

Introduction

Background to the delegation

- 1.1 In 2004 the Joint Standing Committee on Foreign Affairs, Defence and Trade (JSCFADT) presented the report of its major inquiry into Australia's relationship with Indonesia, entitled *Near Neighbours – Good Neighbours*. The report had as its first recommendation that there be an annual exchange of visits between the foreign affairs, defence and trade committees of the Indonesian and Australian Parliaments.¹
- 1.2 That rationale for the recommendation was that regular meetings between the Australian parliamentary foreign affairs committees and their counterpart in the Indonesian Parliament, Komisi I (Commission I), would assist in building Australia's relationship with Indonesia. It was noted that such meetings would represent a 'valuable connection' and that it would allow 'for both parties to air concerns, exchange view points and, on occasion, to clarify misunderstandings.'² The report concluded that:

Regular meetings would provide the opportunity to develop this relationship. They would enable the type of communication to develop that is only achieved with regular contact over time – communication characterised by opening dialogue and mutual respect... Given the role both Commission I and the Australian parliamentary foreign affairs committees have in foreign policy

1 Australia, Parliament 2004, *Near Neighbours – Good Neighbours: An inquiry into Australia's Relationship with Indonesia*, (D Jull, Chairman), Parl. Paper 113, Canberra, p. 16.

2 *ibid.*, p. 15.

and foreign relations, it is appropriate that they be enabled to take a direct role in building the relationship.³

- 1.3 The Presiding Officers of the Australian Parliament subsequently expressed their support for an exchange program between the JSCFADT and Commission I. The Presiding Officers wrote to the Prime Minister and the Minister for Foreign Affairs in 2008 proposing a government-sponsored visits program. Specifically, the Presiding Officers proposed that in 2009 Commission I be invited to visit Australia and that in 2010 the JSCFADT would visit Indonesia, with exchanges continuing in the following years on an alternating basis.
- 1.4 With the Australian Federal election held in 2010, no exchange of visits took place. In November 2011 a delegation of the JSCFADT undertook a visit to Indonesia and to Timor-Leste. This report is an account of the visit to these countries.

Aims and objectives of the delegation

- 1.5 The principal purpose of the Committee's visit program was to meet and conduct discussions with counterpart committees in the national parliaments of Indonesia and Timor-Leste. In doing so, the JSCFADT sought to deepen the connection with counterparts in these parliaments and to strengthen Australia's relationship with Indonesia and Timor-Leste.
- 1.6 In its discussions in Indonesia, the delegation particularly sought Indonesian parliamentarians' views in relation to human rights and democracy (including people smuggling, counter-terrorism initiatives and development of the justice sector), economic issues (including the impact of the global financial crisis and the trade relationship with Australia), and the country's response to climate change.
- 1.7 In Timor-Leste, the delegation sought Timorese parliamentarians' views in relation to the forthcoming Presidential and Parliamentary elections, the expiry of the UN mandate, the relationship between Timor-Leste and Indonesia, and the country's development priorities and Australia's development assistance.

Preparatory discussions with the Ambassadors of Indonesia and Timor-Leste

- 1.8 Prior to departure the Committee held preparatory discussions with the Ambassadors of Indonesia and Timor-Leste.
- 1.9 The then Ambassador of the Republic of Indonesia, His Excellency Primo Alui Joelianto, expressed his concern that Indonesian crew members of vessels bringing asylum seekers to Australia were being detained for excessively lengthy periods of time, sometimes greater than one year, before their court appearances. The Ambassador expressed particular concern for the status of juveniles in detention and the reliability of the use of x-rays to determine their age. He argued that juveniles should be held separately from adults and receive expeditious processing. The Ambassador noted the difficulty of accurately ascertaining the age of some crew members because birth details are not reliably documented in some parts of Indonesia.
- 1.10 In relation to the South China Sea dispute, Ambassador Joelianto noted that while Indonesia is not a claimant, the issue is of concern to the Indonesian Government. He noted that a workshop of the claimants had been convened to discuss how the resources in the Sea could be exploited and that the matter had also been considered within ASEAN. The Ambassador noted that the Declaration of Conduct of the Parties in the South China Sea remains extant.
- 1.11 Ambassador Joelianto noted that relations between Indonesia and Timor-Leste were generally harmonious and that the countries were now agreeing on an increasing number of memoranda of understanding, including for cooperation in education, tourism, infrastructure, marine and fisheries.
- 1.12 Concerning recent incidents involving protests and some loss of life in West Papua, the Ambassador noted that the President had recently made a statement on the situation. The Ambassador noted that there had been some failures in the Special Autonomy arrangements but that some elements in West Papua clearly did not wish to be part of Indonesia. The Ambassador affirmed that there is a requirement for Bahasa to be spoken at Government schools and argued that this was central to uniting the people of Indonesia.
- 1.13 On other matters, the Ambassador noted that a prisoner exchange agreement with Australia was still to be agreed because the Indonesian Parliament was yet to pass the relevant legislation.

