korea from 28 July 1953 to 19 April 1956 warrants recognition by the award of the RASB.

Conclusion and Recommendation

7.99 In respect of the Returned from Active Service Badge, it is the view of the Working Party that the circumstances of the deployment, which include veterans’ entitlements that for later service conferred a RASB qualification, taken with the conditions experienced during the demanding service in Korea during the period from 28 July 1953 to 19 April 1956, warrant recognition by the award of the RASB.

7.100 Furthermore the Working Party considers that more work needs to be undertaken to define the qualifying conditions for the Returned from Active Service Badge. This should take account of the complexity and variety of deployments of Australia’s armed forces since the Second World War, so that definitions and conditions of eligibility for recognition of service may have an enduring relevance to the strategic circumstances and in-theatre conditions of later deployments and

⁴ Clarke Review, Volume 2, p.282, paragraph 12.64.

should establish whether the critical criterion is access to veterans' entitlements or the nature of service determination.

Recommendation

7C. The Working Party recommends the demanding service in Korea during the period from 28 July 1953 to 19 April 1956 warrants recognition by the Returned from Active Service Badge.

CHAPTER 8

BROADER POLICY OPTIONS RELATING TO THE AWARD OF MEDALS

8.1 The Terms of Reference authorised the Working Party to consider and report on “the wider implications of suggested changes to current policy”. In the course of our Review, some issues for further policy consideration have become apparent.

Medals eligibility and veterans’ entitlements

8.2 The Working Party found that there was a degree of confusion among veterans about the relationship between conditions of eligibility for medals and for veterans’ entitlements. This confusion is documented in Chapter 6, where the Working Party notes (based on legal advice from Professor Creyke in Appendix 7) that there is no basis for a claim for the Australian Active Service Medal (AASM) in the fact that the service is accepted for full veterans’ entitlements. (Similarly, there is no basis for claim in the fact that a period is treated as ‘active service’ for disciplinary purposes.)

8.3 While this position is technically correct, we are aware that it has the potential to confuse a reasonable member of the community. On the one hand, they would see that the Commonwealth has accepted the service up to 19 April 1956 as qualifying service for full veterans’ entitlements—in other words, as equivalent to the most hazardous combat service that could be experienced in a state of open war between armed adversaries. On the other hand, they would see that the same service is not accepted for the kind of medal that is awarded for combat service in war.

8.4 In relation to post-Armistice Korea, a similar policy disjoint is apparent between the concept of ‘active service’ and the medal conditions. This has been exacerbated by the reasonable community perception of the plain English meaning of ‘active service’, as noted in Chapter 6.

8.5 This is not a new problem. As the Toose Report noted:

“During the course of the Enquiry evidence was presented, and submissions made, which indicated a degree of misunderstanding and dissatisfaction concerning the meaning of certain provisions of Repatriation legislation, the terminology used, public relations and associated matters.”¹

8.6 Since the mid-1990s, a more coherent interdepartmental policy approach to conditions of service has been implemented for overseas ADF deployments. This approach is based on the current concepts of ‘warlike’ and ‘non-warlike’ service. ‘Warlike service’ is ‘qualifying service’ for the VEA and attracts award of the AASM. ‘Non-warlike service’ is ‘operational service’ for the VEA and attracts award of the Australian Service Medal (ASM). The risk of the kind of damaging confusion that has complicated the appropriate recognition of post-Armistice Korean service has diminished. ‘Active service’ is no longer used—except (perhaps unfortunately) in the titles of the AASM and Returned from Active Service Badge (RASB) themselves. For the future, the outcome of the present Nature of Service Review is likely to identify

¹ Toose p.619.

the several conditions of service entitlements associated with particular deployments, which will include eligibility for medals and veterans' entitlements (among other things).

8.7 Nevertheless, we see a need for closer alignment of the policy approach taken by the several agencies involved in conferring operational entitlements on current and former members of the ADF—in particular the Departments of Defence and Veterans' Affairs.

