

[21/05/01 May 2001 Update on SEA Review and Recent Follow-On](#)

Dear All,

This will be the last update as the implementation of the Mohr review is now well under way. However, I think it important to use this as a reminder of a couple of matters from the review and particularly reiterate those areas of the review that cannot be implemented and why. Also, I will cover, in more detail, some of the entitlements aspects of the Instruments of declaration and determination for the medals.

There were a number of recommendations rejected either in-part or in-full by the Government, or some cases where, in implementing the recommendations, certain things just could not be done due to other restrictions.

The following are areas that have not been implemented and why:

- > Eligibility for the General Service Medal (GSM) Clasp 'Borneo' in accordance with ANO 241/72 for service on HMAS Gull

It has been established that three ANO's were raised for different reasons. ANO 241/72 is for port-to-port repatriation benefits and for this reason inconsistent with medals entitlements. Navy ANO 124/65 and 329/66 are the correct documents to use for medals assessments.

- > Award of the Vietnam Logistic and Support Medal (VLSM) Visits to Saigon in 1963 by HMA Ships Queenborough and Quiberon

The Government stands by the 1993/94 Committee of Inquiry into Defence and Defence Related Awards that whilst Vietnam was on a war footing, the visits were diplomatic port visits, albeit with caution exercised because of the insurgency in the countryside. It was further noted that the GSM clasp 'South Vietnam' did not extend to this type of service and there is no link between the VLSM and the GSM.

The entitlement to benefits under the VEA only extends from an 'Act of Grace' declaration by former Labor Minister for Defence, Kim Beasley, allotting all RAN personnel who served in the Vietnam Area of Operations between 31 Jul 62 and 11 Jan 73. It is worthy of note that there is no link between the award of medals and VEA entitlements, or vice versa, so the VM or VLSM are not awarded automatically because someone is entitled to qualifying service under the VEA 1986.

- > Clasp 'Special Operations' for the Australian Active Service Medal (AASM) 1945-75 and the current AASM

There is no requirement for a Clasp to the AASM for Special Operations. Whenever Australians are involved in warlike activities these will be declared and an appropriate medal issued.

> Ubon as follows:

- a. Personnel attached to Thailand on 'EXERCISE OBSERVER' after 31 Aug 68, until the end of the USAF 'OPERATION COMBAT LANCER' in November 1968, be eligible for similar medal and repatriation entitlements to those awarded for service at RAAF Base Ubon.
- b. The end date of the ASM 45-65 with Clasp 'Thailand', and any other medal awarded for service in Thailand, be extended to a date that would ensure all eligible ADF service in Thailand would be covered. In this regard, as the major involvement of ADF personnel in the Vietnam conflict ceased on 11 Jan 73, perhaps this would also be an appropriate end date for service in Thailand.

Australian involvement in Thailand after Aug 68 was exercises involving observer missions only, not in relation to Vietnam. The ASM with Clasp Thailand under the SEA Review implementation will be awarded only up until 24 Jun 65 at which point the AASM with Clasp will be awarded for warlike service. From 1 Sep 68 to 30 Oct 71, the ASM with Clasp 'SE Asia' will be awarded in line with other non-warlike service in the region.

- > It is recommended that Army and RAAF personnel on the posted strength of units

located on the Malay Peninsula, including Singapore, during the period from 17 Aug 64 to 30 Sep 67 inclusive ie, the period of Confrontation defined in Item 7 of Schedule 2 to the VEA 1986, be allotted retrospectively so that they become eligible for full repatriation benefits and appropriate medals entitlement.

Although the VEA 1986 in Schedule 2 ceases entitlements on 30 Sep 67, the Indonesian Confrontation actually ceased on 11 Aug 66. This was ratified in accords which were formally signed by Adam Malik, the Indonesian Foreign Minister and Tun Abdul Razak, the Malaysian Minister for Defence, in a much overt display of good will. This ending of hostilities was a popular act with the Indonesian people. Hence, any service on the Malay Peninsula cannot be classified as warlike after 11 Aug 66, as there was no enemy and no hostilities. It has not been established why the VEA ends on 30 Sep 67.

