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Intimidation Won't Work On Collaery

By Shirley Shackleton



Australian intransigence over East Timor is nothing new, and neither is the courage of some of our citizens in standing up for justice. Bernard Collaery is one of those rare people, writes Shirley Shackleton

This week the home and offices of Australian barrister Bernard Collaery were raided, while he was in the Hague seeking arbitration for a fair deal for the Timorese over their share of their own oil.

As Collaery said, soon after the star witness in his case had his passport confiscated on the orders of the Attorney-General George Brandis, Australia's bugging of the East Timorese for Woodside petroleum's commercial interest is tantamount to "[insider trading](#) [6]".

"If this had happened in Bridge Street, Collins Street, Wall Street, people would go to jail," he said.

Intimidation won't work on Collaery, a respected former ACT attorney-general and deputy chief minister. He has a long history of defending Timorese and Australian citizens who took part in protests for a free East Timor, even when it left him out favour with those in power in both Indonesia and Australia.

One of the first to be invited into East Timor after InterFET forces took over, Collaery witnessed unforgettable events as he accompanied Xanana Gusmao around the countryside.

"Everywhere we went," he told me when I was in Balibó with him recently, "starving people brought us food which Xanana refused to accept. He saw to it that the food was given to the worst of the starving. I have never been so hungry in my life."

When they entered each village, young lads waited to honour their leader, Maun Boot Kay Rala Xanana. These fatherless boys carried objects representing their dead fathers while walking backwards to lead their hero into the centre of their burned villages occupied by orphans and widows.

Each and every morning they came upon processions led by priests followed by Timorese families carrying small bundles containing dead babies and toddlers. It's a pity that oil company executives and Australian bureaucrats cannot be taken to Timor now, because the death-rate of babies and toddlers is still high. In other words, East Timorese need a fair deal from wealthy nations.

Crucial to an understanding of the Australian government's attitude to East Timor today is Alexander Downer's first speech as foreign affairs spokesperson for the Coalition in 1995, which he delivered to Amnesty International on the topic of human rights and Indonesia:

"We cannot simply speak with a loud voice when injustice occurs on the other side of the world, whilst whispering softly or remaining silent when similar events take place within our own region."

Those were his words; but Timorese remember Downer for his bullying actions. He thumped the table and screamed insults at Timor's representatives when they questioned the injustice of the terms of the agreement he was touting over the legality of vast deposits of oil.

Those present have told me that they were not frightened by Downer's bullying. They'd had 24 years of torture and murder. They were disgusted by the disregard for the tenets of democracy shown by representatives of the Australian government, which Clinton Fernandes [detailed](#) [7] in the Guardian this week:

So what was the Timor Sea Treaty that Australia went to such great lengths to secure that allegedly places all Australians in danger when they are working in Timor Leste?

Signed in 2002, it replaced the Timor Gap Treaty, a notorious instrument signed in 1989 by former foreign ministers of Australia and Indonesia, Gareth Evans and Ali Alatas, as they clinked champagne glasses in an aircraft over then-occupied East Timor's maritime resources.

Since 2002, when then-foreign minister Downer signed the Timor Sea Treaty, the oil giants Woodside, Shell and Greater Sunrise have become players. Timorese were not surprised when Downer then landed a consultant's job pushing western oil interests.

The intransigence shown by Tony Abbott, Downer and Brandis over the Collaery affair is nothing new. I remember how Whitlam stood by in 1975 while the Timorese Democratic Union (UDT) staged a coup against the remnants of the Portuguese regime. The UDT had a following among the colony's small elite. It was comprised mainly of high-ranking colonial officials, hold-overs from the fascist regime, plantation owners and regional chieftains, whereas Fretilin had the support of the ordinary East Timorese.

Senator Neville Bonner, a Liberal from Queensland, travelled to Dili in September 1975, two months before East Timor unilaterally declared independence. He returned to Australia after [10 and a half hours](#) [8], and reported that:

"Fretilin representatives appeared to be acting in a very responsible manner and were trying to get the people back to their crops and bring peace to Timor. I've tried to tell Mr. Whitlam this, but haven't been able to get his ear."

The UDT coup was put down in only 11 days by Falintil, the fighting arm of Fretilin. But it was promoted by the Suharto regime as "the Civil War" and this propaganda was manipulated as an excuse for the invasion of East Timor, by western fellow-travellers who became known as the Jakarta Lobby. Twenty-four years of genocide was the consequence.

Thirty-eight years ago, when my husband was reported missing in Balibó along with four colleagues, I received messages from concerned Australian citizens who claimed that their relatives worked for a receiving station for electronic interception in Shoal Bay. They insisted that the journalists had been murdered on 16 October in Balibó and the Australian government knew all the facts.

Everyone seemed to know about our superior electronic intelligence activities except successive Australian governments, who obviously failed to supervise our spy agency, the Australian Signals Directorate's activities.

A succession of lies followed the atrocity at Balibó. Some remain in circulation today. Greg Shackleton was blamed for his own murder at the hands of Team Susi, an Indonesian military assassination squad sent to shut him up.

No Australian government department over the past 38 years seems to have understood that human beings thirst for justice. It's a given and you don't have to be a victim to understand its legacy.

However, you do have to possess a shred of decency sadly lacking in some of our leaders. Bernard Collaery does possess that spark of justice and dignity, as do the Timorese. They know the more repressive the regime the more we crave justice.

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