Recommendation:

8A. The Department of Defence and the Department of Veterans' Affairs should work closely together to raise public awareness of the clear distinction between medals eligibility and veterans' entitlements. This could be achieved in plain English information to explain the workings of the conditions of service package and the relationship between elements of the package, to include veterans' entitlements and medals.

A more transparent and accountable medals process

8.8 It also became apparent in the course of the Review that there is widespread misunderstanding of how the medals processes work.

8.9 One veterans' association wrote:

"We have pointed out in our submission the complexity of post-World War II campaign and service awards, as well as what we believe as some *ad hoc* decision 'on the fly' by successive Ministers within the Defence portfolio... we believe the granting of post-World War II campaign awards has been extremely disjointed and *ad hoc* in the extreme... We do think that the Chief of Defence Staff should declare a positive process of any new awards and seeks the input of both Service personnel and ex-service organizations."

8.10 Another association submitted:

"Dates applicable to the Korean War appear to be in disarray... The Department of Veterans' Affairs should set down a policy on the contradictory dates being used and such a statement of policy is needed urgently."

8.11 The President of a local veterans' association wrote:

"Have done a quick ring around and the main contentions appear to be the anomalies imbedded in the Repat system..."

8.12 Another submitted:

"The issue of war medals to Australian servicemen has been a contentious issue for years. We have had to go to the government with cap in hand... The issue of the Australian Service Medal leaves a lot to be desired."

8.13 Many veterans wished the Working Party well in its endeavours and recognised the difficulties inherent in developing fair and equitable proposals. One wrote:

“... this letter is simply an observation on a problem the Committee must face and resolve. However, it is also written to show that the complexities of their problems are recognised by at least one interested ex ADF member.”

8.14 ‘Complexity’ and ‘anomaly’ are two of the words we have encountered most in the course of this Review. Given the high degree of interest that ADF members, both past and present, take in their medal entitlements, there is a case for reducing the complexity and increasing the transparency of the Australian Honours and Awards System, and increasing the effort devoted to prior consultation and explaining the System to its clients—many of whom are not able to cope easily with technical explanations.

8.15 To some extent, the problems to date have arisen from anomalies caused by retrospective application of new medals to old campaigns. Anything that can be done to resolve issues from the past would free up the System to cope better with emerging issues. The Working Party is aware that policies on the recognition of operational service—like operational service itself—are never static. New policy approaches are being developed for new national strategies: the War on Terror and the issue of recognising ADF service within Australia and its surrounding seas are just two current examples. For example, the Defence Nature of Service Review could well have implications for medal recognition of operational service in the decades to come.

8.16 Medal entitlements, including for post-Armistice service in Korea, have generated extraordinary amounts of Ministerial correspondence, involving the Defence Directorate of Honours and Awards in spending considerable time, energy and resources on these matters. Any steps which could reduce the incidence of misunderstandings and queries would benefit all participants in the process.

8.17 An issue appears to be that the institution of medals is authorised by executive action, is not subject to external review, and is not well publicised. The conditions of award are authorised by medal ‘regulations’, but these regulations are not subject to external oversight. One veteran included in a submission to the Working Party a comment about the replacement of:

“... the Imperial Honours and Awards System with one which is not transparent, the results of which are not widely promulgated, the results of which are not tabled before, nor debated in Parliament, which are not judiciable and which cannot be referred to the Commonwealth Ombudsman...”

8.18 While there would be clear risks entailed in thus politicising the process, the Working Party sees merit in examining and applying the principles underlying the treatment of contemporary Commonwealth rule-making to the medals context—for example consultation, accountability, and easy public access to the rules. The rules established by these processes should include rights of review of adverse decisions on individual cases.

8.19 The Working Party readily recognises that wherever the line is drawn, someone will be on the wrong side of it and will want special treatment. This is an age-old problem in all fields of public administration. Priority should be given to addressing remaining anomalies in the Australian Honours and Awards System.

Once this has been done, the rules should be widely publicised in plain terms, and should be applied fairly but firmly.

