



COMMONWEALTH OF AUSTRALIA

JOINT STANDING COMMITTEE ON TREATIES

Reference: Protocols II and IV to the Inhumane Weapons Convention

CANBERRA

Tuesday, 3 December 1996

OFFICIAL HANSARD REPORT

CANBERRA

JOINT STANDING COMMITTEE ON TREATIES

Members:

Mr Taylor (Chair)

Senator Abetz	Mr Adams
Senator Bourne	Mr Bartlett
Senator Cooney	Mr Laurie Ferguson
Senator Ellison	Mr Hardgrave
Senator Murphy	Mr McClelland
Senator Neal	Mr Tony Smith
Senator O'Chee	Mr Truss
	Mr Tuckey

For inquiry into and report on:

Protocols II and IV to the Inhumane Weapons Convention.

WITNESSES

**MALEY, Dr William Lee, 18 Geerilong Gardens, Reid, Australian Capital
Territory 2612 74**

JOINT STANDING COMMITTEE ON TREATIES

Protocols II and IV to the Inhumane Weapons Convention

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Present

Mr Taylor (Chair)

Senator Abetz

Mr Adams

Mr Bartlett

Mr Laurie Ferguson

Mr Hardgrave

Mr McClelland

Mr Tony Smith

The committee met at 8.14 a.m.

Mr Taylor took the chair.

MALEY, Dr William Lee, 18 Geerilong Gardens, Reid, Australian Capital Territory 2612

CHAIR—Welcome to the Joint Standing Committee on Treaties and this hearing in relation to the Protocol II inquiry. In what capacity are you appearing?

Dr Maley—I am senior lecturer in politics at the Australian Defence Force Academy, but today I am appearing in a private capacity.

CHAIR—Thank you very much. Would you like to make a brief opening statement in relation to Protocol II?

Dr Maley—Certainly. In general, amended Protocol II is a step forward, but it is only a step forward. There are a number of other problems in the management of landmines internationally which still need to be addressed and which amended Protocol II does not really touch. I think therefore it should be accepted, and this committee should so recommend, but without any complacency.

There are a couple of problems which I think are particularly important. One is the danger of secondary markets. Only about a third of states internationally have adhered to the Injurious Weapons Convention to which this protocol is attached and there is a danger that, therefore, there is not the moral pressure on states which might be inclined to move away from this regime and begin producing dumb mines for dissemination to non-state actors, in Third World conflicts in particular.

It would be the worst of both worlds if rich countries used smart mines and there were then an expanded market in dumb mines for both producers and consumers who could not afford to become involved in the production of smart mines. And I think there is a specific difficulty with article 5, subparagraph 2 of the amended protocol which does permit the use of dumb mines—the non self-destructing self-deactivating mines—in certain circumstances where—

Senator ABETZ—What is the difference between a smart mine and a dumb mine?

Dr Maley—A dumb mine is one which does not have attached to it a self-deactivating or self-destructing mechanism of the type which is specified in the technical annex to the amended protocol. The amended protocol does contain provision for the use of these dumb mines in certain circumstances: where the weapons are placed within a perimeter marked area which is monitored by military personnel and protected by fencing or other means to ensure the effective exclusion of civilians from the area, the marking being of a distinct and durable character and visible to the person about to enter the perimeter marked area.

The difficulty which can arise in a Third World conflict is if one has a regular

armed force which is using dumb mines in this kind of situation which is then overrun by an irregular force. It is not at all difficult to imagine circumstances in Third World countries where this can happen. I am a specialist on Afghanistan and this has been happening in Afghanistan quite recently. What tends to happen is that, when irregulars come in, locals will loot the marking fences of the minefields because their durability makes them an asset for other purposes. It is a frightening thought, but this is a major problem in humanitarian mine clearance in Third World countries—that the markers simply get taken away by locals. There is then very little to protect local civilians returning to the former area of conflict, which was often the location of their homes, from becoming entangled in a minefield which is full of non self-destructing mines.

