



HUMAN RIGHTS
in AUSTRALIA

Walking Together: Australia's Chequered History in Timor-Leste



By Leona Hameed

Charles Scheiner has worked for [La'o Hamutuk](#) ("Walking Together" – the Timor-Leste Institute for Development Monitoring and Analysis) since August of 2001, a year and a half after the Timorese NGO was formed. At that time, Charles explains, Timor-Leste was governed by the United Nations. The World Bank was the de facto development ministry, and the IMF ran finance. Aid agencies from around the world had descended on Timor-Leste after the end of Indonesia's illegal military occupation, and most had little knowledge of the country and its people.

La'o Hamutuk is an independent Dili based organisation that researches, analyzes and publishes about political, economic and social rights in Timor-Leste, advocating for sustainable, equitable, transparent development. In those early days, La'o Hamutuk spent much of its time explaining to Timorese people, who had been isolated by occupation and struggle, who these international agencies were and what they had done around the world.

It quickly became clear, he says, "that the need for information was in both directions, that many of the foreigners who came to Timor-Leste to work for international agencies were conscientiously trying to do a good job, and they realised they didn't know nearly as much about Timor-Leste as they needed to."

Over the years after Timor-Leste restored its independence in May of 2002, La'o Hamutuk was learning the same lessons that the global aid industry was realising worldwide about the ineffectiveness of foreign aid. "We found the same weaknesses in every project we monitored – they didn't address the community's real needs; they didn't build on local skills, traditions and societal structures; they particularly excluded women. You can't develop a state or an economy in one-year projects – as soon as donor money stopped, the project collapsed, with negligible lasting benefits." Development agencies were doing hardly anything for sustainable development.

Therefore, La'o Hamutuk stopped investigating particular aid projects and focused on sectors: the economy and petroleum dependency, land rights, justice and seed policy to name a few. "There's a huge gap between the small upper class and the impoverished majority in Timor-Leste, between the capital Dili and the rural districts. Short-term needs are often prioritised over long-term investment in Timor-Leste's people. So we continue to advocate for more attention to education, especially primary education, more attention to health care particularly in rural areas, and infrastructure in rural areas."

La'o Hamutuk has agreed to have us republish some of its work at Right Now. We spent some time interviewing Charles about which areas of human rights he thinks are the most important in Timor-Leste.

Right Now: What do you think are the most important human rights challenges facing Timor-Leste at the moment?

Charles: La'o Hamutuk defines human rights in a broader way than only civil and political rights. Civil rights are important, but economic, social and cultural rights are also important. Here, unfortunately, the priorities, especially from certain international agencies and political leaders, isn't about rights as much as about "security." And they, particularly in Australia, seem to think that security is something provided by soldiers and police and threat of force or prison. And so a large part of Australia's support has been in those areas: there's a very large Australian police training program here and Australian soldiers were here until the end of 2012.

People in Australia define security as meaning that their kids will get an education, they'll have a roof over their head, they'll have a pension when they get too old to work, they're not going to lose their job. The aid agencies marginalise this as "human security." Is that less important than the "security" that people patrolling with guns can provide? We think that Timorese people have the right to the same kind of "security" as people in Australia or any other affluent country.

For example, in an average year around 60 Timorese people are killed by homicide, by deliberate violence, while about 1500 Timorese children under the age of 5 die from conditions that could be prevented by better sanitation, nutrition and health care, not to mention all the people over five whose lives are shortened from these failures. We think that the larger group is where donors and government should focus their activities and policies.

Unfortunately, many donors, particularly when there was a UN peacekeeping mission here, don't see that as a priority. It's starting to change – but not quickly enough. Child malnutrition, illness and mal-education can create permanent damage, especially in this country whose post-war baby boom produced large number of children under 10.

Most adolescents and adults in Timor-Leste suffer from Post-Traumatic Stress Disorder from their experiences during 24 years of incredibly brutal war and violent, repressive occupation by the Indonesian military. Which means that when there are rumours of violence or rumours that somebody is going to do something, people overreact. They get scared, they get dysfunctional, they run away, they build walls around their houses – even if there's not really that much danger. This feeds into the government and the donors feeling that they should protect people from whatever perceived immediate danger they're afraid of, rather than looking into longer-term, more fundamental needs.

Last night I was in a discussion about health care policy, and someone asked why the government doesn't give much attention to mental health. Others asked why they didn't focus on preventive health measures like nutrition and sanitation, but mental health is particularly ignored and that would probably do more toward making people feel secure than police and soldiers and courts. So in terms of human rights, the rights in the International [Covenant on Economic, Social and Cultural Rights](#) are the ones La'o Hamutuk prioritises. Timor-Leste is living in an oil-fueled economic bubble which may break in six years, and the current reality of buying off potential troublemakers and importing everything from water to health care will no longer be possible.

That doesn't mean that civil and political rights are not also important; examples like the proposed law to restrict journalists show that they cannot be taken for granted. But the level of repression in Timor-Leste these days is infinitely better than it was during the Indonesian or the Portuguese time. You could say that, to a large extent, civil and political rights have been achieved, not entirely, but we do have democratic elections and freedom of speech. People are not afraid to speak out.

What do you hope Australian audiences will learn about our country's relationship with

Timor-Leste from this series?

La'o Hamutuk wrote a [submission](#) to an Australian parliamentary inquiry about a year ago that discusses some important issues in the relationship between our governments.

In terms of people, I think most Australians have a pretty distorted view of the reality of Timor-Leste. It's basically the result of reading articles by journalists who aren't here, and don't know what happens day to day. They only pay attention when there's a crisis or threat of violence. So that's the only thing that gets written about internationally, but that's not the reality of this country.

