

Facing jail for telling the truth about Australia's plunder of Timor-Leste

By Nick Everett, **Red Flag** 05 September 2019

For more than a year, Australian politicians have whipped up a storm of hysteria about supposed Chinese espionage in Australia. Last June, the government rushed two bills through parliament with Labor's support, supposedly to prevent foreign spies secretly influencing Australia's politicians and media. Yet Australia has a long track record of foreign interference in the affairs of its closest neighbour, Timor-Leste. The persecution of two men who exposed the bugging of Timor-Leste's cabinet offices is just the latest example.

In 2013, the government of Timor-Leste revealed that it had credible evidence of the bugging operation, conducted in 2004 by the Australian Secret Intelligence Service under the cover of a foreign aid program to renovate government buildings. "Witness K", the former head of ASIS's technical operations, alleged that then foreign affairs minister Alexander Downer ordered ASIS to plant the listening devices so that Australian companies could gain commercial advantage in negotiations between Australia and newly independent Timor-Leste over disputed oil and gas reserves. Witness K lodged a formal complaint with the inspector-general of intelligence and security and informed his ASIS-approved lawyer, Bernard Collaery, a former ACT attorney general, about the operation in 2012. Collaery, concluding that the espionage amounted to a conspiracy to defraud Timor-Leste, informed Timor-Leste's president, Xanana Gusmao.

In January 2006, following two years of negotiations between Australia and Timor-Leste, the two governments signed the Treaty on Certain Maritime Arrangements in the Timor Sea. The treaty provided for the equal distribution of revenue oil and gas derived from the disputed Greater Sunrise field, despite its closer proximity to the Timor coastline. Woodside Petroleum stood to profit handsomely from the deal. Under international law, maritime boundaries are usually determined to follow the median line between two countries. However, Downer had withdrawn Australia from the maritime boundary jurisdiction of the International Court of Justice and the International Tribunal on the Law of the Sea before Timor-Leste's restoration of independence, four years earlier.

At least two Australian government officials gained personally. In 2005, Department of Foreign Affairs and Trade secretary Ashton Calvert retired and joined the board of directors of Woodside. In 2008, after leaving parliament, Downer attained a lucrative consultancy with Woodside. In 2014, the ABC's Four Corners reported that Woodside chairman Charles Goode "sat on the boards of top Liberal Party fundraising vehicles that generated millions of dollars in political donations".

The government of Timor-Leste announced it would bring a case to the Permanent Court of Arbitration seeking to overturn the treaty on the basis it had not been negotiated in good faith. Collaery arranged for Witness K to give evidence about the operation in a confidential hearing in the Hague. For their actions, Witness K and Collaery were recognised as heroes in Timor-Leste, where the Movement Against the Occupation of the Timor Sea was drawing international attention to Australia's plunder of Timor's natural resources. In Canberra, however, a humiliated government plotted to silence the pair. Australian Security Intelligence Organisation agents raided Collaery's Canberra offices, seizing documents and data. The Department of Foreign Affairs and Trade (DFAT) cancelled Witness K's passport to prevent K from giving evidence.

In June last year, both Collaery and Witness K were charged with crimes under the Intelligence Services Act. They face a secret trial in the ACT Supreme Court and the

prospect of two-year jail sentences. Independent MP Andrew Wilkie used Parliament to condemn attorney general Christian Porter's decision to approve the charges filed by the commonwealth director of public prosecutions. "The bottom line is that the spying on East Timor was indeed illegal and unscrupulous", Wilkie said. "Although it was the Howard government's initiative, the crime has subsequently been covered up by all governments ever since. One of the richest countries in the world forced East Timor, the poorest country in Asia, to sign a treaty which stopped them obtaining their fair share of the oil and gas revenue."

The Australian government's silencing of Witness K and Collaery is not only a savage attack on free speech and democratic rights in Australia. It also speaks volumes about Australia's imperialist ambitions in the South Pacific. When Australian-led INTERFET forces arrived in Timor-Leste three weeks after the 30 August 1999 independence referendum, they were lauded as saviours of the Timorese by then prime minister John Howard. Yet 20 years on, Timor-Leste remains one of the world's most impoverished nations.