This is an issue which is going to come up in future considerations of the amended protocol and it will probably be a significant focus of attention for those who are pushing for a complete ban of the type which was foreshadowed in the joint statement of the foreign and defence ministers on 15 April this year. That statement was a very positive development and something which would be welcomed by those who were concerned about the extreme sorts of injuries which these weapons can cause.

I do not know whether the committee has been presented with any photographic material on the kinds of injuries that can result. I will give you a couple of recent photographs from Afghanistan which give you a sense of the way in which nasty injuries can be caused, very often to infant non-combatants. It is this kind of consideration which is fundamentally driving the concern of those who are pushing for a total ban; that whilst it is positive to see negotiations of this sort leading to 'technological fixes', as it were, it is also important to recognise there are millions of these things around at the moment, that they are going to continue causing these kinds of injuries and that, in the long run, it is better to anathematise them entirely. I think that is ultimately the path by which, in the long run, antipersonnel mines will disappear as a weapon; they will come to be seen as an utterly uncivilised weapon of war. A combination of unilateral steps by countries around the world will ultimately put so much moral pressure on those continuing to produce these weapons that it will no longer be in their political interests to do so.

Those are some introductory points. I know a lot about humanitarian mine-clearance operations in Afghanistan, in particular, and I am happy to talk to the committee about some of the complexities involved in them.

CHAIR—The nine-year rule was one of the other issues discussed at some length yesterday with NGOs. You say it is a step forward but you also indicate a strong caveat on that, or that is implicit in what you say. What about the nine-year rule? In terms of the ratification process, do you think that Australia can do something in relation to that, or do something else, to belt-and-braces the whole thing?

Dr Maley—I suspect that there is not much that can be done, in the context of this particular amended protocol, because the nine-year rule was the minimum which the other

states parties were prepared to accept. On the other hand, I think it is appropriate that when continuing negotiations—springing from the amended Protocol II—are undertaken with other states, we should continue to put pressure on individual member states to adopt a shorter timetable than the nine-year rule permits. There is no particular reason why we cannot raise that in bilateral or multilateral forums with those countries exploiting the protection of the nine-year rule. I think that would be a quite appropriate way in which to proceed.

CHAIR—Sure. I will raise another aspect before I invite my colleagues to ask you a few questions. As you are a private individual, I hope you will be able to give a candid answer to this question, not constrained by departmental considerations. Yesterday we asked a number of the NGOs to say something about some of the states which may fly in the face of this protocol. They did name some. I wonder if you might offer some comments about the goodies and the baddies, if I may put it in those terms?

Dr Maley—Well, one of the worst is Pakistan. It is a good example of the kind of difficulties which can arise if one gets a dual market created by a convention of this sort. Pakistan is a poor country and it is unlikely to be in a position to go the high-tech route in terms of mine production. However, low-tech mine production is terribly easy in a country such as Pakistan. For that reason, I think that there is a danger that it might be a country in which one would get either overt or covert production of dumb landmines on a large scale.

CHAIR—That is what you are seeing in Afghanistan in particular?

Dr Maley—No, actually most of those in Afghanistan were produced in the former Soviet Union. It is something of a myth that a significant number of mines from other producers are to be found in that particular country.

I would add that it is difficult to know the precise proportions of mines. Mine survey organisations are concerned to identify and count the number of minefields, rather than individual mines, because it is the existence of a minefield which denies the locals the opportunity to use land for economic purposes or to travel. It does not matter whether there is one mine or 500 or 2,000 in the field; it still has to be cleared. So the surveying process is not an auditing one; it is simply a process to identify an area which has to be cleared.

Retrospectively, one can work out how many mines there were in a minefield and I have brought, for the committee's use, a copy of the latest annual report—for 1995—of the mine clearance program in Afghanistan. It contains a lot of statistical material. This is a spare copy, fortunately, which gives one a sense of exactly how many square metres have been cleared, exactly what types of devices have been found, and all those sorts of—

CHAIR—Would somebody like to move that we table that report as an exhibit?

