



REX PATRICK

Centre Alliance
Senator for South Australia

To all Permanent Representatives and Permanent Observers to the United Nations
New York

Excellency,

As you know, the U.N. General Assembly High-Level Debates are underway. Australia's Foreign Minister, Senator Marise Payne, is scheduled to speak tomorrow. I would like to draw your attention to an important issue concerning the rules-based international order that Australia advocates which you should take into consideration as you listen or engage her.

In summary, in March 2002 Australia's then Foreign Minister Alexander Downer withdrew Australia from the maritime boundary jurisdiction of the International Court of Justice and the International Tribunal for the Law of the Sea. This meant that the newly-independent state of Timor-Leste was unable to assert its rights under international law over the sharing of oil and gas in seas between the two countries. The Australian Government, cognisant of the precarious financial condition of the newly-independent state, then insisted on bilateral negotiations.

As part of the Australian Government's 'good faith' negotiating strategy, it ordered its foreign intelligence service to install listening devices in Timor-Leste's ministerial offices (under the cover of an aid operation) to eavesdrop on their deliberations. This operation saw Australia, one of the richest countries in the world, forcing one of the poorest countries in the world to sign a treaty which prevented it obtaining its fair share of oil and gas revenues.

Senator Payne's Government is permitting the prosecution of two whistle blowers in order to punish them for revealing this illegal affair. Authorising an illegal operation and then seeking to legally punish those that draw attention to it is not consistent with the rules-based order that Australia purports to subscribe to.

Further details can be found in these three attached items:

1. My speech to the Australian Senate on 19 September;
2. A column in the Washington Post by a former U.N. Assistant Secretary-General and a former Australian ambassador to the U.N.;
3. A news report by Charles Glass, a distinguished reporter whose work will likely be familiar to you.

I am available to discuss this further with you.

Sincerely,

Senator Rex Patrick
Senator for South Australia
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Electorate Office

Level 2, Ebenezer Place
Adelaide, South Australia 5000
Phone: (08) 8232 1144
Fax: (08) 8232 3744
Email: Senator.Patrick@aph.gov.au

Parliament House

Canberra, ACT 2600
Phone: (02) 6277 3713
Fax: (02) 6277 5834