

Timor Sea resources: Steve Bracks, former premier of Victoria, says Australians need to hear the full story

Steve Bracks, Herald Sun

STARTING today, the Administrative Appeals Tribunal will hear a case that is unlikely to generate much in the way of publicity.

But it should.

Put in plain terms, the case centres on a long-running campaign by a friend and former staffer of mine, Kim McGrath, to uncover the truth about Australia's leading role in carving up the lucrative energy resources below the Timor Sea.

Just how Australia claimed the lion's share of the undersea resources that lie closer to Dili, Timor-Leste's capital, than to Darwin has never been properly explained by consecutive governments in Canberra.

Kim has worked tirelessly to attempt to get to the bottom of Australia's dispute with Timor-Leste, one of our closest neighbours and a young country whose path to independence came with much bloodshed.



Protesters rallied outside the Australian embassy in the East Timor capital Dili in 2016.
Picture: AFP/Valentino Dariel Sousa

While that period of war and violence has been well documented, it is the secret story about Australia's jostling over resources to our north that, over the decades, has managed to escape scrutiny.

This case dates back to the 1960s, when highly profitable natural resources were detected below the Timor Sea. In the years that followed Indonesia's invasion of what was then known as Portuguese Timor, a treaty was struck between Indonesia and Australia to carve up the area.

The events that have transpired over the following decades would sit neatly within the pages of a John Grisham novel.

It has involved Timor-Leste pleading its case to the International Court of Justice in The Hague, ASIO raids on the offices of Timor's lawyers, and a former Australian spy claiming that our people bugged Timor-Leste's Cabinet room.

And as Kim found in the National Archives, files concerning Australia's interest in the Timor Sea from more than 30 years ago have paragraphs, pages and sometimes whole documents redacted by the Australian government under the broad brush of being "information still regarded as sensitive".

It's an extraordinary situation that leaves us wondering: what, exactly, does the government have to hide?

There are thousands of documents in the National Archives that concern Australia's negotiations over the Timor Sea boundary. But very little has ever been made public about the oil and gas reserves and, importantly, about our actions and motivations at that time.

What this has meant is that Timor-Leste, a new country and a very poor one, has been denied ownership of billions of dollars of oil and gas reserves that, under international law, would be theirs.

Timor-Leste to benefit from permanent boundary with Australia

This airbrushing of Australia's apparently deliberate actions in the past, together with the current federal government's appetite for withholding information, will come to a head at the AAT.

In this matter, Kim has applied to the tribunal for a review of the National Archives' decision to redact documents that are believed to relate directly to decisions taken regarding Australia's interest in oil and gas reserves.

Remarkably, the Australian government's response to this matter will be heard in complete secrecy. Neither Kim nor her lawyers from Gordon Legal will be able to hear, see or scrutinise the government's defence. But you might ask why the pursuit of this matter and these documents is so important.

The answer is that as a modern, compassionate country which is the leader in our region, we simply must know the answers to this secret Timor Sea oil story.

Australia played a positive role in Timor-Leste's eventual independence; our military made us proud, and many Australians continue to make a positive impact around the areas of health and community building.

But this chapter remains a part of our history with which we need to be reconciled — and that must begin with knowing the truth.

Steve Bracks is a former premier of Victoria