8.20 The Working Party has considered the case for structural change in the organisational arrangements currently in place for developing and applying policy on military honours and awards. This is a complex and sensitive issue. On the one hand, it appears anomalous that Defence (with its mission to “defend Australia and its national interests”) is dealing with medal issues for veterans and their surviving dependants back to the First World War. On the other hand, the Working Party is conscious of how important appropriate medal recognition is to the morale of currently serving ADF members. We also appreciate that the ADF chain of command must have a close involvement in military honours and awards.

8.21 The Working Party has formed the view that there should be an independent part-time military honours tribunal to advise the Minister on the more complex aspects of military medals policy. Such a body would have a role in representing the views of relevant areas of the executive arm of government, as well as veterans themselves. It could comprise a senior representative from each of:

- ADF Headquarters
- Department of Prime Minister and Cabinet
- Department of Veterans’ Affairs
- Department of Foreign Affairs and Trade
- Honours Secretariat
- The ex-Service community (but not representing any particular group).

8.22 The tribunal would:

- a. overcome veterans’ current sense of exclusion from the decision-making process;
- b. protect the important national institution of military honours from instability, undue political pressure and short-term decision-making;
- c. be able to recommend ways of making the process more transparent;
- d. provide a forum for independent advice to the Minister on any difficult remaining anomalies from past campaigns, on the institution of new medals, and on any major changes in the military honours system;
- e. avoid the need for further external reviews of specific medal issues; and
- f. require an adequately resourced and accommodated secretariat provided by the Department of Defence.

8.23 The Defence Directorate of Honours and Awards would continue to administer military medal entitlements.

Recommendations:

- 8B. The Department of Defence should examine options for modifying the medal system's rule-making and making it more transparent and reviewable for the future. In this process it should produce more plain English material to explain it.
- 8C. An independent part-time military honours tribunal should be established.

CHAPTER 9

COMMEMORATION OF THOSE WHO DIED

9.1 This Chapter extends the Review to consider how those who died during post-Armistice service should be honoured.

9.2 There was a concern to establish a definitive list of those who died post-Armistice in service-related circumstances, to establish where they are buried, and to ensure that they are appropriately commemorated.

9.3 Many Korean veterans raised this issue in submissions and evidence. The issues of concern raised by veterans groups include:

- clarifying the number and names of Servicemen who died during the post-Armistice period;
- establishing how they died and where they are buried; and
- inclusion of those who died on the Roll of Honour at the Australian War Memorial (AWM).

9.4 Although not specifically mentioned in our Terms of Reference, the Working Party considered that the opportunity should be taken to clarify these issues. As the Co-Chairs said in the opening statement at each of the public hearings:

“We have been encouraged to interpret the Terms of Reference freely, to give effect to the wish of the Minister to be advised how those Australian servicemen and women who served in post-Armistice Korea should be recognised, and to this extent we shall be extending the Review to consider how those who died during this service should be honoured.”

[See Appendix 5 for the full text of the opening statement.]

9.5 The Working Party has established that 18 Australian Servicemen died on Korean service after the Armistice and are buried at the United Nations Memorial Cemetery, Pusan, South Korea; or at the British Commonwealth Forces Cemetery, Yokohama, Japan. During this service, two British Servicemen attached to Australian units also died. Annex 9A at the end of this Chapter lists the name, unit, rank, Service number and date of death of the Australian Servicemen. It also shows where they are buried, whether they are commemorated on the Roll of Honour at the AWM, and whether they are on the Korean Nominal Roll maintained by DVA. Two photographs of the relevant section of the Post-War Plot at the British Commonwealth Forces Cemetery, Yokohama, are included in Annex 9B at the end of this Chapter.

9.6 Only two of these Servicemen (Privates Wilson and Shepherd of 3 RAR) are currently commemorated on the AWM Roll of Honour. Private Wilson died on 30 July 1953 and Private Shepherd on 16 September 1953.

9.7 The other 16 Australian post-Armistice deaths occurred between January 1954 and November 1956. These Servicemen are not on the AWM Roll of Honour. The Working Party has carefully considered the case for including them on the Roll of Honour, and has concluded that this option is not feasible under current criteria.

