

Lessons from the Kovko debacle

There were several simple reasons underlying the distressing and embarrassing loss of Private Jake Kovko's body during his return to Australia from service in Baghdad. The main one, of course, was the highly fortunate fact that the system for repatriating our dead from overseas deployments has been so seldom used. A more practised procedure might have been more efficient in this instance but few, if any, would have wished for such a situation overall. The particular circumstances of the debacle with Private Kovko's repatriation are unlikely to occur again. Although they had major and distressing results, the causes themselves were the type of minor bureaucratic or procedural glitch that, once isolated from each other, should be readily preventable in future.

It is also worth noting that the mix-up of the two caskets in Kuwait occurred before the wrong one was loaded as air freight bound for Australia. The use of civil airliners to repatriate bodies is reasonably commonplace in civil life, and most Australians who die when overseas would return home in the same manner. Calls for our military dead to be always brought home in RAAF aircraft are triumphs of emotion over commonsense, particularly given the distances involved in some cases. While our dead from East Timor and Nias were only one point-to-point C-130 flight away, the same is not true for operational theatres such as the Middle East. It would be pointless to fly a largely empty C-130 three days each way, with three crews, to bring a comrade home when much faster jets fly through the Middle East bound for Australia every few hours. It is, after all, the dignity of the farewell from the operational theatre, and the dignity of the reception in Australia, that count most in helping honour the personal and family sacrifice involved.

One other encouraging aspect of this distressing saga was that we live in a country where the grieving and justifiably angry widow of a soldier can address her fury directly to the most senior members of the government and they will cop it. Shelley Kovko has behaved with great dignity in this matter and in the end, so have those Ministers and senior ADF officers who copped her understandably anguished and furious complaints on the chin. ♦

A dearth of dignity

Dignity and compassion are not words that would naturally spring to mind when studying much of the media's response to the Kovko debacle. There was far too much pointless, and often offensive, media speculation about the circumstances of Private Kovko's death. As the ADA noted on many occasions when asked, unless you knew all the many and potentially contradictory or contributory variables involved such speculation was fruitless. The volume and

scope of the speculation was also an unnecessary extra burden for his grieving family to bear.

There is also a serious and perhaps increasing problem with the media seeking to intrude in the privacy of a family's grief, especially in the immediate aftermath of a death when that privacy is generally most craved. This is, of course, not a problem confined to military casualties but one now commonplace in accidental or sudden deaths generally. There are no easy answers here but certainly some restraint by the media would not hurt. ♦

Collateral damage

Media reporting of the Kovko matter also caused needless distress to other bereaved families of ADF casualties. Television news programs for the first few days kept repeating file footage of the return to Australia of the casket carrying Sergeant Andrew Russell who was killed in Afghanistan serving with the SASR in mid February 2002. The use of this file footage caused needless distress to Sergeant Russell's widow, Kylie, their young daughter Leslie, now four and old enough to recognise her mother on television, and their family and friends. Hopefully this type of careless and insensitive act will not be repeated each time the ADF suffers a fatal casualty.

Constant and ill-researched media statements that Private Kovko was our first fatal casualty of the Iraq War also caused insult and distress to the family and friends of Warrant Officer David Nary of the SASR, who was killed accidentally in early November 2005 during an operational rehearsal in Kuwait whilst preparing for operations in Iraq. That Warrant Officer Nary died in Kuwait next door to Iraq is a meaningless distinction to anyone with a modicum of understanding of military operations and operational decorum. Both locations were in Australia's designated Middle East Area of Operations (MEAO) and both deaths occurred during operational activities in the same war. These facts were readily obtainable by any professional journalist or media researcher. Again we can but hope that the media will learn from their mistakes in this instance and operate with more professionalism and sensitivity in future.

Some poor media reporting, of course, is due to misleading media statements released by the Department of Defence. There is no excuse for Defence public affairs staffs sloppily using the term *injured* to describe *wounded* personnel. That this continues to occur regularly is a professional disgrace. ♦

Bringing them all back home

Many Australians would probably be surprised to learn that prior to 21 January 1966 the bodies of defence force personnel who died overseas were not returned to Australia

at public expense. Prior to the early days of the Vietnam War, personnel who died on overseas service were not returned at all but buried, with full honours, in the nearest Commonwealth War Cemetery. Bureaucracy being what it was, some diggers killed during the Malayan Emergency were not even buried in Commonwealth War Cemeteries because officialdom decreed that the operations in Malaya were part of an 'Emergency' and not a 'proper war'. In reality the term 'emergency' was introduced by the British only to stop further damage to the Malayan economy by the invalidation of business insurance policies during the campaign.