Resolved (on motion by Mr Hardgrave):

That the document be tabled and accepted as an exhibit.

CHAIR—Thank you. Dr Maley, what other states are you prepared to make some comments about?

Dr Maley—A number of states, which were previously very significant producers, have actually been somewhat affected by the climate of moral disapproval created during the last two years. Italy was a major producer but it has taken some significant steps in recent years to limit the extent to which it is contributing to the problem. However, there are quite a number of states—

CHAIR—What about the PRC?

Dr Maley—The PRC was heavily involved in the process leading to the adoption of the amended protocol. Whilst it seemed to be particularly recalcitrant during some of the negotiations, I do not think it would be in its interest to depart from the provisions of the amended protocol in the future. It would be criticised if it were to do so.

Mr McCLELLAND—You have mentioned problems with article 5, subparagraph 2. Is there a mechanism whereby that subclause can be deleted, or does it have to wait until a further document is negotiated?

Dr Maley—I would defer to the legal experts in the Department of Foreign Affairs and Trade on this matter, but I would have thought that it would be possible to make a reservation in respect of a particular provision in the amended protocol, as one can in respect of a treaty. Whether that would be politically worthwhile in these circumstances in terms of the push for a uniform set of provisions, which a significant number of states have adopted, is a different question. Once a respected country like Australia starts making reservations in respect of treaties and protocols, then that, in a sense, provides a precedent for countries which have much more malign intents also to exercise the reservation capacity in respect of provisions of international instruments. That could be disadvantageous.

Mr McCLELLAND—Do you think it may be more constructive to focus on the continuing negotiations?

Dr Maley—Yes.

Mr HARDGRAVE—Dr Maley, what are the prospects for success in a complete global ban? How do you make that occur—is it more a case of cutting off supply?

Dr Maley—It depends on the time frame that is one is looking at.

Mr HARDGRAVE—Short term, long term?

Dr Maley—If one adopts a short-term time frame, realistically there is not much prospect of a total ban in, say, five years time. If one looks ahead 20 to 25 years, then I think there is much more prospect of a total ban coming into place, partly because the military utility of antipersonnel mines, in particular, is increasingly being challenged by detailed studies.

It is important here to distinguish antipersonnel mines from antitank mines. An antitank mine laid in a field, according to some modelling which has been done in the United States, can significantly reduce the casualties of a defender. But antipersonnel mines do not seem to have anything like the same effect in doing so, partly because the equipment which can so often lead to casualties on one's own side is armoured.

Antipersonnel mines are not a great deal of use against armoured equipment being deployed against one's forces. I must admit I do not feel nearly as concerned about antitank mines as I do about antipersonnel mines, because the amount of pressure which is necessary to detonate an antitank mine tends to be above the weight of all but the most overweight people one is likely to find in a minefield—and there are not many overweight people in Third World countries.

Mr HARDGRAVE—I must say up front that I would desperately like to see a successful global ban on antipersonnel landmines. The cynical part of me, though—I do not mean this to be in any way, shape or form flippant—says there are some countries with the respectability of a cricket playing nation, like Pakistan, which are in the business of manufacturing these things. You have a number of other nations that are sponsoring very well-known household name companies that are making componentry for this. What is the method to force those nation-states, those companies, to heel on this? Do we look at a ban? Again, I am not being flippant, but do we ban playing cricket with Pakistan? There has to be some method, and I am very doubtful of a success.

Dr Maley—As a golfer, that would cause me no qualm. There is scope for countries to apply moral suasion to certain types of states. We need to recognise that there are some countries—North Korea, for example—which are simply not susceptible in current circumstances to moral pressure, although some of the countries which import from a country like that may be susceptible to moral pressure.

