



# **AETFA NEWS**

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## **Timor Sea Negotiations— Will they deliver more injustice?**

With the latest round of maritime boundary negotiations between Australia and East Timor concluding in Dili on Friday 29 April, a further round of talks have reportedly been scheduled for early May to finalise details of a proposed deal.

The deal ignores the establishment of permanent maritime boundaries, that if established in accordance with current International Law would deliver most, if not all, of the Greater Sunrise field worth an estimated \$50 billion in government royalties to East Timor. Instead the deal focuses on another temporary resource sharing agreement.

Details of the deal have not yet been revealed, but the Timor Sea Justice Campaign, believes it sidesteps the crucial matter of permanent maritime boundaries.

"Such a resource sharing deal would ignore East

Timor's rights as a sovereign nation to have permanent maritime boundaries and control its own resources, but of course we'd welcome East Timor receiving a more appropriate share of its gas and oil resources that better reflected what it was actually entitled to under International Law," Tom Clarke, the co-ordinator of TSJC Melbourne said.

"What ever the percentage spilt they end up settling on for the \$50 billion Greater Sunrise field, it must be remembered that under International Law, East Timor has a very strong legal claim over the field, while the Australian Government has such a lack of confidence in its legal argument, that it pre-emptively withdrew recognition of the maritime boundary jurisdiction of the International Court of Justice," Mr Clarke said.

The Timor Sea Justice Campaign will continue to lobby the Australian Government to give East Timor a fair go in the lead up to the next round of talks.

"The Australian people believe in a fair go and it's encouraging that the Australian Government is starting to respond to the growing public campaign to ensure East Timor gets a fair go in the Timor Sea," Mr Clarke said.

## **Timor TV ads refused—an act of political censorship?**

The latest TV ads about the Timor Sea dispute, financed by Australian businessman Ian Melrose, have been refused approval by the Commercials Advice Division (CAD) of Free TV Australia.

The ads feature World War Two veterans, who fought in East Timor, attacking John Howard over his Government's unilateral depletion of gas and oil fields in the Timor Sea.

Marvin 'Doc' Wheately, who served in the 2/2 Independent Company said he owed his life to the East Timorese people.

"John Howard you are making me ashamed," Mr Wheately said.

The group of veterans explained that East Timorese children are dying due to a lack of basic health care, while the Australian Government has taken over \$2 billion in contested gas and oil royalties from East Timor the poorest country in Asia.

"This is not the ANZAC spirit," Ray Parry, another of the WWII veterans featured in the ad, said.

However, the TV ads aimed at raising public awareness of the Australian Government's refusal to follow current principles of International Law in establishing maritime boundaries with East Timor, may not be screened on commercial television.

CAD has expressed concerns that the ads may be defamatory and has refused to issue them with a CAD number that would allow commercial networks to air them.

Ian Melrose, who is spending \$2 million on the advertising campaign and has already experienced trouble having previous ads screened, dismissed the concerns and claimed Australians have the right to know the facts about the Australian Government's actions.

"The Australian Government is refusing to play by the rules. It has withdrawn recognition of the maritime boundary jurisdiction of the International Court of Justice and it is depriving East Timor of billions of dollars which East Timor is legally entitled to. It doesn't want the Australian public to become aware of this," Mr Melrose said.

"The veterans in the ad are people who served for their country and they have a right to express their views about the Howard Government's betrayal of the ANZAC spirit. It's time that Alexander Downer and John Howard took responsibility for their Government's actions, they have the power to resolve this issue," Mr Melrose said.

The ads were to screen this week following ANZAC day and while maritime boundary negotiations were held in East Timor.

"The ANZAC spirit is all about a fair go," veteran Bernie Langridge said.

The Timor Sea Justice Campaign claim that the Australian Government is attempting to short change East Timor out of \$40 billion of gas and oil royalties.

"John Howard make me proud again, give East Timor a fair go," Mr Langridge said.