Early in the Vietnam War the policy of repatriating the dead for family burial in Australia was changed to the extent that families could opt to do so if they footed the bill. In June 1965 when 1RAR lost its first two members killed the families were asked to pay the then not inconsiderable sum of £300 to cover the costs, and a generous and patriotic businessman stepped in to help them out. The policy was only changed after further public outrage with three cases where the Australian, and American, mates of Australians killed in Vietnam while serving with the Australian Army Training Team took up a collection to pay for their repatriations (one of the dead being Kevin 'Dasher' Wheatley, VC). ♦

When is a war a war

Given recent controversy concerning the classification of current operations in East Timor it is worth recalling that prior to the Australian Army first deploying on counter-insurgency operations in the Malayan jungle in 1955, Prime-Minister Menzies apparently pondered aloud in Cabinet whether this should be classified as 'active service'. He was quickly rolled by his Cabinet colleagues, who were mostly returned servicemen from at least World War II, and deferred to their judgement that operations against armed communist guerillas in the Malayan jungle were undoubtedly active enough to earn the designation.

This said, the recent debate about the level and types of allowances to be paid our forces serving in East Timor was largely an artificial controversy sustained mainly by media beat-ups and the opportunity for some party-political skirmishing. The diggers in East Timor overwhelmingly understand that their operational tasks, and the associated dangers, are generally much less onerous than those faced by their compatriots in Iraq and Afghanistan.

One aspect largely overlooked was the different allowances that will be paid to diggers and federal police officers working together. As with joint military-police operations in the Solomon Islands, such differences in allowances, and more importantly with compensation arrangements in case of injuries or death, are increasingly hard to justify. The types of operation that the ADF and AFP are increasingly deploying on together, often with quite similar tasking and hazards, are increasing. In some cases, the police have faced greater dangers than the military.

The recent highly publicised comparison of ministerial away-from-home allowances with those being paid to our diggers in East Timor attracted much publicity. Given

the whole-of-government efforts now required to rebuild failed states in our region, some whole-of-government rationalisation of allowance and compensation entitlements should be pursued. ♦

Stretched but not yet strained

With the current deployment of forces to East Timor the Australian Defence Force (ADF) is working at its highest operational tempo, and across the broadest range of tasking and the greatest diversity of operational theatres, since at least the mid to late 1960s (when, incidentally, selective conscription was introduced to meet recruiting shortfalls). The ADF is busier than ever but is only two thirds the size it was in the mid 1960s. It is well under half the size in certain key capabilities such as infantry and light armoured forces. Furthermore, these are exactly the types of military capability – as are amphibious ships, transport aircraft and deployable logistics and medical support generally – that are most needed to mount and support deployments within our immediate region.

This is why both sides of politics now agree that the Army needs at least 1500 more troops – on top of its current shortfall of roughly the same number. Our first strategic problem is that we need these extra troops now but do not have them. The second and longer-term problem is that we are not currently able to recruit sufficient people to fill the gaps and are having increasing difficulty in retaining the ones we have.

This is unlikely to change much while the labour market is tight, there are (in demographic terms) far fewer 18-25 year olds to recruit in the first place, and ADF salaries (for other than the most junior ranks) continue to lag so far behind community norms. Furthermore, defence forces are not just people. They must also be equipped and the people must be part of a system that maximises their intellectual and professional skills.

In terms of operational professionalism the ADF has few problems. Its training standards are high and the respect in which it is held internationally has both deterrent and practical effects on potential and actual adversaries. The force is properly pitched professionally for conventional warfighting, and its record in this regard is good, which means it also adept at peacekeeping and similar low intensity operations. The reverse is rarely true. Defence forces can easily scale down for peacekeeping but it is much more difficult to scale up for warfighting if configured only or mainly for peacekeeping. Armies deter potential troublemakers. Paramilitary gendarmeries do not.

Some of the equipment held by our defence force is modern but much of this is only held in relatively small numbers. Where equipment is held in greater numbers it is usually out of date – even to the extent of being dangerous to use in modern battle. As the ADA has noted for many years, the main overall cause of this situation was the declining or at best static defence spending over the 1972-2000 period.

Even though there have been three per cent per annum real increases in the defence budget over recent years they have not been sufficient to fully cancel out the decades of sustained under-investment and neglect. These personnel

and equipment shortfalls are why the defence force is being stretched quite tight at present by the high number of crises requiring defence force assistance for their resolution.

The ADF is stretched because we maintain too many capabilities in ones and twos instead of threes. Based on painful experience from numerous wars the principle of the rule-of-three is fundamental to sound military capability development and contingency planning. Without such a structure the defence force simply lacks the strategic flexibility and capacity to sustain large, arduous or complex deployments for more than 6-12 months at a time.