In the case of a country like Pakistan, I wonder whether the problem is not so much that they are immune to such pressure; it is that, up to this point, such pressure simply has not been applied. If states are prepared, in their relations with the producer states, to make a serious issue of the production and dissemination of dumb mines on a grand scale—particularly if that is in breach of the provisions of amended Protocol II—then I think there is some scope for producer states to reconsider their interest. There is some scope for them to consider whether it is really worth their while to prejudice their

relations with other important countries simply for the income from this type of equipment which, in some cases, private or shantytown producers may be getting.

For states which are sufficiently concerned about the problem to have signed up to amended Protocol II and to have become part of the broader campaign to see a global ban on the production and use of these weapons, it is a matter of will. If there is not that commitment, these weapons will go on being produced.

Mr HARDGRAVE—You are saying there has not been sufficient pressure applied to easily identify nation-states sponsoring these—

Dr Maley—Yes, I am quite certain of that. One of the difficulties is that, where one has a multilateral forum—produced by the review conference for the Injurious Weapons Convention—to address problems such as this, there is a temptation for well-intentioned non-producer states to confine their complaints about the activities of other states to that multilateral forum, rather than bringing those issues up in bilateral consultations. Pressure is much more likely to be effective in the bilateral consultations.

Mr HARDGRAVE—So how effective will this amended protocol be, or in what ways will this amended protocol be effective in relation to those nation-states?

Dr Maley—It depends whether the states are themselves signatories to the protocol or not. The major problem with this treaty is that only one-third of states are parties. I think there is also scope for a country such as Australia to raise questions in its bilateral diplomacy with states which are not parties to the treaty and the amended protocol, to see that they do become parties.

Mr BARTLETT—In light of the comment you made earlier that the military utility of mines is increasingly being challenged, how do you respond to arguments that, while Australia should support the ban on production and export of mines, we ought to be able to maintain our current stockpile for training and strategic purposes?

Dr Maley—There is actually a case for keeping part of the stockpile for training purposes, simply because Australia has an excellent record of contributing to humanitarian mine clearance operations in countries which have a significant mine problem. I would want to pay tribute to the ADF in that respect. If one attenuates the skills of the ADF, the ADF is not going to be in the position to make that kind of contribution.

The work that has been done in Cambodia is first-rate. The work that was done in Afghanistan between 1989 and 1993 was first-rate. In earlier testimony before the defence subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I raised a number of doubts about the 1993 decision to withdraw the ADF from the operation in Afghanistan. I think that decision to withdraw was an extremely ill-considered decision.

I can present to the committee a volume, arising from a conference held at the Defence Academy in 1993, in which I have written a chapter setting out some of the reasons why I was dissatisfied with that decision. I would note that the Joint Standing Committee on Foreign Affairs, Defence and Trade, in its final report in 1994 on Australia's participation in peacekeeping, said of that withdrawal decision that the committee believed that Australia's good international citizen image had been somewhat tarnished by the withdrawal.

I think it is important that this skill be maintained within the ADF, so that we can continue not only to obtain the benefits our service people obtained from field experience in mine clearance operations but also confer benefits on people in the countries which have this kind of problem but find it very difficult to address with their local levels of technology and training. Most of the mine clearers in humanitarian mine clearance operations are non-literate peasants.

CHAIR—Would somebody like to move that we accept into evidence the publication *Dealing with mines: strategies for peacekeepers, aid agencies and the international community*, edited by William Maley?

Resolved:

That the document be accepted as evidence.

Mr LAURIE FERGUSON—Earlier you said that there was an exemption that created the problem of a trade by poorer countries. Did you say that dumb mines are permitted around perimeters or something? Could you go through that again?

Dr Maley—The provision was article 5.2 of the amended Protocol II, and it provides:

It is prohibited to use weapons to which this Article applies which are not in compliance with the provisions on self-destruction and self-deactivation in the Technical Annex, unless:

- (a) such weapons are placed within a perimeter-marked area which is monitored by military personnel and protected by fencing or other means, to ensure the effective exclusion of civilians from the area. The marking must be of a distinct and durable character and must be at least visible to a person who is about to enter the perimeter-marked area; and
- (b) such weapons are cleared before the area is abandoned, unless the area is turned over to the forces of another State which accept responsibility for the maintenance of the protections required by this Article and the subsequent clearance of those weapons.

