

## CHAPTER 3

### **Allegations of environmental damage, and Australian authorities' response**

3.1 This chapter examines the two main criticisms of the recent construction work on the coastal road on the peninsula. The first is that the roadworks have uncovered bone fragments of soldiers killed without burial in the 1915 conflict. There has been accompanying concern that no archaeological survey of the site was conducted prior to the construction work commencing. The second criticism is that the roadworks have caused permanent damage to the military heritage of the landscape. It is claimed that the road has been widened beyond the extent necessary to ensure visitors' safety; that spoil has been deliberately dumped onto the beach below; that there were no environmental measures put in place to minimise erosion from the construction; and that no effort was made to preserve the footsteps of the original ANZACs. No effort appears to have been made to identify and record sites of military heritage by Australian authorities, despite representations to do so prior to the work.

3.2 The chapter then notes the response of Australian authorities to these claims. It does so based on official public statements from government ministers, and the evidence presented to the Committee by officials from the Department of Veterans' Affairs (DVA), the Department of Foreign Affairs and Trade (DFAT), the Department of the Environment and Heritage (DEH), and the Department of the Prime Minister and Cabinet (PMC).

#### **Allegations that bone fragments have been unearthed**

3.3 In terms of the effect of the roadworks, a matter of key interest to the inquiry was the allegation that human remains—bone fragments—had been unearthed in construction works on the coastal road.

3.4 This allegation was first made public on 6 March 2005 in Frank Walker's articles in both *The Age* and the *Sun Herald*.<sup>1</sup> The *Sun Herald* article reported that human remains 'are believed to have been dug up and destroyed by Turkish workers as they widen a road for tourist buses on ANZAC Cove'.<sup>2</sup> Both articles noted Mr Sellars' claims that the roadworks must have dug up human remains as many Australians and Turks were hastily buried on the beach and cliffside.

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1 F. Walker, 'Sacrilige at ANZAC Cove: Remains dug up to make way for ANZAC Cove', *Sun Herald*, 6 March 2005, p. 5; N. Khadem and F. Walker, 'Graves, beach lost for wider road to Gallipoli', *Sunday Age*, 6 March 2005, p. 7.

2 F. Walker, 'Sacrilige at ANZAC Cove: Remains dug up to make way for ANZAC Cove', *Sun Herald*, 6 March 2005, p. 5.

3.5 On 12 March 2005, Mr Sellars himself authored articles in the *Daily Telegraph* and the *Herald Sun*, which produced photographs of 'what appear to be leg and hip bones' at the road construction site.<sup>3</sup> The articles claimed that the photographs refuted statements by the Australian and Turkish Governments that no human remains have been dug up at Gallipoli.

3.6 The Committee heard evidence from Mr Sellars concerning his comments on the unearthing of bone fragments. Mr Sellars explained that on 1 March 2005, Fairfax journalist Russell Skelton, Turkish tourism operator Ilhami Gezici and his wife Bernina, and 'a number of other people' were all present when the bones were found.<sup>4</sup> Mr Sellars subsequently identified these other people as his wife, Ms Serpil Karacan Sellars, and a tour guide with 'Hassle Free' tour agency named Baris.<sup>5</sup>

3.7 In his opening statement, Mr Sellars told the Committee that in mid-March 2005, the Australian Ambassador to Turkey, Ms Jean Dunn, had discussed these allegations with him. Mr Sellars explained to the Ambassador that one of the bones had been removed soon after he, Mr Skelton, and the others present, had found it at the site. The Committee heard Mr Sellars confirm that Turkish employees of the company carrying out the roadworks had removed the bone fragment.<sup>6</sup>

3.8 The skeletal findings of professional archaeologists in the Gallipoli area give credence to Mr Sellars' allegations. In January 2003, for example, Australian archaeologist Dr David Cameron found a largely uncovered human femur at ANZAC Cove, along Walker's Ridge. A picture of the femur is displayed on an Australian National University website.<sup>7</sup>

### **Allegations that the landscape has been damaged**

3.9 The second matter of environmental concern to the Inquiry was the allegation that the roadworks had permanently damaged the landscape at ANZAC Cove.