The mission of the AWM is to commemorate the sacrifice of Australians who have died in war. The Roll of Honour is intended to be available only to those who meet the eligibility criteria established for the AWM, as set out on the AWM website:

“Background

“Just outside the Memorial's Hall of Memory, where the remains of the Unknown Soldier rest, there is a long series of bronze panels recording the names of Australia's war dead. This is known as the Roll of Honour.

...

“Eligibility for inclusion

“The Roll of Honour includes people who died:

- as a direct result of active service with Australian forces, or while on transfer, and
- within specified periods in a war or warlike operation in which Australians were involved.

“Others who died during these periods of conflict may be included in the Commemorative Roll.

...

“Specified Periods

“The official commencement and cut-off dates for inclusion in the Roll of Honour and the Commemorative Roll are as follows.

Conflict	Commencement of Hostilities	Cessation of Hostilities
Sudan	1885	1885
China	1900	1901
South Africa	11 October 1899	31 May 1902
First World War	4 August 1914	31 March 1921 (Disbandment of AIF)
Second World War	3 September 1939	30 June 1947 (Disbandment of AIF)
Korean War	27 June 1950	27 July 1953
Malayan Emergency	16 June 1948	31 July 1960
Indonesian Confrontation	24 December 1962	11 August 1966
Malay Peninsula	19 February 1964	11 August 1966
Vietnam War	3 August 1962	29 April 1975
Thailand	25 June 1965	31 August 1968
Somalia	20 October 1992	30 November 1994
East Timor	16 September 1999	18 August 2003
Afghanistan	11 October 2001	Ongoing

9.8 The eligibility criteria for the Commemorative Roll are as follows:

“Background

“The Commemorative Roll records the names of those Australians who died during or as a result of wars in which Australians served, but who were not serving in the Australian Armed Forces and therefore not eligible for inclusion on the Roll of Honour. It includes those Australians who died while members of Allied Forces, the Merchant Navy, philanthropic organisations attached to the forces, or as war correspondents or photographers.

...

“Eligibility for inclusion

“The following eligibility criteria apply to the inclusion of names on the Commemorative Roll:

- death was war-caused and suffered during continuous, full-time service
- the person was born in Australia or the last place of domicile was Australia
- the date range in which death occurred must be the same as that for the Roll of Honour.

“Those who died during these periods of conflict while serving in the Australian Armed Forces will be included in the Roll of Honour.”

9.9 The Working Party concluded that it would not be appropriate to recommend any further action regarding the inclusion of the names of those who died post-Armistice on the Roll of Honour at the AWM. Their service falls outside the period of the Korean War listed in the table of specified periods for this purpose. Given the Working Party’s conclusion in Chapter 5 that service in Korea between the Armistice and 19 April 1956 was non-warlike, and that service from 20 April 1956 was peacetime service, we are unable to propose any change in the eligibility criteria in relation to Korea.

Recommendation

9A. The Working Party recommends that it should be accepted that the inclusion on the Roll of Honour at the Australian War Memorial of the names of those who died in post-Armistice Korean service is not within the current criteria of the Australian War Memorial, and that it is not feasible to change these criteria.

9.10 In researching the names of the 18 who died post-Armistice, the Working Party also became aware of the names of 20 other Servicemen who died pre-Armistice and are buried at the British Commonwealth Forces Cemetery, Yokohama. Some of these Servicemen were assigned for and serving in Korea; some were in training in Japan; and some may have been serving in support of Korean operations. This list, which is also included in Annex 9A, does not include members of BCOF, or dependants who died and are buried in Japan.

9.11 The Working Party is mindful that 16 of the post-Armistice dead, and 11 of those who died pre-Armistice and are buried overseas, have no formal commemorative memorial in Australia. Although they are commemorated overseas, they currently have no collective recognition in Australia. The Working Party considers that they should have a joint commemorative memorial plaque at a location in Australia that is significant to their service. This would not only facilitate the celebration of their service to the nation, but would also be a place where surviving relatives, friends and the veteran community can pay their respects. For many who do not have the opportunity to travel overseas, there needs to be a focus in Australia for their grief and commemoration.