The infant mortality rate in Timor-Leste – 45 per 1,000 live births – is among the worst in Asia (and 14 times that of Australia). Malnutrition is chronic: 38 percent of the population is malnourished and 58 percent of Timorese children under the age of five are stunted – the highest rate in the world. The nation's underdevelopment is a direct consequence of 450 years of Portuguese colonisation and a further 24 years of Indonesian military occupation. Australia and its imperial allies – the US and Britain – bear a significant responsibility for aiding and abetting the Indonesian military's violently suppression of Timorese self-determination.

A decade before Indonesia's 1975 invasion of Timor-Leste, general Suharto seized power in a military coup, deposing Indonesia's popular first president, Sukarno. Suharto, backed by the US and other Western powers, unleashed a violent wave of repression against Indonesia's left that left up to one million dead. When, in April 1974, the Carnation revolution swept Portugal's authoritarian regime from power, a popular independence movement arose in Timor-Leste, spearheaded by the Revolutionary Front of Independent East Timor (FRETILIN).

The Suharto dictatorship, fearful that FRETILIN's popular left-nationalist program might inspire a revival of both secessionist and leftist movements within the Indonesian archipelago, tried to destabilise and annex Timor-Leste. First, it backed a failed coup attempt by the Timorese Democratic Union, a conservative party composed of plantation owners, tribal leaders and administrators that favoured close ties to Portugal. When this strategy failed, Indonesia's military generals swung their support behind APODETI, a party favouring integration with Indonesia, which held little popular appeal. Finally, Indonesia's generals, with encouragement from Washington and Canberra, mounted a full-scale invasion of Timor-Leste. Timorese nationalists made a last-ditch attempt to ward off their invaders. During the months of October and November, FRETILIN waged armed resistance against Indonesian infiltrators along the border and, when invasion looked imminent, declared independence on November 28, 1975.

When the inevitable bloodbath began, on 7 December 1975, FRETILIN pleaded for international support via a radio broadcast: "The Indonesian forces are killing indiscriminately. Women and children are being shot in the streets. We are all going to be killed ... This is an appeal for international help. Please do something to stop this invasion". Their calls landed on deaf ears in Canberra and Washington despite UN resolutions demanding an immediate Indonesian withdrawal. In the genocide that followed, at least 100,000 Timorese died due to massacres and famine. Six journalists, including five working for Australian television networks, were killed by Indonesian forces while trying to inform the outside world about the invasion taking place.

In 1974, Prime minister Gough Whitlam met with general Suharto in Jakarta to express Australia's support for annexation, claiming that an independent Timor-Leste was "economically unviable". A year later, Australia's ambassador to Indonesia, Richard Woolcott, cabled the Department of Foreign Affairs in Canberra saying that an "agreed sea border ... could be much more readily negotiated with Indonesia ... than with Portugal or independent Portuguese Timor", effectively facilitating Australian companies' plunder of Timor Sea oil and gas.

Whitlam and subsequent prime ministers Malcolm Fraser, Bob Hawke and Paul Keating heeded Woolcott's advice that the government should "assist public understanding in Australia" to counter "criticism of Indonesia". The Fraser government became the first in the world to give de jure (legal) recognition to Indonesia's annexation.

At the time of the invasion, Indonesia was the biggest recipient of United States government aid. In an interview with journalist John Pilger in 1993, C Philip Liechty, a former senior CIA operations officer in the US's Jakarta embassy said: "Suharto was given the green light [by the US] to do what he did. We supplied them with everything they needed [from] M16 rifles [to] US military logistical support ... maybe 200,000 people, almost all of them non-combatants died".

In 1989, the signing of the Timor Gap Treaty exposed Australia's motivation for supporting Indonesia's brutal occupation. Foreign minister Gareth Evans joined his Indonesian counterpart Ali Alatas in a RAAF jet above the Timor Sea. After signing the treaty, the pair toasted the theft of Timor-Leste's natural resources with glasses of champagne. Tripping over his words, Evans declared the deal was "uniquely unique".