To maintain a unit in East Timor (or elsewhere) for longer than a few months we need three such units supporting the deployment: one deployed, one getting ready to replace it and the third rebuilding and retraining after returning from deployment. An important part of this latter aspect is giving people sufficient time off with their families eventually, and opportunities for promotion training and career development, so the force's personnel retention problems do not become even worse.

We generally get away with maintaining capabilities in low numbers when it is a defence capability that covers catastrophic but rare threats, such as our sole tank regiment or our two bomber squadrons. But when it involves capabilities we use much more often (infantry, light armoured units, transport aircraft, amphibious ships) we face great difficulty in having sufficient forces. This is the main reason why our recent commitments to Iraq and Afghanistan, especially with ground forces, have been so relatively small at around half a battalion each.

We have also largely coped because recent crises have occurred consecutively and generally required different parts of our defence force. For example, the ADF's main support to the police-led operation in Solomon Islands has been by logistic and transport units, while the support on the ground in Aceh after the Tsunami mainly involved medical and engineer units. Our problem now is that several crises are happening together and require use of the same type of force (chiefly infantry and light armour). ♦

Lessons from last time

The key strategic lessons of the 1999 East Timor deployment remain relevant but are too readily forgotten. We forget that we muddled through in East Timor last time and were quite lucky to avoid strategic humiliation (or even defeat) for four principal reasons.

- First, the professionalism and 'can do' attitude of the ADF carried us through despite many deficiencies in weapons, equipment and logistics.
- Second, East Timor was only a few hundred kilometres from a major ADF mounting base in Darwin. If it had been twice or three times the distance away we would have been in much more serious trouble.
- Third, the Indonesian military were convinced not to fight, thus saving us many operational complications and logistical and medical evacuation woes (and the risk of hostilities starting by accident or by deliberate actions by

rogue Indonesian military elements remained high early on in the deployment).

- Finally, the rest of the world came and saved us because we did not have sufficient forces to rotate the units deployed when their six or twelve-month tour of duty needed to end.

In our immediate region at present we are facing a number of crises requiring deployment of the defence force to assist in resolving them by actual or deterrent use of force. The ADF's high and varied operational tempo underlines the need for a bigger and more strategically mobile ADF. This includes a bigger Army because boots-on-the-ground assistance can never be entirely replaced by technology or wishful thinking in such situations. This is especially so when we do not have that many boots and even less feet to put in them. ♦

Round two

Australian forces have returned to East Timor on a delicate task. They must stop the major East Timorese factions from renewing armed hostilities, and also carry out a bevy of law enforcement assistance, capacity-building and general humanitarian tasks. All this must be achieved without losing the confidence of the East Timorese populace, or being seen to take sides in that country's notoriously fractious domestic politics and ethnic tensions.

They must also cope with a variety of naysayers and armchair critics in Australia. When hooligan behaviour by street gangs attracted widespread publicity in the Australian media, the cry went up that the ADF was not doing enough to stop it. What most critics failed to realise is that serious though such behaviour is, street crime overall is very much a third-order problem for the ADF.

Their primary task must remain the separation of the different factions in the East Timorese Army and Police so actual civil war does not break out. The emphasis on cantonment, trust-building and eventual disarmament is the correct strategy. But it takes time, effort and troops.

Australia, and its New Zealand, Malaysian and Portuguese partners, cannot impose a solution in East Timor. We can only hold the ring and provide sufficient breathing space to allow East Timor's leaders to step back from the brink and grope towards a long-term constitutional and political solution to the pickle they have put their country in.

The arrival of a company of Portuguese paramilitary riot police may actually help a great deal on the urban law and order front. These are men used to dealing with riotous behaviour, and if they eventually arouse a degree of resentment it will probably not be directed at the ADF in the first instance.

The assistance of the Malaysians and the Kiwis has been invaluable in spreading the load and greatly softening the overall force's 'Western' image. The high proportion of non-pakeha Kiwi diggers is once again proving of considerable benefit in the day-to-day cross-cultural interactions that are needed to maintain public confidence in the intervention force's neutrality.

But criticism from some quarters in Australia of the ADF's commanders on the ground in East Timor has often failed to adequately appreciate the complex and nuanced

politico-military situation they are operating in. This is surely one situation where we need to let our commanders command. ♦

Lies, damned lies and comparative costings

Congressional Research Service (CRS), Government Accounting Office (GAO), commercial and think-tank reports in the US continue to indicate serious financial and technical risks with the F-35 Joint Strike Fighter program. Even the Pentagon's JSF Program Office concedes an array of substantial challenges.