Subparagraph 3 of article 5 provides:

A party to a conflict is relieved from further compliance with the provisions of subparagraphs 2 (a) and 2 (b) of this Article only if such compliance is not feasible due to forcible loss of control of the area as a result of enemy military action, including situations where direct

enemy military action makes it impossible to comply.

Mr LAURIE FERGUSON—So it is not an exemption which is favourable to dumb as opposed to smart mines, and there is an even wider permission of smart mines; is that right?

Dr Maley—Yes, smart mines are permitted in circumstances in which dumb mines would not be permitted. Dumb mines are permitted where the provisions of subparagraphs 2(a) and 2(b) are met.

Senator ABETZ—Would this treaty or protocol still allow the use of mines in certain circumstances?

Dr Maley—Yes. One of the criticisms which has been raised by the International Committee of the Red Cross is that, according to their research, this is the first instrument of international humanitarian law which appears to permit a new class of weapons rather than simply prohibit an existing class of weapons.

CHAIR—At the Ottawa meeting recently, Canada made an unilateral decision. Would it be in Australia's interests, in multilateral terms, to take a similar sort of approach, bearing in mind that you will retain the training stocks? Would it be a good initiative on the part of Australia to move down that road?

Dr Maley—Yes. I think the joint statement by the foreign and defence ministers of 15 April this year moved a long way down the road; considerably further than the position of the previous government had taken Australia in that direction. But I think there is some scope to move a little bit.

CHAIR—To move further?

Dr Maley—There were some qualifications.

CHAIR—There was some criticism yesterday from NGOs that perhaps the perimeters set down by Ministers McLachlan and Downer were still not acceptable to them; they were not going far enough. They were suggesting that we move a bit further.

Senator ABETZ—I would like to follow up on that. You have indicated that a stockpile would be appropriate for training purposes. What about in the event of Australia requiring them for defence? We would also retain part of the stockpile for military purposes as, it would appear, is allowable under the instrument.

Dr Maley—I feel uneasy about the stockpile being retained specifically for those purposes, partly because I cannot draw up a credible scenario for the kinds of circumstances in which they would be useful weapons in conflict. Also I believe that,

because of Australia's geographical position and the natural defences that we enjoy because of the oceans which surround us, it is extremely well placed to take a moral lead in these circumstances. Even if there is some conceivable circumstance in which a military use might be found for either dumb or smart antipersonnel mines, I think in the long run it is more in our interest to relinquish that option and instead press for a total ban because, while geographically we are an island, socially we are not.

Many of us travel the world. Anybody who has been to a country where the mines problem is a significant one will have encountered amputees left, right and centre. The costs to the lives of those people, to the economies of those countries and to the opportunities for people to better themselves are so great that I would rather see Australia take a moral lead against the weapon which has created those kinds of circumstances rather than retain it in order to cope with what seems to me to be an extremely unlikely contingency in terms of Australia's defence requirements.

CHAIR—Foreign Minister Downer has indicated more recently since the 15 April statement that Australia's aim is for a total ban. It is a question of how quickly we can achieve that and under what circumstances. I understand that you agree with what the NGOs were saying yesterday; that you would like to move that way. It is just a question of judgment as to how quickly you move.

Dr Maley—I did not hear the NGO testimony, but I suspect I would probably give more credit to ministers for the statement on 15 April. I do think that that was symbolically very useful. When I was in Afghanistan in May this year I was astonished by the number of people I encountered who were aware that there had been a change in Australia's position the month previously. These were not simply people working for mine clearance organisations but people working for NGOs which were not connected with mine clearance; in particular, people working for the Afghan Red Crescent Society out in the middle of nowhere.

