

SENATOR PATRICK TO FIGHT SUPPRESSION OF 2001 HOWARD CABINET SECRETS ON EAST TIMOR

1 January 2022

Independent Senator Rex Patrick has condemned the Morrison Government's decision to block the release of all 2001 Howard Government Cabinet papers concerning East Timor and the Timor Sea boundary negotiations.

"Prime Minister John Howard's approach to the Timor Sea negotiations is an ugly secret that must be exposed in the interests of justice," Senator Patrick said.

"It's an absolute disgrace that in an extraordinary legal case lawyer and former ACT Attorney-General Bernard Collaery is currently defending criminal charges for allegedly revealing the discreditable truth of Australian espionage operations against Timor-Leste."

"Dirty secrets shouldn't be left to rot in the dark vaults of our National Archives, but that's precisely what the Morrison Government wants."

"Each year, on 1 January, the National Archives of Australia releases Australian Government Cabinet papers from 20 years previously. Unfortunately, however, these releases have now become highly selective with the media encouraged to report only on the bits of history the government is happy to reveal while an ever greater proportion of Cabinet records are kept secret."

"This is very clearly the case with ALL 2001 Cabinet records relating to East Timor being withheld completely from public access."

Eight 2001 Howard Government Cabinet files relating to East Timor have been withheld from release. These secret files relate to the Timor Gap Treaty negotiations; Australia – East Timor maritime boundaries; Australia's defence commitments to East Timor; Australian Defence Force support for United Nations Transitional Administration in East Timor (UNTAET); the political situation prior to East Timor's August 2001 elections; and planning for the post-independence international presence in East Timor.

These records are all closed. Apart from the file titles, not a word has been released. The list of files is [on the page following this press release.]

Senator Patrick said: "Last year I initiated action in the Administrative Appeals Tribunal to get the inside story of the Howard Government's Timor policy; specifically to secure the release of a 2000 Cabinet submission that set Australia's negotiating strategy at the beginning of the Timor Sea negotiations and what were disgraceful efforts to steal gas and petroleum reserves from East Timor."

“That legal action is proceeding with the Government arguing for the continued suppression of all information in that Cabinet submission.”

“It’s now clear that I’ll have to take further action to force the release of more Cabinet records from a Government that’s determined to suppress the truth.”

“The 2001 Cabinet records deal with key decisions and negotiations leading to the conclusion of the Timor Sea Treaty that was eventually signed by Prime Minister Howard and East Timorese Prime Minister Mari Alkatiri in Dili on 20 May 2002, the same day that Timor Leste gained formal independence.”

“It is a matter of public record that the Howard Government took a very hard line, strongly asserting Australian territorial claims and the interests of Australian energy companies at the expense of East Timor’s rights and economic needs as they emerged as a newly independent but desperately impoverished nation.”

“At the time East Timor’s leaders and senior United Nations officials expressed strong concerns that Australia was using its access to East Timor’s telecommunications network, then provided by Telstra, to spy on the UN and Timorese negotiators.”

“It appears highly likely that from the very beginning of negotiations the Howard Government engaged in underhand tactics to steal energy resources from a new and impoverished nation. The suppressed Cabinet submissions and decisions may well include inside information about UNTAET and Timorese negotiating positions.”

“The 2004 bugging of the Timorese Government’s Cabinet room referred to in the affidavit of the Australian intelligence officer known as Witness K was most likely not the beginning, but a continuation of espionage operations against East Timor’s leaders and the United Nations from the moment that East Timor was freed from Indonesian rule.”

“After decades of controversy, revelations of Australian spying and highly secret criminal trials, it’s high time that the whole story is revealed so that Australian-Timorese relations can move forward on a new basis of trust and transparency.”

“The suppressed 2001 Cabinet submissions and decisions are a key part of the history of a disgraceful episode in Australia’s diplomacy, a story that continues to this day with the unjust prosecution of Bernard Collaery.”

“These Cabinet papers should not be left in the Government’s black hole of shameful secrets,” Senator Patrick said.



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<input type="checkbox"/>	A14370	JH2001/29/2	Cabinet Decisions JH01/0029/CAB/2 and JH01/0029/CAB/3 - Timor Gap Treaty Negotiations Review - Without Submission Access status: Closed Location: Canberra	2001 - 2001		203019021 Issue to research centre	
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<input type="checkbox"/>	A14370	JH2001/177	Cabinet Submission JH01/0177 - Reference copy of East Timor - planning for the post-independence international presence - Decision JH01/0177/NS Access status: Closed Location: Canberra	2001 - 2001		203019690 Issue to research centre	
<input type="checkbox"/>	A14370	JH2001/228	Cabinet Decision JH01/0228/NS - Reference copy of East Timor - pre-election situation - Without Submission Access status: Closed Location: Canberra	2001 - 2001		203019701 Issue to research centre	