

Timor-Leste draws a line. Will Australia respect it?

Sophie Raynor, Crikey.com 2 September 2019

Scott Morrison was playing nice over the weekend, but Australia has proved time and time again that it's hard-pressed to respect Timor-Leste's sovereignty.



Scott Morrison and Prime Minister of Timor-Leste Taur Matan Ruak upon the ratification of the maritime boundary treaty (Image: AAP/Lukas Coch)

Hundreds of children are sitting in the heat of the Dili sun; their crisp white t-shirts read “Viva, TimorLeste” in soda-brand font. Each child clutches two small flags mounted on thin plastic poles — one Australia’s, one Timor-Leste’s.

They’re waiting in the grassy grounds of Palácio do Governo, Timor-Leste’s government house, ahead of Scott Morrison’s arrival. The upcoming ceremony will officially mark the long-awaited ratification of the maritime boundary between Australia and Timor-Leste — the *troka nota*, or “exchange of letters”.

Journalists sweep past as kids raise and wave their flags. They offer shy smiles and peace signs to the cameras that will beam these images of hope and youth and new energy into thousands of televisions across the globe. Timor-Leste celebrates 20 years since its vote for independence is the headline. Morrison is the guest of honour.



Scott Morrison at Dili's Palácio do Governo (Image: Sophie Raynor)

“We are committed to [Timor-Leste’s] sovereignty and prosperity, and today open a new chapter in our great partnership,” Morrison tells the crowd of gathered dignitaries, sitting shaded under draped silks in the red, black, white and yellow of the Timor-Leste flag.

“[A chapter] founded on trust; on shared respect; on shared values. One strengthened by talking together, walking together, working to solve problems together. And that’s exactly what we’ve done with the new maritime boundary treaty.”

There’s a smattering of applause.

Australia and Timor-Leste made history in March 2018 by signing a treaty tracing a median line across the middle of the Timor Sea, which sits just north of Darwin. This was the [first time](#) the United Nations Convention on the Law of the Sea’s little-known compulsory conciliation process had been used.

The agreement came after the sensational revelation, in 2012, that Australia had bugged the cabinet rooms of Timor-Leste’s government during sensitive negotiations over resource-sharing in the Timor Sea. This resulted in Australia gaining valuable secret insights into Timor-Leste’s negotiating position, which led Timor-Leste to tear up the resulting Certain Maritime Arrangements in the Timor Sea (CMATS) agreement and [commence conciliation](#) proceedings in the Hague.

The former ASIS agent who revealed the bugging, Witness K, has been charged along with his lawyer, Bernard Collaery, with disclosing protected information.

It’s in the forecourt of this same government building that Australian officials bugged that Morrison tells the exchange of letters Australia and Timor-Leste have set an example by finalising the treaty as “neighbours, as partners, as friends”. He praises parliament’s “bipartisan effort” to ratify the treaty quickly.

Australia ratified the treaty on July 29, 2019 — 16 months after its signing, and a year since parliament’s Joint Standing Committee on Treaties [recommended](#) “binding treaty action” be taken.

During that time, Australia continued to receive [approximately \\$6 million per month](#) from its 10% share in the Bayu-Undan gas field, now known to sit entirely on Timor-Leste’s side of the boundary. Morrison has said the government does not plan to repay this money.

The exchange of letters offers new relief in the recently strained relationship between Australia and Timor-Leste.

Morrison’s visit to Dili was the first by a prime minister in 12 years; Gillard, Abbott and Turnbull never made the 90-minute flight from Darwin. It also represents a conclusion to more than 15 years of lopsided negotiations over the valuable oil and gas resources buried in the Timor Sea.

The new boundary treaty grants Timor-Leste either 70% or 80% of upstream revenues from the yet-undeveloped Greater Sunrise oil and gas fields, depending on where the resources are processed. This is significantly more than the 50% promised by the CMATS treaty, and billions more than the [\\$95 million](#) in foreign aid Australia granted Timor-Leste this year.

With oil prices around US\$50 (A\$74) per barrel, Greater Sunrise resources are [worth an estimated \\$100 billion](#).



Timor-Leste protesters at a solidarity festival for Witness K and Bernard Collaery (Image: Sophie Raynor)

But the moment didn’t come cheap. Activists met Morrison at Dili’s Nicolau Lobato International Airport late on Friday morning, imploring the government to drop the charges against Witness K and Bernard Collaery. A sunhatted Shirley Shackleton, the 87-year-old widow of slain Balibo Five journalist Greg Shackleton, tried to present Morrison with a 4000 signature-strong petition in support of the pair. Morrison brushed past her; Foreign Minister Marise Payne [accepted the letter](#).

Morrison may acknowledge Timor-Leste’s sovereignty and praise its successes from his palácio lectern. But in his government’s stubborn determination to prosecute truth-tellers; in ignoring a woman widowed due to his [country’s inaction](#); in the refusal to return millions of oil dollars unjustly earned to a still-young country facing insurmountable development challenges, his government shows its true feelings toward Timor-Leste: pawn, not partner.

Despite sharing a strong new border, Australia and Timor-Leste today remain as far apart as ever.