Both of the ads can be viewed online at: -

<http://www.timorseajustice.org/tvcs.htm>

### **Inside this issue:**

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# Deportation news shocks East Timor advocate

TONY JONES interviews Sr SUSAN CONNELLY of Mary MacKillop Institute of East Timorese Studies  
Transcript from *Lateline* (ABC TV), 27<sup>th</sup> April, 2005.

(original at [www.abc.net.au/lateline/content/2005/s1354928.htm](http://www.abc.net.au/lateline/content/2005/s1354928.htm))

TONY JONES: Sister Susan Connelly is one of Australia's best-known and longest-serving advocates for the East Timorese people. She's the Assistant Director of the Mary MacKillop Institute for East Timor Studies in Sydney and she joins us now. Thank you for joining us.

SR CONNELLY: Thank you, Tony.

TONY JONES: The government's effectively saying here, "We've been extremely compassionate. We've allowed more than 1,400 East Timorese to remain in the country and become Australians. You should trust us that we have good and compelling reasons to reject this 50." Why don't you trust them?

SR CONNELLY: I have absolutely no evidence that would assure me that if I were to put my trust in anything that any member of this Government says. I just - I just have no trust in it at all. I would need independent confirmation of the truth of a statement, and I say that after coming in here tonight, Tony, not knowing before I came in tonight that the accusation, the unsubstantiated accusation, of serious character deficiencies has been made against 50 people, some of whom I know quite well. Now, I would respectfully suggest that the Government put up or shut up.

TONY JONES: Do you have any idea at all what Senator McGauran is getting at here when he refers to serious character grounds as being the reasons?

SR CONNELLY: I certainly don't. I do know of, in a few cases, there have been indiscretions, indiscretions that I would look at as being of more of the late teenage variety, and I'm sure...

TONY JONES: Not serious criminal indiscretions or convictions?

SR CONNELLY: Certainly not. Serious enough for a person perhaps to have been - to serve periodic detention. I know that particular person has. Wasn't serious enough to be sent to jail. Has undertaken that punishment with tremendous respect for our legal system, happy to do it - as happy as you could be in such circumstance - coming to the end of his time. But...

TONY JONES: You're saying that's the exception rather than the rule?

SR CONNELLY: Absolutely the exception. I'm absolutely shocked at this, and I think in a country like Australia, no matter who you are, you should have the right not to have your character blackened just like that by a statement from anybody on national television.

TONY JONES: How many of the 50 - I know you know of a lot of the cases indirectly. How many of the 50 do you know directly?

SR CONNELLY: I would know between 6 to 10 of those directly. I would say I know 6 very, very well.

TONY JONES: You know they have no serious character deficiencies?

SR CONNELLY: As well as I could know that about any person that I know.

TONY JONES: You do know specifically one young man on that list, on the rejected list, a young man who came here, I understand, after witnessing or even being caught up in a massacre?

SR CONNELLY: That's right. He was caught up in the Dili massacre, so he has those memories, and like all the young ones that we know, they came here as traumatised and bewildered teenagers, and we've come to know and love them over these years, seeing them grow, seeing them grow into compassionate and loving people who look on Australia as their home. I mean, they've lived in Australia for nearly half their life, so you would look on it as your home, wouldn't you?

TONY JONES: Do you know how that particular young man feels about this decision?

SR CONNELLY: Yes. He is upset about it. But like the lady who was just interviewed, he's mystified. He's saying, "Don't they like me? What might they do to me?" He's a bit afraid, actually, of perhaps pursuing it because he doesn't want anything against him. It's a terrible dilemma for young people like this to be in.

TONY JONES: Do you think some of these cases, the rationale for some of these cases might go back before they were in Australia, to events in East Timor?