It was quite startling to see the extent to which that had actually impacted on their consciousness. I think it does illustrate the way in which Australia, as a respected middle power, is in a position to take a moral lead on these kinds of issues. There is no need for us to wait for other states. Napoleon III, I think, said, 'I must follow the crowd since I am their leader.' I do not think we need to do that on these sorts of things.

Mr TONY SMITH—Am I right in thinking that mines are really the ultimate terrorist weapon by their indiscriminate use and by the fact that they do not pick who is wearing a uniform and who is not? They seem to be not emphasised sufficiently in order to give mines the stigma that is needed to get this imperative to get rid of them. For example, what about the figures on who actually gets it, whether it is military people or whether it is civilian people? Secondly, there is the indiscriminate laying of them everywhere. Are they laid in strategic points? Given that there are millions of them everywhere, they seem to be laid all over the place.

Dr Maley—When I was in Kabul last year, I went into a minefield which was being cleared. It had been laid in a zigzag pattern outside the main entrance to the Aliabad Hospital. I agree absolutely with what you say here. One of the fundamental criticisms of anti-personnel mines is that, because they are victim activated rather than force activated, they are indiscriminate. Anyone can tread on an antipersonnel mine in a country in which the mine has been disseminated.

This fundamentally violates a longstanding principle of international humanitarian law, which is that one should discriminate between combatants and non-combatants in the infliction of harm for military purposes. The reality in most Third World countries is that minefields are not fenced or delineated in such a way that the local populations can see where the mines are located. As a result, you have children who are looking for firewood or whatever, wandering into minefields and getting their limbs incinerated.

One thing that I would note about this particular photograph I passed around earlier is that, apart from the fact that the child has clearly suffered horrendous limb injuries, the child was also malnourished. It is quite clear. This is often why people end up in minefields. They do not choose to walk into minefields, but there is evidence from Third World countries of farmers ploughing in what are marked as minefields because they will starve unless they continue engaging in economic activities which are important to their survival.

I wish in a way that the media which spread information about Third World conflicts would not be so squeamish about putting this kind of photograph up on the screen because it is part of the reality of many Third World countries and it does convey, in a very graphic fashion, exactly what the presence of mines means for people who end up walking into a minefield. Unfortunately, what a mine tends to do is blow non-sterile material up a limb much further than the immediate blast point.

You get earth embedded in wounds, and that tends to create massive secondary infection, as a result of which the amputation which needs to be done to cope with a mine injury tends to be high up above the knee which creates major problems for the fitting of a prosthesis. It is much easier to make a prosthesis work if it is below the knee. In the case of children it is a particular problem because bone and flesh are growing at different rates and it may take a multiplicity of operations before you can stabilise a stump to the point where a prosthesis can be fitted, and that is extraordinarily expensive in Third World countries.

Mr HARDGRAVE—Is this a deliberate design?

Dr Maley—Some would say it is, yes, but it is to do with deterring people from entering a minefield because the consequences of suffering a mine injury are known to be so great.

Mr HARDGRAVE—But the type of injury, is that a deliberate—

Dr Maley—Yes. Mines are not designed to kill people; they are designed to injure them. In a military context you can disable a force much more effectively if they have a significant number of people who are injured rather than killed. If people are killed they are buried on the spot but, if people are injured, normally their comrades have a reciprocal duty to assist them under those circumstances and that can greatly disable a force, either by delaying them or forcing them to abandon military objectives on which they wish to embark.

Mr McCLELLAND—I am not sure of the other views of the members of the committee but if we decided that it was appropriate to give that higher profile by including photographs in the report, for instance, do you have photographs that you could provide the committee?

Dr Maley—Yes.

CHAIR—Can we have those? Are they the only two that you have? They are explicit.

Dr Maley—Yes. I am quite happy to give them to you. For proper acknowledgment I should tell you that those photographs were taken in Afghanistan by Dr Khaled Dik of the World Health Organisation.

CHAIR—Okay. I think it does have an impact.