Some aspects also need reaffirming here due to some confusion in relation to the administration of Imperial awards, eg NGSM and GSM. Imperial awards are governed by British Command Papers and Royal Warrants. As a result, Australia has no authority to award these medals outside of the conditions laid-down by the British Government and approved by the Sovereign. I would also point out that MAJGEN Mohr in his report did state, "I realise that the respective GSM's are Imperial awards and that their conditions of eligibility are sacrosanct".

The GSM 1962 with Clasp 'Malay Peninsula' is awarded for service during the Indonesian Confrontation from 17 Aug 64 to 12 Jun 65, with an extension to 11 Aug 66 for aircrew engaged on operational patrols over the waters surrounding the Malay Peninsula and Singapore. These conditions are set in concrete by the particular Royal Warrant, therefore, the medals cannot be awarded outside of this criteria. However, the AASM 1945-75 with Clasp 'Malaysia' will be awarded for service up to 11 Aug 66, after which the ASM 1945-75 with Clasp 'SE Asia' will be awarded.

Note: Similarly, service in Singapore during the Malayan Emergency will count as qualifying service towards the NGSM (and the AASM 1945-75) for RAN service on the basis that it forms part of the AO taking in the 12 NM limit, and for Army and RAAF service as allowed vide British Command Paper 7907 of March 1950. However, this will only occur for service until 31 Jan 59 after which Singapore is no longer a qualifying area for the Emergency. The NGSM/GSM cannot be awarded for service after this date as the Command Paper was amended by an Amendment Supplement in 1959 ceasing this Service after this date. However, the AASM with Clasp 'Malaya' will still be awarded for service up to and including 31 Jul 60, with the ASM 1945-75 with Clasp 'SE Asia' being awarded for service following that date.

> LAOS – VIENTIANE - It is recommended that the ASM 1945-75 with Clasp 'Special Operations' be granted for this service (this section also covers Special Ops generally for this update).

The Clasp 'Special Ops' is awarded under very strict conditions. Many people believe that because they may have been involved in covert or similar activities, they are automatically entitled to a Special Ops Clasp. However, such activities on their own do not constitute special operations. By way of background, the Clasp was established following a recommendation of the 1993/94 Committee of inquiry into Defence and Defence Related Awards.

The Clasp was established on the basis that certain activities are conducted outside of a formal declaration of a warlike or non-warlike operation by the Minister for Defence. Due to the special nature of these activities, and the hazards and difficulties associated with them, an award was considered appropriate. Under Instruments of the ASM 1945-75/ASM regulations, the Chief of the Defence Force has the sole responsibility of specifying which activities will be awarded the Clasp 'Special Ops', and will only do so on recommendation of an appropriate Chief of Service.

For non-warlike operations that have been declared by the Minister, normal procedures apply in the establishment of an appropriate Clasp to the ASM for that operation. The Clasp was not established to be a 'default' award to those personnel who do not qualify under the normal qualifying conditions that relate to a declared operation. The Clasp also is not awarded where service has counted towards another medal, eg. service towards the ASM Clasp 'FESR' will not, at the same time, qualify towards the Clasp 'Special Ops'.

Service in Laos will count towards the award of the ASM 1945-75 'SE Asia' instead.

A note in general concerning the Clasp 'Special Ops' is that a person who qualifies for the ASM 1945-75 with Clasp 'Special Ops' will not get a later award of the ASM same Clasp and similarly, a person who has qualified for the ASM with Clasp 'Special Ops' will not qualify for a retrospective award of the ASM 1945-75 with same Clasp. This follows the same principle as that stated below for the ASM 1945-75/ASM with Clasp 'SE Asia'.

Other general matters are:

> Awards of the AASM 1945-75 with Imperial medals as Government policy.

We have had phone calls from people claiming that if they are awarded the AASM 1945-75, they should then be automatically eligible for an Imperial medal ie, NGSM or GSM. These claims are made on the basis of the announcement made on 11 July 1997 by the former Minister for Defence Industry, Science and Personnel that the Government determined a new AASM 1945-1975 would be established to recognise those who received, or have an entitlement to, an Imperial General Service Medal for service in the Korean War 1950-53, the Malayan Emergency 1948-1960, the Indonesian Confrontation 1962-66 and the Vietnam War. Eligibility would also be extended to those who have received Vietnam Medal and some recipients of the Vietnam Logistic and Support Medal.