SR CONNELLY: Well, if that's the case and if there's such terrible concern in the Government about making sure we get rid of these people, why have they been allowed to stay in Australian society, possibly contaminating the rest of us, for all these 10 to 12 years? I mean, there's something fishy here, Tony. I don't know what it is, but I feel there's something rotten in the state, and it smells like a rat. I don't quite know the style of rat, but there's something smelling here. My own personal feeling is that - see, the Government has been receiving very bad press lately over the Timor Sea issue. A lot of Australians are waking up at last to the fact that we're not perhaps as generous as we have liked to portray ourselves. And that's due to those wonderful advertisements paid by Ian Melrose where you get the maps and the facts, which is more than you get usually from Government sources.

TONY JONES: But go back to the - if that were the case, go back to what the Government has done in a broader level, of more than 1,400 East Timorese are going to be allowed to stay here. This is, in the end, a tiny minority. You're saying you simply don't understand why...

SR CONNELLY: Tony, nobody in Australia, no Timorese in Australia was told yesterday or today that they were staying. That news is old. Mr Ruddock was responsible for most of those to come in. That news is - it's like resuscitating a corpse, really, to give us a picture of this vision of Australia being so generous, you know, now we're going to allow all these people to stay, whereas we've known for months that they were. The news today, which is tucked down in paragraph 3 in this story, the news is that 30 - well, now we hear 50 people - are being told to go. That's the news, and it should-

n't be dressed up as, you know, just a little bit of a story where we're supposed to be so generous.

TONY JONES: What's life going to be like, do you believe, for the 50 people who go back to what is effectively their homeland, after all, and now an independent country?

SR CONNELLY: There aren't many prospects for anybody in Timor at the moment. There's terrible hunger in Timor. It's a shocking thing to have to say. It's not as if these people are being sent back to East Timor having imbibed wonderful knowledge and skills in Australia. They haven't been allowed to undertake university courses because that's against the asylum seeker thing. They've been allowed to do certificate courses at TAFE, but not diploma courses. So there's not a great deal they can take back, and when they get back there, if they do, there's certainly not much offering.

TONY JONES: Of course, these 50 can have a final appeal of the minister's decision.

SR CONNELLY: That's right, yes.

TONY JONES: If they do have a final appeal, however, they put at risk the financial package, the incentive package which is being offered to them, which could be, for a family, up to \$10,000?

SR CONNELLY: Yes. They also put at risk their - like, the Government has no obligation to give them a bridging visa if such an appeal was rejected. So therefore they may be looking at detention centres. So it's very serious business, and really...

TONY JONES: You mean if they were to appeal, they could be sent straight to a detention centre?

SR CONNELLY: No, this is how I understand it - I stand to be corrected - but if a second appeal to the minister fails, there is no guarantee they would get a bridging visa, so therefore, they would be looking at a detention centre.

TONY JONES: Do you expect that many of these people will appeal? As you say, you know some of them personally?

SR CONNELLY: Well, I think it's come as such a shock in this Anzac week, such a shock, when memories have been brought back to what the Timorese have done for us. Tony, no other people on the face of the earth have lost so many people in exchange for befriending Australian soldiers as the Timorese did. It's something that we should remember like we remember all our war stories. Like, the Anzac spirit - Australia has no monopoly on courage, and Australians have got no monopoly on what we call the Anzac spirit, either. The Timorese have stood by us. We have a huge debt to pay for them, and it's not just out of the sense of debt; it's the sense of shared brotherhood in a shared history. It is unique, and they should be treated uniquely. There is another thing. If we treat people who are so close to us, in history and geography, like this, what chance have other people got?

TONY JONES: Sister Susan Connelly, we'll have to leave it there. We thank you very much for taking the time to come and talk to us tonight on *Lateline*.

SR CONNELLY: Thank you, Tony.

## The News in Short

### East Timor mourns Pope John Paul

The government expressed condolences over the death of Pope John Paul, declaring a 3-day national period of mourning (April 3<sup>rd</sup>). Pope John Paul visited East Timor in October 1989, after a decade when it had been almost totally shut off from the rest of the world. Many people seized the opportunity to show the world they were unhappy with Indonesian rule. East Timor will build a monument to Pope John Paul at Taci Tolu, where he celebrated mass in 1989.