Mr HARDGRAVE—I just want to spell that out just a little bit further. The calibration of these mines is quite deliberate. They are out to maim. They are out to maim and inflict horrific injuries on children. They are out to create the psychological impact on the community that would be supporting armed forces or the other side of armed conflicts by this deliberate calibration. Is that correct?

Dr Maley—I would not say they are particularly designed to affect children. They are designed to hit different types of targets than that. But children are an almost inevitable victim if one has dumb mines which are disseminated in an unmarked form in Third World countries. Even if a minefield is marked, children will not necessarily understand the symbols which are used to mark mines.

Mr HARDGRAVE—But a landmine is made to blow up a certain way.

Dr Maley—Yes.

Mr HARDGRAVE—In other words, somebody is going to step on them and they are designed specifically to inflict upper or lower torso injuries.

Dr Maley—Yes. Unless somebody's vital organs, the heart or the head, are very close to the point of detonation, it will not kill them outright. A danger for mine clearers is that they are lying on their stomachs on the ground prodding for mines so they are a lot closer to the mine if it accidentally goes off.

CHAIR—In relation to the technical meeting in Japan in March and the follow-up meeting in Belgium in June, what specifically can Australia do in the context of both of those meetings? As I understand it, one is a technical one and the other one is more general.

Dr Maley—I am not sure what is on the agenda for the technical meeting so I would be reluctant to express a view on that. I think in the more general meeting Australia should seize every opportunity to continue the process of anathematising antipersonnel mines in general—going beyond the specific provisions of amended Protocol II and giving force to the substance of the ministerial statement of 15 April this year in favour of a total ban. That does not preclude specific discussions about ways in which the provisions of amended Protocol II might at some point in the future be strengthened, but I think we should not lose sight of the ultimate objective here, which is to get rid of the weapons altogether.

CHAIR—Yes. Finally, there were some suggestions yesterday that perhaps there is an argument for the Department of Defence, the ADF, in a budgetary sense—and bearing in mind the work that is being done in Australia in terms of clearance, and I guess it is part of your moral suasion argument—to be picking up some sort of financial bill to that end as part of the defence budget. How do you react to that?

Dr Maley—I think that is a good idea, and I think one way in which it could be done, which would be beneficial for the department as well, would be to commit more resources, human and material, to assisting humanitarian mine clearance in Third World countries, because there are significant training benefits which the ADF acquires if personnel have field experience with live mines in clearance.

I think it would be useful for the ADF to reconsider the really lamentable 1993 decision to withdraw from the mine clearance program in Afghanistan, which is one of the most successful in the world and which has not suffered any casualties amongst expatriate participants, but which was nonetheless hampered by the withdrawal of Australian forces, because the monitoring which the Australians carried out was very important in ensuring that non-literate peasants did not begin to cut corners. One of the great dangers in a humanitarian mine clearance program is that people who are not, themselves, engineers but simply trained in specific techniques do not necessarily understand the engineering rationale which underlies what they have been taught to do and they can start coming down on the top of the mine rather than in at 45 degrees. That is the difference between losing your eyes or losing your head. That is the sort of area in which the ADF can contribute very effectively at pretty minimal cost and with potentially significant benefit in

terms of experience for the ADF personnel who are involved.

Mr HARDGRAVE—What was the excuse for pulling out of Afghanistan?

Dr Maley—The excuse was that the security situation had deteriorated, which frankly was nonsense in the circumstances. In fact, I had a letter from the Head of the United Nations Office for the coordination of humanitarian assistance to Afghanistan which flatly denied that, and made the point that mine clearance personnel are only deployed in areas in which there is not a security problem. The head of the mine clearance program in Afghanistan at the moment is a retired Australian army officer. A significant number of Australian defence force personnel were so perturbed by that decision that they resigned from the military and remained involved in the clearance program.

CHAIR—Thank you very much. That has been very helpful evidence indeed, and on behalf of the committee I thank you very much.

Dr Maley—Thank you.

Resolved (on motion by Senator Abetz):

That this committee authorises publication of evidence given before it at public hearing this day.

Committee adjourned at 8.52 a.m.