Two years later, Indonesia was no longer winning the propaganda war. On 12 November 1991, Indonesian troops massacred 273 Timorese youth who had marched on a Dili cemetery protesting the killing of Sebastio Rangel Gomes two weeks before. The Santa Cruz massacre was filmed by British journalist Max Stahl and images were soon broadcast around the world. Evans described the massacre as an "aberration".

In cities across Australia and around the world, protesters took to the streets. In Australia, a new solidarity movement was born, demanding an end to the Hawke government's diplomatic and military support for the Suharto dictatorship. However, it was the emergence of a powerful student-led democracy movement in Indonesia, and the ousting of Suharto in May 1998, that proved to be a major turning point in Timor-Leste's fate.

Suharto's successor, B. J. Habibie, announced an internationally supervised referendum in Timor-Leste to determine whether the disputed territory would remain part of Indonesia or gain independence. The announcement caught both the Indonesia military and the Australian government off guard. The Indonesian generals however had one thing in their favour: they would remain in charge of "security" in the lead-up to the ballot.

Indonesia's general Wiranto undermined the referendum by recruiting a civilian militia force to carry out massacres to intimidate Timorese voters. In one such massacre, in April 1999, machete-wielding militia slaughtered 50 Timorese in the grounds of a church in Liquiçá, where they were seeking protection. Two months before the Liquiçá massacre, the Australia's Defence Signals Directorate intercepted messages confirming that Indonesian special forces units had arrived in Timor-Leste to join undercover operations involving paramilitary forces. Yet Downer consistently maintained, right until the independence vote, that the Indonesian military was not engaged in a proxy war; it was only "some rogue elements within the armed forces who are providing arms of one kind or another to pro-integrationists".

When, on 30 August 1999, 80 percent of Timorese voted for independence, the Indonesian military and pro-integration militia went on a rampage, leaving thousands dead and much of the country's infrastructure in ruins. The destruction of roads, schools,

and hospitals further contributed to Timor-Leste's impoverishment. When independence was restored two years later, the new nation was desperate for foreign aid and assistance.

The training of Indonesia's elite Kopassus units by the Australian army, a ready supply of arms from the US and Hawk fighter jets from Britain had ensured that Indonesia's military could wreak maximum destruction on Timor's small civilian population. This facilitated a newly independent Timor-Leste's integration into the world capitalist economy on terms favourable to its imperialist neighbour, Australia.

Since 1999, Australian governments have boasted that they have provided approximately \$100 million per year in military and civilian assistance for Timor-Leste through bilateral and multilateral agreements. Yet, over the same period, the Australian government has received billions of dollars in revenues from oil and gas fields that rightfully belong to Timor-Leste. As Crikey journalist Bob Gosford observed in 2016, "The more than three billion dollars Timor-Leste has 'given' to Australia makes us your largest aid donor, not the other way around".

Since independence, Australia's most significant aid projects, according to DFAT, have involved the training of the Timor-Leste National Police Force and government personnel. On 30 August, after arriving in Dili, prime minister Scott Morrison declared a "new chapter" in Australia-Timor relations. His government will revamp a military base and connect Timor-Leste with fibre-optic internet cable. For most Timorese, a better-trained and equipped police force, a shiny new military base and faster internet speeds for Dili's hotels and governments offices will not offset the deprivations of hunger, high infant mortality and low life expectancy. But Australia's aid budget has never been about helping people. As DFAT acknowledges, Australia's aid program serves "the national interest". In layperson's speak: Australian big business.

For the Australian state – once likened by former PM John Howard as the US's deputy sheriff in the South Pacific – forging a "new chapter" in relation with Timor-Leste has more to do with warding off China as a serious competitor for Australian business interests. Witness K and Collaery are criminals in the eyes of Australian politicians because they helped expose Woodside's looting of Timor's oil and gas. Timorese are right to recognise the pair as heroes: their freedom must be defended.

Nick Everett was an activist with Action in Solidarity with Indonesia and East Timor in the 1990s.