

AM with Tony Eastley

Monday to Saturday from 8:00 am on ABC [Local Radio](#) and 7:10 am on [Radio National](#).

Hague Aus-Timor gas treaty talks continue, despite raids

Mary Gearin reported this story on [Friday, December 6, 2013 08:18:00](#)

TONY EASTLEY: The head of the East Timor delegation before the international court of arbitration at The Hague says it will not be deterred by recent raids on the offices of one of its lawyers as it proceeds with its bid to overturn the country's oil and gas treaty with Australia.

East Timor's ambassador to the UK, Joaquim da Fonseca, emerged after hours of talks saying both parties had entered discussions in good faith, even though it's happening as sensational claims have emerged that Australian spies bugged East Timor's government during treaty negotiations.

Europe correspondent Mary Gearin reports from The Hague.

MARY GEARIN: It seemed like apocalyptic weather conditions around The Hague, caught up in Northern Europe's dramatic storm.

And as evening fell Joaquim da Fonseca emerged to battering winds and a host of questions.

(Question to Joaquim da Fonseca) Mr Ambassador, can I ask what happened there today?

JOAQUIM DA FONSECA: Well, we've had a very productive proceeding today where we managed to get on the routes of procedure for the arbitration. Unfortunately we have to do this against the background of the events of 48 hours, the past 48 hours back in Australia. But the environment under which the proceedings took place today has been one which is very cooperative and amicable.

For Timor-Leste we can, we would like to say that despite the, the events in the past 48 hours, we are not deterred to proceed with this case and we hope that we can secure.

MARY GEARIN: Do you expect to be able to hear from the witnesses that you want to put forward, the former spy for instance who's in Australia at the moment?

JOAQUIM DA FONSECA: I cannot comment on that.

MARY GEARIN: Mr da Fonseca trod a diplomat or perhaps lawyer's path, speaking of the recent raids in Australia, including those on the offices of Bernard Collaery, a lawyer acting for East Timor.

JOAQUIM DA FONSECA: We regret that that had to happen. The position of Timor-Leste has been expressed at the highest level of government by the Prime Minister and again today we advised our colleagues from the other side that it is a very unfortunate event.

MARY GEARIN: Will the raids or the seizure of documents or evidence affect your case in any way?

JOAQUIM DA FONSECA: Well, it is but not, I can only say that we are not going to be deterred by that event, thank you.

REPORTER: But are you confident that East Timor has a strong case?

JOAQUIM DA FONSECA: Yes she has, I am, I am. I am very, very confident. It is a case which, Australia is a very good friend of Timor-Leste and we would not want to frustrate our relationship, let alone to do that with something that is not substantive or we are not very sure about. Thank you.

MARY GEARIN: Mr da Fonseca says the spying claims did not come up today but weren't going to, given it was a preliminary directions hearing.

There was no comment from the Australian delegation.

So now the parties will enter a complex arbitration process. Full hearings might not take place till September or October next year.

In the meantime, away from the niceties of court, Australia must deal with East Timor on the international stage.

This is Mary Gearin in The Hague for AM.

And in further details to emerge in this particular case, the ABC understands that Australian authorities have not only cancelled the passport of the former spy waiting to give evidence in this case in the Hague, but also the passport of his wife.

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