9.12 In addressing the question of a memorial plaque, the Working Party developed the view that it should contain the names of those who meet the following criteria:

- they were all members of the Royal Australian Navy, the Australian Army or the Royal Australian Air Force;
- they died while serving in Korea or Japan;
- they are buried at the United Nations Memorial Cemetery, Pusan, South Korea or the British Commonwealth Forces Cemetery, Yokohama; and
- they have no formal commemoration in Australia.

9.13 The options considered by the Working Party included:

- commemoration in the Garden of Remembrance in the relevant Australian capital city; or
- a commemorative plaque in the AWM Sculpture Garden in Canberra.

9.14 We consider that the latter option would be more appropriate as a single national focal point for the commemoration of those who died in Korea or Japan and have no other commemoration in Australia.

9.15 The Working Party will also provide the results of its efforts in this area to DVA so that its Nominal Roll, and the records of the Office of Australian War Graves, can be updated.

9.16 For this report we have focussed on those with a Korean service connection, but there should be a Government position to recognise through a plaque those who died in Japan without having had a Korean service connection.

9.17 Australia has an unknown number of Australian Servicemen and women who have been buried or cremated at locations overseas. They are probably commemorated overseas but may not be recognised in Australia. The full list of these Service personnel is not available from the Office of Australian War Graves. An understanding of why these Servicemen and women were overseas at the time of their death may reveal whether there is a need for them to be commemorated within Australia as a national commitment. A Review may lead to correction of this anomaly. This could lead to an extension to recognise the need to commemorate all Australian Servicemen and women who have died and are buried or cremated overseas and are not commemorated in Australia. This would require further research beyond the scope of this Review.

Recommendations

- 9B. The Working Party recommends that:
- a. consideration should be given to a national plaque with the names of all Australian Servicemen who died in post-Armistice Korean service and are buried and commemorated overseas but not on the Australian War Memorial Roll of Honour, to be established in the AWM Sculpture Garden in Canberra, with Commonwealth Government and veteran support;
 - b. the Department of Veterans' Affairs should update the Nominal Roll for the Korean War to record the deaths of those who died in post-Armistice service; and
 - c. further research should be undertaken with a view to identifying how to appropriately recognise in Australia those Servicemen and women who have been buried and commemorated overseas and are not currently recognised in Australia.

CHAPTER 9

ANNEX A

LIST OF AUSTRALIAN SERVICEMEN WHO DIED IN KOREA OR JAPAN

Those who died post-Armistice and are buried at Pusan or Yokohama

NAME	UNIT	RANK	NO.	DATE OF DEATH	BURIED AT	ROLL OF HONOUR	KOREAN ROLL	COMMENTS
Wilson, William	3 RAR	Private	1400266	30 July 53	Pusan	Yes	Yes	Accidentally killed
Shepherd, Neville Charles	3 RAR	Private	24553	16 Sept 53	Yokohama	Yes	Yes	Accidentally killed
Davis, William John	RAN	Telegraphist	45064	10 Jan 54	Yokohama	No	Yes, but no date of death	While serving in HMAS <i>Murchison</i>
Leigh, Ronald James	2 RAR	Private	311228	5 Feb 54	Yokohama	No	Yes, but no date of death	
Haymes, Albert William	2 RAR	Corporal	3401092	6 Feb 54	Pusan	No	Yes, but no date of death	
Carter, J A	RAR	Private	6/681	22 Feb 54	Yokohama	No	No	
Nelson, Kenneth William	RAN	Leading Electrical Mechanic	A29310	6 Mar 54	Yokohama	No	Yes, but no date of death	While serving in HMAS <i>Sydney</i>
Hawken, Alan Spencer	RAN	Chief Petty Officer	31283	8 Mar 54	Yokohama	No	Yes, but no date of death	While serving in HMAS <i>Sydney</i>
Innes, G J S	RAR	Private	27646	5 May 54	Yokohama	No	No	
Andrews, Henry Dudley	RAAF	Pilot Officer	5464	31 May 54	Pusan	No	Yes	Flying accident
Waller, Brian Charles	1 RAR	Private	52144	25 July 54	Yokohama	No	Yes, but no date of death	
Jarman, Garth George	3 RAR	Captain	3484	27 July 54	Pusan	No	Yes	Illness
Coatsworth, J E	RAR	Private	31122	18 Aug 54	Yokohama	No	No	
Kane, John Rhoden	3 RAR	Private	210792	20 Aug 54	Yokohama	No	Yes, but no date of death	Illness
Kollias, J E	RAAC	Captain	2444	16 Sept 54	Yokohama	No	No	
Bevis, Ian Percy	1 RAR	Private	6997	2 Jan 56	Pusan	No	Yes	Motor vehicle accident
McArthur, C J	RASIG	Signalman	33776	30 Jan 56	Yokohama	No	No	
Nowell, J	RASIG	Sergeant	59099	24 Nov 56	Yokohama	No	No	