3.10 On 9 April 2005, federal opposition leader, the Hon. Kim Beazley, described the roadworks as a 'historical tragedy', and accused the Government of 'appalling neglect' of the ANZAC Cove site. Mr Beazley was quoted in the *Sunday Age* as saying:

We need to comprehend how the battleground has changed as a result of the work...Somewhere in the interpretation centres or in some sort of

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3 B. Sellars, 'Photos reveal truth of ANZAC remains', *Daily Telegraph*, 12 March 2005, p.5; B. Sellars, 'Gallipoli's bones of contention', *Herald Sun*, 12 March 2005, p. 4.

4 *Committee Hansard*, p. 18.

5 Mr Sellars explained that 'Baris' was working with Mr Skelton as a translator and guide. (Correspondence, 26 June 2005).

6 *Committee Hansard*, p. 4.

7 <http://car.anu.edu.au/Jan2003newsfull.html> (accessed 27 June 2005).

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descriptive plaque, it needs to be made clear how different this now is from what was originally seen by our forefathers.<sup>8</sup>

3.11 Several submissions to the inquiry also expressed concern at the transformation of the landscape as a result of the roadworks.<sup>9</sup> One submission alleged that:

- no specific measures were undertaken to control erosion or deposition, such as the erection of appropriate barriers
- there was no evidence of efforts to revegetate or rehabilitate the slopes
- a number of temporary structures and facilities were located in previously vegetated and/or ecologically sensitive areas
- some permanent parking and traffic management areas have been placed in the most prominent locations rather than areas with less visual impact, and
- the 'sense of place' has been greatly altered by the change in the contours and the gradients of the hillside—spoil has been allowed to spill right down to the beach and the water line.<sup>10</sup>

3.12 The questioning of officials at the Committee hearing concentrated on two issues—the widening of the coastal road and the dumping of spoil onto the beach at ANZAC Cove. These actions had been widely publicised and condemned in the Australian media.

### *The widening of the road*

3.13 The key accusation against Turkish—and Australian—authorities was that the roadworks were excessive. In particular, it was widely commented in the media that the widening the coastal road by up to 20 metres was unnecessary.

3.14 Chapter 2 noted Mr Sellars' concerns that the extent of this widening risked uncovering bone fragments and destroying the trenches dug in the 1915 campaign.

3.15 In early April 2005, Mr Jeff Cleverly, a former Australian army officer, described the roadwork as 'excessive and largely inappropriate'.<sup>11</sup> Mr Cleverly argued that the '20 metre widening of the road inside ANZAC Cove seems more than the once-a-year heavy demand requires'.<sup>12</sup> Moreover, he argued that the real problem of erosion on the beach side of the road remained unaddressed.

3.16 Les Carlyon, author of the bestseller, *Gallipoli*, has similarly criticised the short-term mindset of the construction work:

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8 R. Skelton and P. Hudson, 'Revealed: ANZAC Cove trail of destruction', *Sunday Age*, 10 April 2005, p. 1.

9 See Submissions 5, 7, 9, 11, 14 and 15.

10 I. Tait and G. Ostling, *Submission 9*, p. 5.

11 See a. Albanese MP, 'Heartbreaking photos show Anzac Cove destruction', *Media Release*, 5 April 2005.

12 *ibid.*

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They were concerned with putting on a show for one day of the year, rather than preserving the site for 365 days when a lot more than the 20,000 who attend on Anzac Day tour the battlefields. The last thing needed was a wider road.<sup>13</sup>

3.17 The extent of the road widening was also a point of disagreement between the Australian Government and the Turkish contractors. On 25 April, the *Courier Mail* and *Herald Sun* reported the comments of Veterans' Affairs Minister, De-Anne Kelly MP: 'they've certainly widened it more than we were expected, were advised or wanted' (sic).<sup>14</sup> The articles also noted the Minister's claim that the Turkish Government had received engineering advice that a bigger excavation was required. However, this explanation seems to have been made after the work was done, with no evidence of prior inquiry before it commenced, nor interest sufficient to motivate the government to intervene politically.