- 1.14 The Ambassador of Timor-Leste, His Excellency Mr Abel Guterres, raised two matters concerning the bilateral relationship with Australia. First, the issue of the development and method of processing (onshore in Timor-Leste versus a floating facility) the Greater Sunrise gas fields resource, which lies 150 kilometres south-east of Timor-Leste. The Ambassador emphasised the strong preference of the Timorese Government for the construction of an on-shore processing facility which, it was argued, would provide employment for the Timorese people and see the development of much needed infrastructure. Second, the Ambassador noted that the Australian Government's announcement of its desire to see a refugee processing centre established in Timor-Leste was made without prior consultation and was seen as an imposition.
- 1.15 The Ambassador noted that Timor-Leste hopes to have observers attend the 2012 Parliamentary and Presidential elections. It was noted that some 160 Australians had already registered as volunteers through partnerships between Timor and Australian towns (e.g. Port Phillip in Victoria and Suai). The Ambassador indicated that he would welcome interest from towns in other states and from state and federal parliamentarians.
- 1.16 Commenting on the challenges facing the country, the Ambassador observed that Timor-Leste has a large youth population, with some 50 per cent of the population under 19 years of age. There is a need for new industries and private sector investment. The Government of Timor-Leste wishes to implement policies to encourage this development and investment. The Ambassador commented that the provision of additional vocational education scholarships and workplace traineeships for Timorese to study in Australia would be welcome.
- 1.17 Ambassador Guterres observed that the relationship between Timor-Leste and Indonesia is now very positive. Mention was made of the intermarriages that are occurring and the large numbers of Timorese people studying at Indonesian universities. It was noted that, following independence, some 1,000 Indonesians remained in Timor-Leste and have not been harmed. However, it was mentioned that some 15,000 of the Timorese people forcibly moved into western Timor as refugees have not been permitted to return to the country.

Acknowledgments

- 1.18 The delegation expresses its appreciation to the staff of Australia's Embassies in Dili and Jakarta for facilitating the visits. Particular thanks

are extended to the Ambassador to Timor-Leste, His Excellency Mr Miles Armitage, and the then First Secretary (Political), Dr Francine Winnett, who coordinated the visit to Timor-Leste. For the program in Indonesia, the delegation extends its particular thanks to the Ambassador, His Excellency Mr Greg Moriarty, and to the then First Secretary (Political), Mr Jonathan Muir.

- 1.19 The delegation also appreciated the informative briefings and assistance provided by officers of AusAID and other Australian Government agencies in both Indonesia and Timor-Leste. The delegation was impressed by the capacity, dedication and enthusiasm of Australia's diplomatic and other agency officials in both countries.
- 1.20 The delegation was honoured to have been hosted at a dinner in Dili by the then President of the National Parliament of Timor-Leste, His Excellency Mr Fernando 'Lasama' de Araújo MP, and in Jakarta at a reception at the Ambassador's residence, hosted by the Ambassador and Mrs Moriarty. The delegation expresses its thanks to now Vice Prime Minister Lasama and to Ambassador Moriarty for their generosity.
- 1.21 The delegation was also deeply honoured to have had the opportunity to meet and receive a comprehensive briefing from the then President of Timor-Leste, His Excellency Dr José Ramos-Horta.
- 1.22 The delegation notes that the Indonesian Parliament was in recess at the time of its visit and expresses its appreciation that several Members of the Parliament made themselves available in Jakarta to meet the delegation.
- 1.23 The delegation expresses its thanks to the many individuals and organisations who generously gave their time to meet and share their views with members during the visit.
- 1.24 Above all, the delegation thanks the members of Indonesia's Commission I and Commission VI and Timor-Leste's Commission B, our counterpart committees in the parliaments of the respective countries, for their warm welcome and open engagement with the delegation.

Structure of the report

- 1.25 Chapter two summarises the delegation's meetings, briefings and site visits in Timor-Leste, which was the first country visited, and chapter three summarises the visit to Indonesia.

- 1.26 Each chapter commences with a country overview which summarises the political, economic and development context in each country. This is followed by the delegation's observations on each meeting, summaries of the briefings received and descriptions of the various sites that were visited.
- 1.27 The full program is included at Appendix A and maps of the respective countries and the Timor Sea Area are at Appendix B.