List of those who died

Those who died pre-Armistice and are buried at Yokohama (not including BCOF members and dependants)

NAME	UNIT	RANK	NO.	DATE OF DEATH	BURIED AT	ROLL OF HONOUR	KOREAN ROLL	COMMENTS
Dale, Harry	RAAF	Corporal	A2933	13 Nov 50	Yokohama	No	Yes, but no date of death	
Kirkpatrick, Craig	RAAF	Flight Lieutenant	33170	14 Nov 50	Yokohama	Yes	Yes	Killed in ground accident
Gray, William Victor	RAAF	Flight Lieutenant	22176	21 Nov 50	Yokohama	Yes	Yes	Killed in ground accident
Thornton, Leslie	Army	Private	2/400238	6 Mar 51	Yokohama	Yes	Yes	Self-inflicted wounds
Haines, Laurence	RAAF	Flight Sergeant	A31576	9 Mar 51	Yokohama	No	Yes, but no date of death	
Masterton, Allan Bruce	Army	Sergeant	QX25532	7 Apr 51	Yokohama	No	No	
Robson, Roy	RAAF	Sergeant	A33296	17 Apr 51	Yokohama	Yes	Yes	Accident
Harding, Bernard	RAAF	Sergeant	A2901	24 Apr 51	Yokohama	No	Yes, but no date of death	
Scott, D S	RAAF	Corporal	A5383	24 Apr 51	Yokohama	No	No	
Heathwood, Noel Arthur	Army	Private	1/400062	29 Apr 51	Yokohama	Yes	Yes	Died of wounds
Grimster, Alfred Arthur	RAAF	WO	A3662	21 Feb 52	Yokohama	No	Yes, but no date of death	
Waddell, R J	RAAF	Corporal	2638	18 Jun 52	Yokohama	No	No	
Pimm, K J	Army	Private	3/400486	30 Jun 52	Yokohama	No	No	Training accident
White, M K	Army	Private	52106	19 Jul 52	Yokohama	No	No	
Avery, Allan James	RAAF	Pilot Officer	22140	1 Sept 52	Yokohama	Yes	Yes	Flying accident
Johnston, Henry Eric	RAAF	Flight Lieutenant	3286	1 Sept 52	Yokohama	Yes	Yes	Flying accident
Sanders, R L	Army	Private	486902	22 Oct 52	Yokohama	No	No	
Pinfold, M M	RAAF	Sergeant	503137	5 Dec 52	Yokohama	No	No	
Crawley, Edward David George	RAR	Private	2/400748	6 Mar 53	Yokohama	Yes	Yes	Self-inflicted wounds
Hutchinson, Kenneth James	Army	Temporary Corporal	305741	13 Apr 53	Yokohama	Yes	Yes	Accidental drowning

CHAPTER 9
ANNEX B

PHOTOGRAPHS

This Annex contains two photographs showing the Post-War Plot at the British Commonwealth Forces Cemetery, Yokohama, Japan.

The upper photograph shows a general view of the Post-War Plot. The lower photograph shows the memorial plaque at the grave of Private G J S Innes of the Royal Australian Regiment.