### *The dumping of soil*

3.18 On 3 March, several Australian newspapers published reports claiming the ANZAC Cove beach had been buried under a pile of excavated soil (see above). Press reports in *The Canberra Times* and the *Courier Mail* quoted the following statements from Mr Bill Gudgeon, spokesman for the political party, New Zealand First:

Recent photos of parts of the site under excavation are almost unrecognisable, and ANZAC Cove Beach in some places has actually ceased to be a beach because it is covered in dirt...I would urge the Turkish Government to monitor the damage construction is causing to the area to ensure that this designated national park does not suffer any long-term damage through erosion.<sup>15</sup>

3.19 On 6 March, Frank Walker wrote in the *Sun Herald* that work had been stopped on the '20-metre-wide' road the previous week following 'outrage that workers had...dumped tonnes of rubble over the beach'.<sup>16</sup> The article claimed that 80 metres of the 500-metre-long beach was covered in rubble, which had caused the rest of the beach to erode rapidly.

3.20 On 9 March, Mr Sellars wrote in an article for the *Daily Telegraph* that the waters of the cove 'are filled with sediment'.<sup>17</sup> He elaborated on this claim to the Committee:

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13 'Anzac Cove road tears up sites, and political process', *Sunday Age*, 24 April 2005, p. 4.

14 N. Wilson, 'Cove works shock MPs', *Herald Sun*, 25 April 2005, p. 14; N. Wilson, 'Roadworks more extensive than thought', *Courier Mail*, 25 April 2005, p. 5.

15 'ANZAC Cove roadworks cause concern', *Courier Mail*, 3 March 2005, p. 11; 'Fears work will damage ANZAC Cove', *The Canberra Times*, 3 March 2005, p. 9.

16 F. Walker, 'Sacilege at ANZAC Cove': Remains dug up to make way for ANZAC Cove', *Sun Herald*, 6 March 2005, p. 5.

17 B. Sellars, 'Desecration', *Daily Telegraph*, 9 March 2005, p. 29.

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[L]ast Tuesday I was snorkelling in ANZAC Cove and there has been an effect from the roadworks on the sea area off the beach. Many of the relics in the cove, such as a sunken barge from the campaign and piles for the piers that were used to land troops and supplies, and the seabed itself have been covered by a layer of silt coming from earth dumped directly onto the beach of the cove by the Turkish firm building the road.<sup>18</sup>

3.21 On 10 April, the theme was continued by Russell Skelton in the *Sunday Age*:

The removal and relocation of tonnes of earth has dramatically altered the physical environment and compromised the heritage integrity of the area. What has actually been lost may be impossible to know because it lies under tonnes of rubble.<sup>19</sup>

3.22 These allegations are supported in a submission to the inquiry from the Australasian Institute of Maritime Archaeology (AIMA):

AIMA was alarmed by the recent damage to this near-pristine archaeological site. The current works program has done more than compromise the archaeological integrity of fragile relics situated along the length of the affected road area. [It] may have impacted on the archaeological remains within the near-shore areas.<sup>20</sup>

### **Australian authorities' response to allegations that bones were unearthed**

3.23 On 7 March 2005, the Minister for Defence, Senator the Hon. Robert Hill, was questioned in Parliament on claims that human remains had been unearthed at the coastal construction site at Gallipoli. The Minister told the Senate that he would 'have to seek advice' on the issue.<sup>21</sup>

3.24 On 8 March 2005, the Australian Foreign Minister, the Hon. Alexander Downer MP, refuted allegations that remains had been found. Mr Downer explained that Turkish authorities had told the Australian Ambassador to Turkey, Ms Dunn, that archaeological work had been carried out prior to the roadworks commencing, and that no human remains have been unearthed.<sup>22</sup> The authorities had given an assurance that if any remains were unearthed, 'they would immediately instruct that the construction of the road be stopped'.<sup>23</sup>

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18 *Committee Hansard*, p. 5.