### Protesters attacked at cemetery (April 9<sup>th</sup>)

200 protesters were attacked by police at Santa Cruz cemetery in Dili. They were protesting the government's invitation to Indonesian President Yudhoyono. Police said the demonstrators had no permit - the law requiring such permits had not yet been passed! The protesters returned to the offices of the Socialist Party where they remained for hours surrounded by police. They raised a banner saying: "No impunity - Justice for the Victims". Spokesman Avelino da Silva said "In Jakarta you can demonstrate against SBY (but not here)".

### Brazil sends teachers to East Timor (March 30<sup>th</sup>).

Brazil has sent 47 teachers to East Timor for 12 months to work in teacher training & the teaching of Portuguese & the sciences

### UN returns to West Timor (April 5<sup>th</sup>)

The UN has allowed its agencies to resume normal work in West Timor which was considered too dangerous for the UN & NGOs after 3 UN workers were killed by militias in Sept, 2000.

### Religious education dispute (April 28<sup>th</sup>)

A dispute between government and Church over an attempt to end compulsory religious education in state schools has been settled. Peaceful rallies by thousands of people in Dili demanded Prime Minister Alkatiri's resignation. 96% of East Timorese are Roman Catholic. PM Alkatiri agreed a solution with Timor's 2 Bishops (still to be discussed by his cabinet).

### Another one year UN mission

The UN Security Council has approved a further 12 month mission, UNOTIL (UN Office in East Timor) until May 20<sup>th</sup> 2006. It will have 35 civilian advisers, 40 police advisers, 35 advisers on border police patrols, & 10 human rights advisers. The outgoing UNMISSET has over 600 personnel.

Many East Timorese are concerned that the Serious Crimes Unit be extended. It has trials still pending, arrest warrants to be issued, indictments to make on existing evidence & investigations to conclude. Much evidence & many witnesses are being withheld by Indonesia. The international jurists' report "Intended to Fail" says the Human Rights Court in Jakarta was never intended to hold perpetrators accountable. Shutting down East Timor's Serious Crimes Unit (SCU) now would further compound the Jakarta court's failure. A report by UN Commission of Experts outlining SCU's future is expected this week (May 3<sup>rd</sup>). Foreign Minister Ramos Horta says it is a "fundamental concern" to have the SCU's status made clear.

### Commission of Experts to report on justice for Timor

The UN Commission of Experts (COE) is investigating human rights abuses in East Timor in 1999. Hundreds of demonstrators met the 3 judges at Dili airport (April 5<sup>th</sup>), most demanding an international tribunal. The COE spent 5 days meeting government leaders, victims & victims' families. Indonesia says it will work with the COE but has not yet (May 3<sup>rd</sup>) issued them with visas. A leader of the Golkar Party (Suharto's power base) has urged the Indonesian government to lobby Russia and China to use their (Security Council) veto rights to block any international tribunal.

### Joint military exercises resume

Indonesia and Australia resumed joint military exercises (the first since 1999) with an air force exercise over the Timor Sea (April 12<sup>th</sup>). A navy joint exercise is planned for August.

### Indonesia to reform its military!!!

Indonesia's President Yudhoyono (known as SBY) has declared war on corruption & passed a law requiring the military (TNI) to divest itself of all its business interests within 5 years. TNI commander General Sutarto responded by offering to do it within 2 years! (April 13<sup>th</sup>) TNI receives only 1/3 of its budget from government, the remaining 2/3 coming from businesses, both legal & illegal. In March, the world's largest illegal logging racket, run by TNI, was uncovered in West Papua. Indonesia loses forests the size of Switzerland every year to illegal logging.

