

Committee Secretary
Joint Standing Committee on Treaties
PO Box 6021
Parliament House
Canberra ACT 2600
12 April 2023

**Re: Inquiry into Agreement between the Government of Australia and the
Government of the Democratic Republic of Timor-Leste on Cooperation in
the Field of Defence and the Status of Visiting Forces**

Dear Secretary,

Thank you for the opportunity to make a submission regarding this Inquiry.

My submission centres around the possible ignorance of the defence personnel who will be involved. I see little evidence of a true understanding of the historical relationship between Australia and Timor-Leste in the people with whom I come in contact. There is a general belief that Australia “saved” the Timorese in 1999, an approach resulting from the claims of politicians, the generally skewed recording of events by governments, and the dearth of information provided by popular media. I am not convinced that defence personnel would have a more correct historical understanding.

I briefly mention the preamble to the Agreement, followed by very short summaries of the main historical events and issues that influence the relationship between the two nations. There are 6 references for each matter at the end of the submission.

1. There are two points in the preamble which give a flavour to the Agreement that I find misleading. Those two points are:

“HAVING REGARD to their longstanding relationship;”

and

“NOTING their mutual respect for each other's independence, sovereignty and territorial integrity;”

The words in the statement could imply that the history of the Timor/Australia relationship is something of which Australians could be proud. Even a few historical facts show otherwise, as official deceit, cowardice, and greed have tainted that history.

World War II - 1942

There certainly has been a “longstanding” relationship, one that goes back 80 years to World War II, where a small number of Australian soldiers breached Portuguese neutrality and entered Portuguese (East) Timor in December 1941. Their presence drew the Japanese to the area and they, too, invaded East Timor two months later. The subsequent success of the Australians was greatly assisted by the ingenuity and loyalty of the local Timorese. The Australians were withdrawn in early 1943 leaving the Timorese to the mercy of the Japanese whose numbers had increased to nearly the strength of a division because of the Timorese-assisted Australian success. The Timorese suffered for their friendship with the Australians. Their death toll was 40,000 out of a population of around half a million, one of the highest rates of deaths per capita in WWII.

The Indonesian Invasion and Occupation - 1975-1999

The Australian government was complicit in the Indonesian invasion of East Timor in 1975. It knew of Indonesia's covert destabilisation and, while declaring support for emerging nations elsewhere, looked the other way as the fourth-largest army in the world overran the Timorese.

Just before the invasion, Australian-based news reporters were murdered by Indonesian soldiers in the town of Balibó, an event yet to be faced honestly by the governments of both Indonesia and Australia. After the invasion in December 1975, Australia supported the regime until Indonesia teetered on the brink of economic collapse and lost its President. A UN-sponsored ballot saw 78.5% of Timorese voting to be independent of Indonesia in 1999 and becoming an independent state in 2002. Australian military assistance arrived some weeks after the vote, and then supported the Timorese as they began their sovereignty. The number of violent deaths in East Timor during the occupation was at least 102,000, caused by extra-judicial killings and politically-induced starvation.

Australian Espionage – 2004~2006

Timorese independence became official on 20 May 2002, and around that time negotiations were set in train for what became known as the *CMATS Treaty – Certain Maritime Arrangements in the Timor Sea* – governing the sharing of resources in the Greater Sunrise area. Little did the Timorese authorities know that their Australian counterparts had arranged for the negotiations to be spied on, guaranteeing Australia the upper hand. Much has been written about this furtive episode and the prosecutions of certain Australians which ensued, although the main media outlets have invested little in informing the population about it. The official Australian position of “neither confirm nor deny” remains.

Summary

The World War II events, the Balibó Five, the Indonesian invasion and occupation, and the espionage against Timor-Leste are the main historical features of the “relationship” between our two nations. As for “independence” and “territorial integrity” Australia was complicit in denying the Timorese people opportunities for independence for decades. Australia has been deceitful and mercenary regarding Timor's maritime resources. There has been no official acknowledgement for these shameful events directed against the Timorese people.

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**2. Article 2** describes the “cooperative activities” that would follow the adoption of the Treaty. Given Australia's demonstrated willingness to spy, the Timorese people may be wise to consider carefully point (f) which involves the exchange of information, including classified Information and defence intelligence information.

It is clear that the Agreement is at least partially designed for the greater benefit of Australia in view of China's growing influence in Timor-Leste and in the region. However, it is pleasing to note that humanitarian assistance, disaster relief, education, and training are also included.

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3. In Annex 1, Status of Forces, the Articles cover the expectations of defence personnel from both nations, and those associated with them.

The Australian people and their defence forces take their war history very seriously, and rightly so. There are episodes of magnificent heroism in the face of terror and there is a proud history of courage and self-effacement. However, war, of its very nature, is not designed for honour. It is composed of violence, killing, and maiming in the pursuit of some goal, either aggressive or defensive.

The rules set down in this Agreement concerning the sharing of defence capabilities between Australia and Timor-Leste must be administered to ensure that the failings of past ventures are not repeated. I refer particularly to the crimes of Australian military personnel in Timor-Leste. [One account](#) from as late as 2022 relates accusations of the desecration of corpses and mistreatment of prisoners by Australian soldiers in 1999 to the great disquiet of their New Zealand counterparts. That this matter continues to be reported is of concern, and signals that the Status of Forces' rules and the consequences of poor behaviour require extreme and cautious oversight if they are to be fit for purpose.

Conclusion

It is essential that all involved in any defence arrangement with the Timorese government and people are made aware of the historical facts. Our young defence personnel have not had an education distinguished by any appropriate historical treatment of the relationship, as the school history curriculum is bereft of anything other than a few superficial references. Government websites, including that of the Australian War Memorial, continue to press the case for the "Australia as saviour" motif.

Many Timorese happily testify to the kindness, generosity and genuine friendship offered by Australian soldiers from WWII onwards. Many Australians not connected to the defence forces have also contributed immeasurably to the well-being of the Timorese people, cementing strong ties with our regional neighbour. However, glossing over the long and involved history does not serve Australia well.

Telling the truth about past mistakes is not a betrayal of the past. Telling the truth is essential for strong, trustworthy, future relationships. Those who cling to mythical interpretations of history where Australians and their political leaders are all loveable larrikin liberators from down under is as dishonest as it is ridiculous.

It is to be hoped that the attitudes and performance of Australian defence personnel governed by this Agreement will serve the Timorese people at least as well as it will serve Australians, and go some way to redressing the deplorable performance of successive Australian governments regarding Timor-Leste.

Yours sincerely,



Sister Susan Connelly PhD



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