This policy has not changed in that it will still be awarded to holders of those Imperial awards. However, it goes one way and not the other, ie. if you have the Imperial award, you have automatic entitlement to the AASM 1945-75, you do not get an Imperial award if you are issued the AASM 1945-75. I highlight the advice in my October 2000 update:

AASM 1945-75. The qualifying criteria for all operations involving the AASM 1945-75 (and the current AASM) will be standardized in line with modern criteria given to warlike medals. This is basically 'one day or more on the posted strength of a unit allotted (or assigned) to and serving in an operational area, one operational sortie into the area, 30 non-operational sorties or 30 days for visitors'. This applies to all warlike operations including Malayan Emergency, Indonesian Confrontation and service on the Malay-Thai Border. The qualification by time is the only change here, all other criteria will still be linked to the Imperial awards, eg. eligible personnel (except where the Mohr report has made specific recommendations which have been accepted).

In effect, the Government has expanded its policy on the award of the AASM 1945-75, but it cannot in relation to Imperial awards. As highlighted earlier, conditions of eligibility for Imperial awards are sacrosanct.

> ASM 1945-75/ASM with Clasp 'SE Asia' Generally.

The ASM 1945-75 was originally to be awarded for land based service in certain areas of SE Asia during the period 1955-71 outside of the Malayan Emergency 1955-60, Thai-Malay Border operations 1960-66, Indonesian Confrontation 1962-66 and South Vietnam 1962-73. As the recent Media Release by Minister Scott states, this has now been extended to 1975 for service in Singapore and 1989 for service in Butterworth Malaysia. As can be seen, this now passes through the 13/14 Feb 75 where the ASM 1945-75 cuts off and the ASM commences. (see web site <http://www.minister.defence.gov.au/2000/index.html> and look in the May section for media release). Details of the findings of the review for this service is attached at annex A to this update.

The effect of this is that a person who has been awarded the ASM 1945-75 with Clasp 'SE Asia' for service up to Feb 75 will not be awarded the ASM with Clasp 'SE Asia' for service at a later date. The Clasp recognises service in those particular areas of SE Asia as an operation for the period 1955-89, therefore the award of two medals would be tantamount to awarding two of the same clasp to one medal.

Similarly, a person who has been awarded the ASM 1945-75 with Clasp 'FESR' will not receive an award of the ASM 1945-75 or ASM with Clasp 'SE Asia'. Although different to the 'SE Asia' Clasp, the 'FESR' clasp still recognises service in SE Asia for the same operation, so another award of a different Clasp for the same service is not justified. The Clasp 'SE Asia' will be awarded for the Australian, New Zealand and United Kingdom (ANZUK) Force service from 31 Oct 71 to 31 Apr 75, and although this will also include RAN service, the principle still applies that if already awarded the Clasp 'FESR', a Clasp 'SE Asia' will not be awarded.

The principles espoused above have met with agreement from many serving and former Service personnel I have spoken to so far. I would expect, therefore, that there will be very few who will object to this policy in the long run.

There have been many queries concerning exactly what service will be recognised for the ASM 1945-75/ASM with Clasp 'SE Asia'. As approved by the Governor-General under their respective regulations, this will be service with elements of the South East Asia Treaty Organisation; the Australia, New Zealand and the United States (Pacific Security) Treaty; Far East Strategic Reserve; the United Nations; ANZUK; Five Power Defence Arrangement (which includes the Rifle Company Butterworth); and Australian Army Survey Operations in the following areas and periods:

a. service in Malaysia, except that on the Thailand-Malaysia border as shown below, during the following periods:

- (i) 1 August 1960 and ended on 16 August 1964;
- (ii) 12 August 1966 and ended on 31 December 1989;

(warlike land operations on the Thailand-Malaysia border between 1 August 1960 and 16 August 1964, and

warlike air operations on the border between 17 August 1964 and 30 March 1966, do not qualify);

b. Service on land in Singapore during the following periods:

- (i) 1 August 1960 and ended on 16 August 1964;
- (ii) 12 August 1966 and ended on 30 April 1975;

c. Service on land in Thailand during the following periods:

- (i) 2 July 1955 and ended on 30 April 1962;
- (ii) 1 September 1968 and ended on 30 October 1971;

d. Service on land in Vietnam 2 July 1955 and ended on 30 July 62.

e. Service on land in Indonesia, Laos and Cambodia 2 July 1955 and ended on 14 March 1975.

f. Participation by ships of Royal Australian Navy in ANZUK forces that commenced 31 October 1971 ended 30 April 1975.