19 R. Skelton, 'Is nothing sacred?', *Sunday Age*, 10 April 2005, p. 15.

20 *Submission 11*, p. 1.

21 Senator the Hon. R. Hill, Minister for Defence, *Senate Hansard*, 7 March 2005, p. 25.

22 The Hon. A. Downer, *House of Representatives Hansard*, 8 March 2005, p. 26.

23 The Hon. A. Downer, *House of Representatives Hansard*, 8 March 2005, p. 26.

3.25 Minister Downer repeated these remarks in Parliament on 10 March, on this occasion citing his discussions with the Turkish ambassador to Australia earlier in the day.<sup>24</sup>

3.26 On 11 March, the Australian Prime Minister, the Hon. John Howard, defended the advice given by the Turkish authorities. The Prime Minister stated, 'I'm satisfied by the advice, that it [the roadworks] is being done properly'.<sup>25</sup>

3.27 On 14 March, Government member Mr Bob Baldwin MP, asked the Foreign Minister for an update on the roadwork developments at ANZAC Cove. In response, Mr Downer mentioned the meeting between Mr Sellars and Ambassador Dunn (see above).<sup>26</sup> Mr Downer told Parliament that Mr Sellars had informed the ambassador that one of the bone fragments had disappeared, and the other could not be relocated. The Foreign Minister further noted that Ambassador Dunn had instructed Mr Sellars 'to advise us and of course the Commonwealth War Graves Commission if he does find any further remains'.<sup>27</sup>

3.28 Mr Sellars mentioned this meeting with the ambassador in his opening statement before the Committee. He claimed Mr Downer's account of the conversation was inaccurate—one of the bones was removed by roadworks employees, the other was 'still in the place I had seen it at least three days after my meeting with the ambassador'.<sup>28</sup> Mr Sellars also noted that neither the ambassador, nor any other official, asked to be shown the remains.

3.29 At a press conference in Istanbul on 26 April 2005, Prime Minister Howard responded to suggestions that the roadworks had disturbed bones, saying:

[Y]ou cannot rule out the possibility in doing work on any battlefield site of turning up bones. I mean remains are still being discovered in Northern France and in Belgium almost 90 years...after the Great War.<sup>29</sup>

3.30 Similarly, in evidence to the Committee, the Secretary of the DVA noted:

In Gallipoli there is always the chance, or risk, of human remains and bones being found, either in situ or having been washed down from the hills.<sup>30</sup>

3.31 However, Mr Sullivan also cited the following passage from a Commonwealth War Graves Commission report:

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24 The Hon. A. Downer, Minister for Foreign Affairs, *House of Representatives Hansard*, 10 March 2005, p. 11.

25 The Hon. John Howard, Prime Minister, *Interview on Melbourne Radio 3AW*, 11 March 2005.

26 The Hon. A. Downer, *House of Representatives Hansard*, 14 March 2005, p. 10.

27 The Hon. A. Downer, *House of Representatives Hansard*, 14 March 2005, p. 11.

28 W. Sellars, *Committee Hansard*, p. 4.

29 The Hon. J. Howard, *Press Conference*, Istanbul, 26 April 2005  
<http://www.pm.gov.au/news/interviews/Interview1355.html> (accessed 24 June 2005).

30 M. Sullivan, *Committee Hansard*, p. 61.

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As a result of public concern regarding the development of work currently being undertaken in the ANZAC Cove area of the Gallipoli Peninsula, the Commonwealth War Graves Commission would like to reassure the public that our representatives have carried out an extensive examination of the area and *have found no evidence that human remains have been disturbed*. The Commission would also like to reassure the public that our cemeteries and memorials remain unaffected by the development work.<sup>31</sup>

He added, 'that, for us, was authoritative'. The Committee, however, disputes this assertion and is less inclined to accept such authority given that other evidence indicated that the CWGC's inspection was relatively cursory.

