

Sunrise unitization agreement excerpts only



COMMONWEALTH OF AUSTRALIA

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MONDAY, 29 MARCH 2004

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Monday, 29 March 2004

The **PRESIDENT** (Senator the Hon. Paul Calvert) took the chair at 12.30 p.m. and read prayers.

BUSINESS

Days and Hours of Meeting

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (12.31 p.m.)—I move:

That, on Monday, 29 March 2004:

- (a) the hours of meeting shall be 12.30 pm to 6.30 pm and 7.30 pm to 11.30 pm; and
- (b) the question for the adjournment of the Senate shall be proposed at 10.50 pm.

Senator LUDWIG (Queensland) (12.31 p.m.)—We could use the hour during the dinner break if no one disagrees. We could seek to vary the motion if there was unanimity of thought in relation to that. We could then still finish at the usual time and achieve an additional hour. That is an issue Senator Ian Campbell might want to take on board rather than insist on sitting an additional hour tonight. In relation to the hours of sitting motions more generally—and I think I have already indicated this to Senator Ian Campbell, but for the record it never hurts—the opposition are not minded to look at any further hours until we can have a reasonable discussion with the government and the minor parties as to what bills are likely to be required by the government this week so that everyone can examine what the week may bring rather than deal with this on an ad hoc or day-by-day basis between now and the end of the year. So I would ask Senator Ian Campbell to vary the hours, if he is minded to do so, to ensure that we sit till 9.50 p.m. or the usual sitting time tonight and vacate the dinnertime suspension.

Senator BROWN (Tasmania) (12.33 p.m.)—The Greens oppose the extended hour in either case but certainly would consider the dinner hour, although we recognise the strain that puts on staff. The problem here is that we do not have an explanation for this from the government. I know what the explanation is—they are fixing for a midwinter election. I do not see why the Senate should have its schedule set according to that at all. There is plenty of time coming up in May and June extra to the sitting calendar that we have—

Senator Ferguson—Three weeks total.

Senator BROWN—Sorry, three weeks?

The **PRESIDENT**—Order! Let us get back to the subject, Senator Brown.

Senator BROWN—I thank the senator opposite who points out that there are three clear sitting weeks in May and June which can be taken up if the schedule gets big. The usual thing for legislation is to add time at the end of the year. There does not have to be an election until March next year. The government ma-

nipulating the Senate to get legislation through because it wants to keep the winter open for an election is not on as far as I am concerned. We should be considering this legislation with the sort of diligence and in the hours that we normally have at this time of the year. What is different about this year compared to other years? We oppose the extension tonight. I want to hear good reason as to why there should be an extension through the dinner break as well. It does put a lot of unnecessary strain on people unless there is a very necessary argument brought forward—and that we have not had.

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (12.35 p.m.)—by leave—I seek leave to amend the motion.

Leave granted.

Senator IAN CAMPBELL—I move the motion as amended:

That, on Monday, 29 March 2004:

- (a) the hours of meeting shall be 12.30 pm to 10.30 pm; and
- (b) the question for the adjournment of the Senate shall be proposed at 9.50 pm.

To respond to Senator Ludwig and Senator Brown, I was cognisant of the fact that there is sometimes pressed upon us a need to have a dinner break when we do extend hours. I guess the point is: at the beginning of what could be a long week do you toss up having an extra hour's sleep or an hour for dinner? I am happy to accommodate the extra hour's sleep.

In relation to the hours for the remainder of the week, my intention is to convene a meeting of the Senate leaders and whips probably after question time tomorrow when we have a clearer understanding of where we are at on the program. As I understand it we were dealing with effectively one bill for the final three sitting days of last week and made very little progress. The Senate is significantly behind where I would have expected it to be at the beginning of the week. The government distributed a list of bills it would like to complete before the end of these sittings, and that has been available widely. It includes 15-odd bills that the government would seek to have the Senate vote on before we conclude this week's sittings.