The medal may be awarded for 30 days aggregate service as a posted member of a unit serving in under one or any of the conditions above, or as an official visitor or on temporary duty. The medal may also be awarded for 30 operational sorties into or over one of the areas above during the relevant period, but is counted only where those sorties were conducted over a period of not less than an aggregate of 30 days at a rate of one sortie per day (ie, more than one sortie a day will not count).

> Delays in receiving awards

Unfortunately, due to the masses of correspondence received concerning the South East Asia Review, it may still be a number of months before some receive any awards to which they may be entitled. This relates particularly to those who applied later last year up until now.

However, every effort is being made to ensure that eligible recipients receive their awards as quickly as possible. The findings of the SEA Review were published in March 2000 and the Government accepted 43 out of the 47 recommendations in its May 2000 Budget announcement. The Department of Defence carried out the implementation process for new medals entitlement arising from the Review and the Governor-General approved the relevant Instruments for the awards on 23 March 2001. Several thousand applications were received during the intervening period, however, the department was not able to process any of these applications until the Governor-General's approval was gained.

While it is appreciated that individuals are keen to receive their medals entitlements, it must be borne in mind that other applicants are equally anxious to receive their due. This includes outstanding claims of veterans from World War II, and the Korean and Vietnam Wars.

Any delays are regretted and patience in this matter is requested.

Application forms may be downloaded from the Internet from web site at http://www.defence.gov.au/dpe/dpe_site/resources/index.htm and mailed to the appropriate address on the form.

> Medals and VEA entitlements

It is worthy of note that Government's policy which states:

"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 this Government".

This was also reaffirmed by MAJGEN Mohr in his report where he states, "It is recommended 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". The above policy meets with this recommendation.

The effect of this policy is obvious, if you are able to get yourself a medal, do not expect that you will automatically get a disability pension or service pension under the VEA 1986.

> National Service - Anniversary of National Service 1951 – 1972 Medal

As most would be now aware, the Prime Minister issued a Media Release on 26 April concerning the creation of a commemorative medal to mark the 50th anniversary of the introduction of national service in 1951, with The Minister Assisting the Minister for Defence issuing another Media Release shortly after. Copies of these can be found on the web at http://www.pm.gov.au/news/media_releases/2001/media_release962.htm and <http://www.minister.defence.gov.au/2000/index.html> (look in the Apr section on this one). As there is a lot of interest in this, I thought it prudent to put in some information.

The commemorative Anniversary of National Service 1951 – 1972 Medal is a way of publicly acknowledging those who served in the two national service schemes from 1951 to 1972.

As per the Prime Minister's Media Release, applications will not be accepted until the medal has been formally created, which is expected to occur in the second half of this year. Eligibility for the medal will be dependent upon individuals having completed their national service obligation under the National Service Act as it related to them at the time. As there were many different ways in which a person may have met their eligibility, details will need to be determined with the establishment of the medal's Regulations. These will be formally announced when completed and at which point applications will be sought. A special application form will also be developed for this purpose and posted on the Defence web.

Please note that applications will not be accepted until sought. Any application received before then cannot be processed.

Due to production rates, only initial stocks of medals will be available before Anzac Day 2002. The medal will be worn after long service awards within the Australian Order of Wearing. Further information will be available in due course.

> And finally...

I hope this update explains and clarifies any issues that may be on people's minds concerning the SEA Review. Also, the information contained herein is not an authority for awards and should not be quoted as such.