3.32 The DVA Secretary also argued that where bone fragments had been uncovered, it was 'probably the result of erosion, not of a bone having been buried where the road was'.<sup>32</sup> Mr Sullivan and Mr Beck both agreed that during the winter months, it is not uncommon for rain to wash bones, from above the coastal road, down the slope.<sup>33</sup>

### **Recommendation 1**

**The Committee strongly recommends remedial action before the onset of winter to stabilise and restore the vegetation at ANZAC Cove. This will ameliorate the scarring caused by the earth works and minimise future erosion.**

3.33 Mr Jeremy Newman, the First Assistant Secretary of the America and Europe Division of DFAT, explained to the Committee that the department had received no evidence that bones had been uncovered. Mr Newman noted that on two separate days, the Australian ambassador and senior administrative staff from the embassy had 'inspected the roadworks and saw no evidence of bones at that time'.<sup>34</sup> There is no evidence that these inquiries were pressed with any vigour, or any attempt made to reach an objective and independent conclusion sufficient to satisfy Australian interests.

3.34 The Committee also finds that the process for treating uncovered human remains found at Gallipoli is unclear. The current practice seems to be to report human remains to the Commonwealth War Graves Commission. The Commission may either bury them in situ or, if this is an area of high erosion, they may be moved elsewhere.<sup>35</sup> The basis upon which the Commission chooses this other location is unclear. The Commission's practice also seems to vary according to whether there are major bone findings or small fragments. Mr Sullivan noted that 'the Commission

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31 *Committee Hansard*, p. 53. Italics added.

32 *Committee Hansard*, p. 61.

33 *Committee Hansard*, p. 76.

34 *Committee Hansard*, p. 89.

35 *Committee Hansard*, pp 76–77.

probably does not want to go and see every small fragment'.<sup>36</sup> He also suggested that small fragments may be taken to the Commission.

3.35 The Committee notes that there been recent public discussion that an ossuary should be established at the ANZAC site. However, without proper identification of bones, this would mean a common repository for Allied and Turkish remains. The Committee acknowledges Turkish officials' reservations on the idea of an ossuary.

## **Recommendation 2**

**The Committee recommends clearer guidelines for the future management, recovery, reburial or storage of human remains at Gallipoli. The current arrangements are clearly not understood, and their effectiveness is doubtful.**

### **Australian authorities' response to claims the landscape had been damaged**

3.36 Both the Australian Prime Minister and the Minister for Veterans' Affairs have openly noted that the roadworks went beyond the expectations of Australian authorities. The evidence before the Committee from Government agencies on this matter sought to exonerate the Australian Government of any knowledge of, or involvement in, the scale of the works. The question remains, however, given the level of official activity which included 17 trips by Australian officials to Gallipoli in the relevant period, about the adequacy of advice to the government. More to the point the question concerns the failure of the Minister, once briefed, to respond with the priority required.

3.37 On 23 April 2005, for example, Prime Minister Howard released the August 2004 letter from Minister Vale to Minister Pepe. The Prime Minister's accompanying media release made two points:

- First, 'the letter addressed improvements to the dawn service site and possible works on an entirely different road on the peninsula, not work on the ANZAC Cove road'.
- Second, 'I feel I should put it on record that works of the scale that have actually taken place were not sought by the Australian Government'.<sup>37</sup>

The Committee believes these statements were designed to downplay the damage caused by the roadworks. They are also at odds with the Australian Prime Minister's intervention, which led to the complete suspension of the roadworks until further research had been done.

3.38 On 24 April 2005, the Australian Treasurer, the Hon. Peter Costello MP, highlighted the difficulty of Australian authorities constantly supervising a construction project in a foreign country.<sup>38</sup> Mr Costello noted: 'the Australian Government doesn't control Turkey, we don't control roadworks in Turkey. We have

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36 *Committee Hansard*, p. 79.