Senator Brown says that there is nothing on it that could not be dealt with later in the year. The reality is that the government will be distributing fairly shortly what is called the public list of bills to be considered during the spring sittings and the budget sittings. In the budget sittings, all the budget legislation will be coming in as well. We will be seeking parliamentary consideration of a further 70 bills in the next sittings. Every bill you do not do in these sittings puts more pressure on the end of the year.

There should be a logic associated with getting on with a reasonable amount of work. We decided, because Senator Brown does not like the Greater Sunrise bill, to spend most of last week debating that one bill even though 90 per cent of the senators in this place support the bill. Ultimately, the Senate determines the pace with which it deals with legislation. Ultimately, the Senate will determine whether we sit deep into the night on a number of nights this week or whether we come back next week. It is in the hands of the Senate. It takes all senators to agree on a sensible program to deal with these things. The way that it has been done in the past is to have discussions as we lead up to the end of the sitting sessions, which is what will occur this week, and to seek agreement on a rational and sensible way of ensuring the Senate's available hours are used in an efficient manner. I appreciate the support of the opposition in facilitating an extra hour today.

Senator BROWN (Tasmania) (12.39 p.m.)—by leave—I will take one moment. There are 20 vacant sitting weeks coming up in the rest of the year, and I urge the government to look at its calendar and work out a rescheduling. I am not in favour of putting the staff of this place, our staff and the community through rushed and torrid consideration of legislation like this at this time of this year.

Senator Ian Campbell interjecting—

The PRESIDENT—Order! Senator Campbell, Senator Brown did seek the call for one minute, and that minute is getting pretty close.

Senator BROWN—That is right. I would urge—

Senator Ian Campbell—It is hypocrisy.

Senator BROWN—It is not hypocrisy, as the minister says. I am putting a point of view and I will be putting it very strongly for the rest of this week.

Question agreed to.

**GREATER SUNRISE UNITISATION
AGREEMENT IMPLEMENTATION BILL 2004
CUSTOMS TARIFF AMENDMENT (GREATER
SUNRISE) BILL 2004**

In Committee

Consideration resumed from 25 March.

**GREATER SUNRISE UNITISATION AGREEMENT
IMPLEMENTATION BILL 2004**

Senator BROWN (Tasmania) (12.41 p.m.)—We are currently considering the Greens amendment for a sunset clause which would terminate the act on 31 December 2006 if a permanent maritime boundary between Australia and Timor Leste has not been agreed to by that date. The argument on that proceeded during last week and it has not been adequately responded to by the government. At this juncture I want to put on the record a press release from Prime Minister Alkatiri of Timor Leste from last Friday, which reads:

Prime Minister Alkatiri is concerned by comments made in the Australian Senate on Wednesday 24 March claiming he has no concerns about ALP support for the international unitisation agreement (IUA) bill, which is currently before the Australian parliament. Prime Minister Alkatiri said today: 'I clearly voice my concerns regarding the IUA bill and consider that the Australian actions and statements in regard to the IUA undermine the prospects for its approval by the Timor Leste national parliament. These actions are the unilateral issuances of licences by Australia in an area of the Greater Sunrise field described as a disputed area in the text of the IUA. There are Australian statements that claim that this area is an area of 'sole Australian jurisdiction'. This is categorically incorrect. The Timor Leste government is committed to adhere to its obligations in regard to agreements entered into. However, the process of the ratification of the IUA to the Timor Leste national parliament would be made easier if Australia was acting in accordance with international law.

Prime Minister Alkatiri further said: 'There is widespread lack of support for the IUA and Timor Leste. The fact that Australia is issuing licences in disputed areas, has not committed to a time frame to determine our maritime boundaries, claims to have insufficient resources to enter into more than biannual meetings to negotiate our boundaries, has withdrawn from the International Court of Justice on maritime boundaries and continues to exploit the Laminaria, Coralina and Buffalo oil fields, which lie in an area of sea claimed by Timor Leste and which are nearing the end of their lives, despite our official objections does not help Timor Leste's trust in Australia to abide by any legally binding agreement entered into. If permanent maritime boundaries were agreed expeditiously and in accordance with international law, many of these issues would dissolve.