These photographs were taken in 2005 by the Australian Embassy in Tokyo. The Working Party gratefully acknowledges the assistance of the Embassy in making the photographs available.

Photographs



CHAPTER 10

CONCLUSIONS

10.1 In this Chapter the Working Party's conclusions are extracted from the material in the preceding chapters, which address the tasks set by the Terms of Reference and the Methodology developed to guide the conduct of the Review. The Working Party will also provide general conclusions which are relevant extensions from this coverage of the complex issue of medal recognition.

Conclusions Relevant to the Terms of Reference

Access to the Australian Active Service Medal 1945–1975 for Post-Armistice Korean Service

10.2 It is not possible to make a case for warlike service in post-Armistice Korean service. The United Nations Command measures in force were intended to prevent any military action which would put at risk the stability of the military Armistice. There is no evidence of military objectives other than the maintenance of the stability of the military Armistice.

10.3 In the light of the evidence, the Working Party could not support the proposition that the service of Australian forces in Korea after the Armistice on 27 July 1953 meets the key condition of warlike service of the criteria of eligibility for the Australian Active Service Medal 1945–1975.

Access to the Returned from Active Service Badge for Post-Armistice Korean Service

10.4 The circumstances of the deployment, taken with the conditions experienced during the demanding service in operations in Korea during the period from 28 July 1953 until 19 April 1956, meet interpretations of general and specific conditions of eligibility over the history of the Badge and the Working Party concludes that this service warrants recognition by the award of the Returned from Active Service Badge.

How Australian Servicemen and Women who served in Post-Armistice Korea should be recognised

10.5 Taking note of the encouragement to interpret the Terms of Reference freely to give effect to the wish of the Minister to be advised how those Australian servicemen and women who served in post-Armistice Korea should be recognised, the Working Party reached the conclusion that if there are to be even-handedness and fairness in the recognition of all 1945–1975 service, it needs to be recognised that conditions experienced during the more demanding service in Korea during the period from 28 July 1953 until 19 April 1956 warrant recognition beyond the Australian Service Medal 1945–75 with clasp 'KOREA'.

10.6 The Working Party has concluded that it is appropriate to institute the Australian General Service Medal for Korea. There would be no clasp, since service

in Korea for the period 28 July 1953 to 19 April 1956 would be the only service recognised by this newly instituted medal. The period of eligibility should be 30 days in the prescribed operation.

10.7 The factor of 'double-medalling' in the 1945–1975 period is well-known and this award would be justified because of these precedents.

Commemoration of Those Who Died in Post-Armistice Korean Service

10.8 Research by the Working Party has established that 18 Australian Servicemen died on Korean service after the Armistice and are buried overseas at either Pusan in South Korea or Yokohama in Japan. The Working Party has concluded that those who are not already nationally commemorated in Australia should have a commemorative plaque at a location in Australia that is appropriately respectful of their service. The Working Party also concludes that because of the dedication of the Australian War Memorial to commemorate those who died in war it would not be possible for their names to be included on the plaques in the colonnades of the Australian War Memorial, but that it would be entirely fitting for a commemorative plaque to be built and dedicated in the Sculpture Garden of the Australian War Memorial, Canberra.

General Conclusions

10.9 The evidence of this Review demonstrates the importance of appropriate medal recognition for the purposes of morale for those currently serving and for the peace of mind of those who have served. It is an important conclusion that conditions of eligibility must be sufficiently flexible to permit recognition of the variety of circumstances that call for Australian Defence Force deployment overseas. At the same time medals policy and award administration must maintain the integrity of the Australian system of honours and awards, including the provision for campaign and operational medals.

10.10 The Working Party concludes that a formal and visible structure should be introduced into the processes for instituting medals and decisions on eligibility. This structure should include clear distinctions between medals eligibility and veterans' entitlements. New arrangements could also include functions to be undertaken by an independent, part-time military honours tribunal.

10.11 It also concludes that it is important that the policy and conditions of qualification for the Returned from Active Service Badge should be brought to completion and promulgation as early as practicable.