37 The Hon. J. Howard, 'ANZAC Cove', *Media Release*, 23 April 2005  
[http://www.pm.gov.au/news/media\\_releases/media\\_Release1346.html](http://www.pm.gov.au/news/media_releases/media_Release1346.html) (accessed 27 June 2005).

38 'We don't control Turkey: Costello', *Sydney Morning Herald*, 24 April 2005.

enough trouble controlling roadworks in Australia'. However, the Treasurer also noted that the Australian Government 'wouldn't want to see any widening [of the road] or any further works to go on'.<sup>39</sup>

3.39 At a press conference in Istanbul on 26 April 2005, Prime Minister Howard was asked his impression of the roadworks. In response, Mr Howard noted: 'just remember this is Turkish property, this is Turkish land and they do have a large issue of crowd management and safety'.<sup>40</sup>

***Australian officials' knowledge of the widening of the coastal road***

3.40 An issue of key interest to the Committee was whether Australian officials had any knowledge of Turkish authorities' plans to widen the coastal road to the extent that has happened.

3.41 Mr Beck told the Committee that he had met with Turkish authorities, including Turkish National Parks Director, Professor Mustafa Yalinkilic, in early October 2004. There was mention at this meeting that the coastal road south of ANZAC Cove would be widened from 5.5 metres to seven metres.<sup>41</sup> However, DVA's main source of information on plans to widen the road came from the Australian Embassy in Ankara.

3.42 Mr Beck emphasised that Australian authorities 'never sought nor required a widening of the road from 5.5 to seven metres'. Further, he could not see why it was necessary to widen the road. However, Mr Beck told the Committee that 'I did not think widening the road 75 centimetres either side would have any impact on the environment'.<sup>42</sup> For this reason, DVA did not instruct the embassy to raise any objections. The need to protect the military heritage at ANZAC Cove does not seem to have been considered at all.

3.43 Mr Beck also noted that he first became aware that the road was to be widened significantly more than 75 centimetres after reading a February newspaper article by Mr Sellars. He did add, however, that 'maybe in my visit of 27 February', the section along Brighton Beach had 'quite literally' been widened about one metre either side.<sup>43</sup> Mr Sullivan clarified the broader point that 'there was no engagement with us in respect of the roadworks prior to the press becoming interested'.<sup>44</sup> More to the point, DVA was not engaged of its own volition despite full public knowledge of what was happening.

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39 'We don't control Turkey: Costello', *Sydney Morning Herald*, 24 April 2005.

40 The Hon. J. Howard, *Press Conference*, Istanbul, 26 April 2005  
<http://www.pm.gov.au/news/interviews/Interview1355.html>.

41 *Committee Hansard*, p. 48.

42 *Committee Hansard*, p. 50.

43 *Committee Hansard*, p. 51.

44 *Committee Hansard*, p. 51.

3.44 It was only after these early press reports that DVA first briefed Minister Kelly on the roadworks issue. The Secretary says he assured the Minister that the road would be in a state to carry the traffic for the dawn service. He also talked to the Minister about environmental and heritage protection issues.<sup>45</sup> The detail of that briefing has not been revealed, and the Government has failed to respond to a Senate order for the production of those documents. Given this failure to act, it can only be concluded that the Minister did not consider the protection of military heritage to be important either.

3.45 Following the early press reports, the Department also had a report prepared for the Minister by Arup Engineering and Consulting Ltd. The purpose of the report was not to gauge environmental damage, but to assess whether the construction work would be completed in time for the ANZAC Day services. The Turkish engineers were solely concerned with the safety of the road and meeting the 20 April 2005 deadline. DVA was concerned not only with this matter, but also claims of human remains being disturbed and whether the roadworks were damaging the landscape.<sup>46</sup>

3.46 On 8 March 2005, Mr Beck briefed his Minister's Chief of Staff on the roadworks. This was the first time he had correspondence with the Minister's office on the issue.<sup>47</sup>

#### ***Officials' response to the dumping of spoil***

3.47 Mr Sullivan contested the allegations that rubble had been dumped on to the beach. He told the Committee that it was fill (dirt), not rocks, that was 'inappropriately tipped over the side'.<sup>48</sup> He added, 'fill, in the end, is what has fed that beach forever'.<sup>49</sup> Mr Beck confirmed that 'there is no granite on the peninsula'.