Pat Clarke
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ANNEX ATO
SEA REVIEW UPDATE OF MAY 2001

FINDINGS OF FOLLOW-ON REVIEW TO THE REVIEW OF SERVICE ANOMALIES IN RESPECT OF SOUTH-EAST ASIAN SERVICE 1955-75

The following is the basis on which the Minister Assisting the Minister for Defence approved an extension of the award of the ASM 1945-75/ASM with Clasp 'SE Asia' for service in Singapore until 31 April 1975 and Malaysia until 31 December 1989.

Background

In 1955 Commonwealth forces were stationed in Malaya as part of the British Commonwealth Far East Strategic Reserve (FESR) to deter communist Chinese aggression and fight the continued armed Malaysian communist terrorism. At the time, Australia considered South-East Asia the area of greatest strategic importance to its own defence, let alone the defence of South-East Asia. The strategic thinking behind the FESR was that a military response to a crisis on the Malay Peninsula would be swifter if air power was already in position.

In April 1971 a 'Five Power' ministerial meeting attended by representatives of Australia, Malaysia, Singapore, New Zealand and the United Kingdom selected 1 November 71 as the date on which new defence arrangements would come into effect. Accordingly, FESR would cease on 30 October 1971. Australia's Chiefs of Staff had previously agreed that a continuing strong presence in the region was highly desirable, and the most effective and convenient form of that presence would be the two RAAF fighter squadrons already at Butterworth.

Given the timetable for the British withdrawal, the nucleus of a new air defence system had to be in place by mid-1971. The two RAAF fighter squadrons at Butterworth assumed the leading role in the new integrated air defence system giving Malaysia and Singapore an opportunity to build up their own defence forces. In 1974 Long-Range Maritime Patrol Aircraft commenced a program of continuous rotational deployment through Butterworth for regional surveillance. The surveillance of the region provided a valuable contribution to the stability of the Malaysian borders.

The Australian, New Zealand and United Kingdom (ANZUK) Force was created on 1 November 1971 with troops from Australia, the UK and NZ stationed as a deterrent to armed attack, or the threat of such attack. The ANZUK Force was created from its existing resources and was not an integral part of the Five Power Arrangements. The ANZUK Force was disbanded on 1 January 75 with the last elements of Australian military personnel withdrawn in April 75.

The Rifle Company Butterworth was established in 1970 as a quick-reaction force to provide protection for Australian assets within the perimeter of the Royal Malaysian Air Force Base Butterworth, due to the continued threat of armed Communist terrorism within its borders. It was initially provided from the ANZUK Australian Force and was formally under operational command of the Commander ANZUK Forces. Besides securing protection for the two jet squadrons within the perimeter of the Air Base, the role of the RCB was to provide a quick-reaction force to meet the communist terrorist threat, and be responsible for internal security within Air Base Butterworth. The RCB was not to be involved in local civil disturbances or to be employed in operations outside the gazetted area of the Air Base. Rules of Engagement (ROE) for the RCB were specific on 'Orders to Open Fire' if threatened and security was breached, but were applied within Air Base Butterworth only, regardless of curfew, periods of increased security, air defence exercises or time of day or night. Although it may have involved patrolling, its ROE was defensive only, not unlike those during UN peacekeeping operations.

There are recorded incidents of ambushes on Malaysian troops, bombings and daily skirmishes with local military and police forces by the terrorists. Accordingly, due to these terrorist activities, the northern regions of the Malay Peninsula were 'no go' areas for Australian Defence Force personnel.

In February 1988, the then Minister for Defence announced a reduction of the RAAF presence at Butterworth in consultation with the Malaysian and Singaporean governments. In December 1989, Chin Peng, the leader of the Malaysian Communist Party signed a peace accord with the Malaysian Government. These events resulted in the RAAF presence being dramatically reduced and the quick reaction role of the RCB abolished. Since 1989, Butterworth has provided a good overseas training ground for Army personnel, albeit still under the name of RCB. Although there is still a Five Power Agreement, this is now primarily a Defence cooperation agreement rather than a regional security treaty, ie. the RAAF and the RCB devote more time to training activities with the Malaysian and Singaporean Armies.

Findings

In view of the conditions that existed in Singapore and Malaysia after the Indonesian Confrontation on 11 August 1966, and until the end of FESR on 30 October 1971, duties in Butterworth are equally deserving of an award due to the terrorist threat which existed and the purpose of regional security under the ANZUK and FPDA.