Various estimates of the Average Unit Procurement Cost (AUPC) from reputable US sources continue to indicate figures substantially above what the Department of Defence and the RAAF continue to maintain that Australia's JSFs will cost (\$US45-50m). The most recent AUPC being banded about in the US (based on December 2005 figures) is \$US94.8 million per aircraft system.

The current parliamentary joint committee inquiry into Australia's future air defence needs is at least generating some genuine debate about the various options. This is welcome because the low level of public debate thus far has been caused, in part, by the reluctance of senior Defence officials and air force officers to debate their critics.

As the costs of the developmental F-35 continue to rise in the real world, and close on the more stable costs of the already in-squadron-service F-22 Raptor (around \$US125m), the option of meeting our future air combat needs with a traditional mix of the two complementary platforms looks increasingly attractive.

The senior leadership of the RAAF remain adamantly opposed to a two-aircraft option of any type arguing that a one-platform fleet offers considerable through-life savings in maintenance and training. This is no doubt quite true, to a point, but maintaining separate fighter and strike fleets since the RAAF was founded in 1921 does not appear to have been an intolerable burden thus far.

There are four major arguments commonly mounted against buying the F-22. First is the claim that the US will probably not sell them to us. Second, that the F-22 is too expensive. Third, even if we could afford them and the US would sell us some, we could not buy enough to constitute an effective capability in terms of numbers of aircraft, given our continental-sized responsibilities. Finally, it is said that the F-35 will be technologically far in advance of the F-22 by the time it enters squadron service.

None of these arguments is convincing enough in itself that further debate on the option of buying less JSFs and at least some Raptors instead is not worth having. If the costs of the two aircraft continue to converge at the rate predicted one key argument will fall by the wayside fairly quickly, especially if there is another substantial hiccup in the JSF program.

Whether the US might really agree to sell the F-22 to Australia (and other trusted allies) remains unknown, largely because of the pessimistic and self-defeating argument that it is not worth asking the question. The time to seriously ask may

be fast approaching and at least we would then know one way or the other. The answer is increasingly likely to be yes

The remaining two objections have been largely ignored to date and are perhaps the hardest to debate in insecure open forums. That does not mean, however, that such debates are not worth having. More strength to the Defence Sub-Committee of the Joint Standing committee on Foreign Affairs, Defence and Trade in its all-party deliberations in the national interest. ♦

Bi-partisan acknowledgement

The Australia Defence Association has always strived to undertake its public interest guardian activities in an independent and non-partisan manner. Predictably, at various times, some members from both sides of politics have accused the ADA of favouring the other side. On the whole, however, the Association's hard-earned politically-neutral stance is well accepted by those parliamentarians and others with a good knowledge of defence and wider national security matters.

Recently, *Hansard* recorded another example when the editorial on the AWB scandal in the Autumn 2006 *Defender* attracted the following exchange during House of Representatives Question Time on Monday 27 March 2006:

Mr McClelland (3.01pm)—My question is to the Prime Minister. Has the Prime Minister seen comments by respected defence analyst Neil James, who wrote in the latest edition of *Defender*, the journal of the Australia Defence Association:

'The deeper moral question is what kind of person would have no apparent ethical qualms, or commonsense reservations, about contravening the very UN sanctions that fellow Australians were enforcing under difficult, and at times even dangerous, conditions...'

'... Never again must any Australian Government risk the well-being and safety of the men and women of the defence force in such a manner'

I ask the Prime Minister: why has the government failed its legal and moral responsibility to ensure that the dangerous work of our armed forces in enforcing UN sanctions against Iraq was not undermined?

Mr Howard—Mr Speaker, may I say through you, in response to the member for Barton, that I have read those remarks made by Mr James. Mr James is a person I respect a lot. He is a person whose public comments, I think it can fairly be said, do not reflect a bias one way or the other as far as Australian politics are concerned. I think his proposition of lack of moral fibre in relation to people who deliberately set out to breach the sanctions imposed by the United Nations, or connived in that, is perfectly correct, and I support it. I do not agree for a moment that the government has been guilty of that conduct—absolutely not.

Editorials in *Defender* naturally reflect the considered view of the Association, and are a collective effort by the journal's editorial board with additional input from, and the approval of, the ADA Board of Directors. Wider Association input to informed public debate is similarly measured. Although the remarks by the Opposition Spokesman on Defence and the Prime-Minister only mentioned our official spokesman, they are undoubtedly another acknowledgment that the ADA's actively non-partisan stance continues to be respected by both sides of politics. ♦