3.48 The Secretary also disputed claims that the recent excavations had caused an added layer of silt on relics and the cove seabed (see above). He accepted that the silt was there, but argued:

I could not see how you would associate what appeared to be a general silt covering off some waters off ANZAC Cove with the very limited spill of fill across ANZAC Cove. Even the worst photograph of the spill...is probably a tonne or two of fill.<sup>50</sup>

3.49 DVA maintains that erosion is the principal cause of the silt on the relics and in the Cove waters. Not only have wind and rain displaced bone fragments from the hills above the Cove, but also silt which has run into the water.<sup>51</sup>

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45 *Committee Hansard*, p. 63.

46 *Committee Hansard*, p. 53.

47 *Committee Hansard*, p. 59.

48 *Committee Hansard*, p. 49.

49 *Committee Hansard*, p. 49.

50 *Committee Hansard*, p. 81.

51 *Committee Hansard*, p. 81.

3.50 The Committee is not convinced of these responses. Clearly, from the photographic evidence, material has spilled onto the beach and into the sea causing discoloration and siltation far in excess of natural occurrences. The photographs also show deposits of fill on the beach that are significantly more than 'a tonne or two'.

## Findings

- The Committee finds that bone fragments were unearthed by the coastal roadworks, and that the military heritage was damaged permanently—with no convincing evidence to the contrary. Significant sites of the ANZAC campaign between April and December 1915 have been lost forever.
- The Committee finds that the Australian Government has wanted to improve the roads around Gallipoli for a long time. Given this desire, the letter from Minister Vale, and frequent attendance by Australian officials, the Committee finds that the Australian Government is largely responsible through its own inaction for the damage caused by the recent road works.
- The Committee finds that Australian officials did have first-hand knowledge while construction was ongoing that the road works were causing damage to the landscape. There was no effort made to investigate allegations that bone fragments had been uncovered, nor to negotiate with Turkish authorities on the extent of the road works.
- Concern expressed by Australian and Turkish people at the nature of the work and the risk of archaeological damage, resulted in only a short suspension of work late in February 2005. By then, the damage was done. Work proceeded shortly thereafter.
- The Committee finds that there was no scope for a process of planning and consultation between the Turkish and Australian Governments, prior to the construction work proceeding in late February 2005. There was no systematic oversight of military heritage issues by Australian authorities. Turkey's National Parks Directorate had employed three consultants to undertake a survey of the area. It lasted only 15 minutes and was performed after the excavations.
- The Committee finds that the process for treating uncovered human remains at Gallipoli is unclear. It is unclear whether the CWGC is to bury the bones in situ, or transfer them to another site. It is also unclear whether the Commission needs to be informed of small bone fragment findings, and whether small fragments may be taken to the Commission in person.
- The Committee finds that the Australian Government was 'asleep at the wheel' in the months prior to the road works commencing in late February 2005. It placed too much faith in the assurances of Turkish officials and the Commonwealth War Graves Commission. It responded almost two months

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after the damage was done, despite the knowledge of Australian officials that construction was affecting the site.

- Advice to the Australian Government on the damage which occurred in late February 2005, was not properly heeded and prompted no serious intervention until the Prime Minister's visit on 26 April 2005. It was not until then that work was fully suspended by the Government of Turkey.
- The Government, by its failure to safeguard the ANZAC Cove site and its Australian military heritage, defaulted on its responsibility to the Australian people, particularly the expectations of veterans.