Imagine what a Timorese person's picture of Australia would be if they only had access to stuff written about Australia by people who've never been to Australia, or by people who went to Australia for two weeks four years ago when there was an election or a coup. And then they kept writing about the country, because that's what the Australian coverage is like here. It continues the tradition of racism, neo-colonialism, of British-empire mentality that still persists in many settler countries dominated by white people, but I think particularly in countries like yours and mine [Charlie is originally from the United States]: that brown people are somehow inferior. We talk about the "undeveloped" world and the "developed" world as if the "developed" world is somehow better, and that influences not just the journalists' thinking but the day to day perceptions of people on both sides of the Timor Sea.

Let me tell you a story. About four years ago, there was a problem with Australian soldiers creating unease in the community, and we put out a [press release](#) and went to talk to the Australian ambassador. He invited the ISF (Australian-led International Stabilisation Force that was in Timor-Leste 2006-2012) commander, who had not been here very long. We asked the commander "What kind of training do Australian soldiers get about Timor-Leste before they come here, because if all they know about Timor-Leste is what they read in Australian newspapers or see on Australian television, they have a very distorted picture of the country."

And the Commander said "Oh don't worry about that, we don't give them any training but they don't have those misconceptions because our soldiers don't read the media, all they do is watch sports."

What does it mean that they don't think it's necessary to orient armed people before you helicopter them into traumatised local communities? I don't think Australia would be very happy if a bunch of Indonesian soldiers were to suddenly fly into a village in rural Australia and start walking around with guns, asking political questions through interpreters, as they didn't speak a word of English? Australians' inability to see how they're perceived is a problem across the board. Of course not everybody, there are many Australians with goodwill, some of whom are here. These days, La'o Hamutuk gives briefings for people who come with AusTraining and AVI – two organisations which recognise that volunteers who come here should learn something about the country

The thing that's really dominated the news cycle in Australia in terms of Timor-Leste for the last few months is the Timor Sea oil treaties and allegations of spying. What's your take on that news story and how do you see it playing out?

I spend a lot of time talking with Australian journalists (by phone or email because they rarely come here) to help them see this from Timor-Leste's point of view, including the 50-year history of Australian duplicity and greed. And it's hard, because most Timorese who are not official spokespeople don't want to talk to Australian media about this issue. They've been quoted out of context or mistranslated or their words were twisted by the "enemy's" media, and it makes them look like traitors.

Australia is Timor-Leste's adversary in this issue, and many people see Australia as not only the country that has stolen and continues to steal billions of dollars' worth of oil and gas that Timor-Leste has a legal right to and desperately needs, but also as complicit with the first 23½ years of Indonesia's illegal occupation.

Australia prioritises its own interests above law and diplomacy. Of course, every country looks out for its interests but I think Australia is more extreme, overriding mutual respect and democratic processes to maximise its income. The history of Australian maritime boundary negotiations with other countries, not only Timor-Leste, shows that it's very difficult for Australia's neighbors to resolve their boundaries because Australia fights hard for its economic interests. It took many years to negotiate the 2004 treaty between Australia and New Zealand, over a tiny part of the sea with no known resources under it, and other boundaries around Antarctica are still unresolved. Australia is not only a "lucky country," it drives a ruthless bargain.

This mindset continues a colonial history that starts with *terra nullius* – that the world is there for us to take, even if brown people are in the way. And even though that isn't the overt ideology anymore, it still unfortunately underlies a lot of actions. Getting the Australian government to genuinely respect Timor-Leste, not just on paper, as a sovereign nation with the same rights as Australia – in terms of treaties, negotiations, vote in the UN General Assembly, respect for its territory – is very challenging. The condescending attitude about how generous Australia is to Timor-Leste from Alexander Downer and other Australian leaders is wrong on the facts – Australia has taken much more from Timor-Leste than it's given, even if you count every dollar attributed to Australian military and economic aid, most of which never comes to Timor-Leste. I don't know how to break through that paternalistic superior mindset.

This is not only about past crimes. Today, Australia continues to occupy about 40% of the Timor Sea oil and gas reserves that belong to Timor-Leste under current international legal principles – including all of Bayu-Undan and Sunrise, as well as Laminaria-Corallina, [which has paid more than \\$2 billion to the Australian government since beginning production in 1999](#), and not one penny to Timor-Leste.

Imagine I'm your wealthier, older neighbor. Twenty years ago, I broke a window in your house and took everything you own. These days, I use the key I stole then to sneak into your home every Friday night and take \$100 out of your wallet. I paid for part of the new window and always leave a nice note on your kitchen table, but no matter how sweet my words are, you're still angry with me. Why don't you just get over it!

Further Reading

The CMATS treaty was signed by the Australian and Timor-Leste governments in Sydney in 2006. The following article is a comprehensive overview and timeline of that treaty, and its implications.

[La'o Hamutuk: Information about the Treaty between Australia and Timor-Leste on Certain Maritime Arrangements in the Timor Sea](#)

When ASIO raided the offices of Bernard Collaery, Timor-Leste's lawyer, peaceful protests began outside the Australian embassy in Dili. It was widely reported in the Australian media that protesters threw stones at the embassy, a false claim that was later retracted by AFP, but not before the claim was widely republished by Australian and International media.

[La'o Hamutuk: Presumption of Violence](#)

Land rights in Timor-Leste are complex and fraught with injustice, both because of the contradictions between indigenous and mercantile concepts of land, and because of five centuries of illegal displacement and theft by colonizers and occupiers. Following extensive civil society advocacy, then-President [José Ramos-Horta](#) vetoed laws in March 2012 because they failed to protect the rights of Timor-Leste's most vulnerable and did not effectively address past injustices. The following is a comprehensive explanation of the proposed land laws, as well as who they benefit.

[La'o Hamutuk: Whom Will The Land Laws Empower?](#)