The revised 2-year deadline is seen as an attempt to get TNI's budget increased sooner. Whatever the motives, Australian & Indonesian experts agree it is the best chance yet to genuinely reform TNI. SBY won't need to replace all of TNI's 2/3 budget loss as a large proportion of that goes not into military operations, but into the pockets of senior TNI officers. Experts call it the most dangerous corruption in Indonesia, & say reform of the army & police must precede reform of the rest of the public service. Transparency International has named Indonesia one of the most corrupt countries in the world. Defence Minister Sudarsono is trying to appoint civilians to the top positions in his department to introduce the reformist policies. These positions are still held by top TNI officers.

### NZ still bans military ties

New Zealand PM Helen Clark re-affirmed NZ's ban on military ties with Indonesia before President Yudhoyono's visit (April 4<sup>th</sup>). NZ stopped the training & joint exercises in 1999 when TNI-backed militias rampaged through East Timor. Ms Clark announced a multimillion dollar aid package as "a good neighbour in times of crisis" (the recent tsunami). NZ has no plans to revoke the ban on military ties despite US and Australian moves to do so. East Timor activists in the US have announced a campaign in June to lobby Senators and Congressmen to restrict military ties until TNI is reformed.

### Malaysia's police sued over APCET 1996

33 delegates to the Asia Pacific Conference on East Timor (APCET) 1996 are suing police for illegally detaining them. Police detained them for several hours after dispersing a rent-a-mob which was disrupting the conference in Kuala Lumpur. Delegates detained included Andy Alcock, Bishop Hilton Deakin & Helder da Costa. Helder (then an Adelaide university student, now university professor in Dili & adviser to Timor's government) was deported to Jakarta & held there by army intelligence until Australian protests obtained his release.

### Borders with Indonesia agreed (April 12<sup>th</sup>)

Indonesia & East Timor have signed a temporary agreement covering 96% of their land borders. Maritime borders are yet to be discussed. Negotiations will continue

### A luta continua

Martin Wesley-Smith's musical work "A luta continua" (The Struggle Continues) was first performed to public acclaim in Sydney in early April. Martin's brother Peter wrote the libretto, a lament for those who died in East Timor's independence struggle, based on Xanana Gusmao's defence statement in court in 1992 after his capture. It includes Timorese folk songs and dances. Martin & Peter's brother Rob has been a leading East Timor activist since 1975.

### Timor tackles dengue outbreak - Australians to help

The government has drawn up a plan to fight a 2-month dengue fever epidemic which has already killed 33. The security forces will improve the sanitation system & remove any breeding grounds for mosquitoes. This work should also reduce other mosquito-borne diseases like malaria. 2 Australian mosquito experts flew to Dili (April 13<sup>th</sup>) to inspect Timor's control programs, equipment & insecticides & to advise the government.

## East Timor Independence Dinner

join us to celebrate  
*3 years of East Timor independence*  
& *30 years of East Timor independence activism in Adelaide!*

**Saturday, 28 May, 6:30pm**  
at the Folk Centre, corner South Rd and George Street, Thebarton

tickets \$25/\$20 conc.

Ticket Price covers food and entertainment (Live music), drinks available for purchase at bar  
proceeds from the night will go to **Rebuilding Education in East Timor**

Special Guest Speaker - **Ian Melrose** (the man behind the East Timor ads)

**Bookings Essential!** Phone Miriam - 8295 6481 or Bob - 8344 3511  
or e-mail bobhanney@bigpond.com

## Kirsty Sword Gusmão's visit to Adelaide a big success

**Over \$2,000 was raised for the Alola Foundation in one night!**



In excess of 400 people attended the public lecture hosted by the Hawke Centre at the University of South Australia on Thursday 21st April. Donations and pledges on the night exceeded \$2,000. Oxfam and AETFA-SA also raised funds through the sale of East Timorese coffee and crafts, as well as literature.

Our Thanks to all on this magnificent result!



Alola Foundation, [www.alolafoundation.org](http://www.alolafoundation.org)