

SUBMISSION TO THE JOINT PARLIAMENTARY TREATIES COMMITTEE INQUIRY EXAMINING THE CONSEQUENCES OF THE TERMINATION OF THE CMATS TREATY BETWEEN AUSTRALIA AND TIMOR LESTE

I congratulate the Australian Government for recently agreeing with the Government of the Democratic Republic of Timor Leste to set aside the CMATS Treaty signed by the two countries around ten years ago. I now urge the Australian Government to quickly negotiate a seabed maritime boundary between Australia and Timor Leste, to do so in good faith and with an unswerving commitment to concluding the negotiations with a just outcome.

When the rich and powerful are negotiating with the lesser privileged, there is a moral obligation on the more powerful to ensure that wealth and power does not override justice and equity being available to both parties. The Australian Government must ensure that accepted principles of international law are adhered to in these negotiations and that the rights and needs of Timor Leste are not ignored and ridden roughshod over.

I spent six weeks in Timor Leste last year on a private holiday/study tour. I was graciously hosted and treated with respect wherever I went. The people of Timor Leste impressed me with their courage, their determination, their resilience and, most particularly, their unswerving commitment to the stable, democratic development of their small but vibrant country founded on a separation of powers and a rule of law.

During my visit, I became acutely aware of how dependent is the immediate future of the stability of Timor Leste on the continued flow of government revenue from the exploitation of resources in the Timor Sea. I became aware of how interested and well informed about that Timorese people generally are and how intensely they understand Australia's position in respect of the boundary dispute.

It is absolutely and fundamentally in Australia's interests to have a very friendly, sustainably stable, democratically viable country on our doorstep to the north, between Australia and the South China Sea, buttressing up against our other larger neighbour, Indonesia. The easiest way for Australia to contribute significantly towards this and to generate enormous goodwill towards us from

the Timorese people would be to agree to draw the boundary between our two countries along the median line, in accordance with widely accepted international law and practice in these times.

The revenue that flows to the Australian Government from the exploitation of resources in that part of the Timor Sea that falls on the Timor side of the median line can and should be done without. We are a rich enough country that we will manage without it. We have already had much revenue from the exploitation of those resources that really should have been going to Timor Leste to assist that country to develop. The people of Timor Leste are amongst the poorest in the world. They need the revenue that will flow to government from the exploitation of the resources of the Timor Sea more than we do. It would be a sign of friendship, understanding and co-operative goodwill for Australia to say to Timor Leste, “We have treated you unfairly over this issue for long enough. We are truly sorry and now we will right the wrong.”

The Australian people should never forget the debt that is owed to the people of Timor Leste for the sacrifices they made in helping us to defeat the Japanese enemy during World War II. It is ironic that we generally have better relations with Japan and its people these days than we do with the Timorese. That can be remedied through this process.

Any Australian who cares to visit Timor Leste and spends some time there will get to experience the genuine friendliness of the Timorese people. They do not have much in the way of material possessions and they certainly do not have a high standard of living. Yet, they are a happy and generally content people from whom Australians can learn much.

We, in this country, like to pride ourselves on our approach to the “fair go”, to the giving a “hand up” to those who need help and who might be “battling”. We must be careful that we do not allow these values simply to be mythically propagated. We must live them and continue to demonstrate to an increasingly troubled world that we uphold them in how we live and co-exist with others in this world.

It’s time to draw the line between Australia and Timor Leste in the right place – half way between us. It’s time to do it now.

Colin Forrest

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