Will the minister comment on the obviously deeply held feeling in Timor Leste—by the community right up to the Prime Minister—that Australia is acting illegally? The statement says that Australia is not 'acting in accordance with international law' in distributing licences, which Australia is able to do unilaterally in an area of the Greater Sunrise field that is described as 'disputed' in the text of the agreement that we are dealing with under this legislation. Would the minister like to again put forward the government's point of view on this so that the Senate can have the concerns expressed by the Prime Minister of Timor Leste resolved?

The TEMPORARY CHAIRMAN (Senator Ferguson)—Senator Brown, you wish to speak again?

Senator BROWN (Tasmania) (12.45 p.m.)—The minister has refused to get to his feet to respond to a very important question for Timor Leste. It is a question that should be answered. It is coming from the office of Prime Minister Alkatiri, and the Senate should hear a response to the deeply held feeling in Timor Leste that Australia is not acting in accordance with international laws and should do so, and that Australia is pre-empting the setting of boundaries between Australia and Timor Leste which both sides agree have yet to be settled. The feeling in Timor Leste is that Australia

lia is arbitrarily intruding on Timor Leste's territory and issuing licences for exploration in a way which is a great affront to the nation of Timor Leste, which is our neighbour, and not least to the Prime Minister.

Surely, in a debate in the Senate on a matter as important as this, we can expect the government to respond to what the Prime Minister of our neighbouring country is saying. Surely that is in order. Surely the minister cannot refuse to respond to that. That is an abrogation of the government's responsibility to the Senate, if not to the people of Australia and Timor Leste. I ask the minister to respond to that question. It is a very serious matter of the relationship between our country and Timor Leste, our parliament and the parliament of Timor Leste, our Prime Minister and the Prime Minister of Timor Leste.

Senator Abetz—How many more times can I say it?

Senator BROWN—The off-the-cuff 'How many more times is he going to say that?' is insulting both to the Senate and to the people of Timor Leste. I wanted that put on record because that is apparently all we are going to get out of this incapable minister who is refusing to answer such an important question.

Senator Abetz interjecting—

Senator BROWN—No, it is not out of order, Minister; it is quite in order. He is refusing to answer a question like that in committee.

Senator STOTT DESPOJA (South Australia) (12.47 p.m.)—I rise on the same issue that Senator Brown has mentioned. I am not entirely sure whether Senator Brown has put all of Prime Minister Alkatiri's comments on the record, but I thank him for doing that because they are not irrelevant nor out of the purview of the discussion on these bills. It is worth noting for both the minister and the Labor Party that this statement raises the issue to which we referred in the last couple of sitting days when we debated this legislation—that is, the international jurisdiction and the fact that many people, including people with legal opinions, suggest that Australia is undermining international obligations. That is of great concern. I was very saddened to see the comments by Prime Minister Alkatiri on 26 March. I also ask the government: what will the Australian government's response be to the statement that has come from no less than the office of the Prime Minister of Timor Leste? I would like to know: in what form was the statement received by the government and what kind of response will the Australian government make and when?

Senator HARRIS (Queensland) (12.49 p.m.)—I want to place very briefly on the record—mainly because these bills were debated last week—One Nation's concerns in relation to the bills before the Senate. They arise from an unease about how the resources

from the Greater Sunrise field and the other areas will be divided between Australia and East Timor. One Nation is concerned about where the sea boundaries should be. Again, I place on record a verbal commitment from Senator Abetz to look at ways of ensuring that a greater proportion of the revenue from the area that is presently determined as Australia's jurisdiction goes to East Timor. On the figures that I have, over the life of the field that would equate to something like \$8.9 billion.

As I said last week, if 90 per cent of that were to go to East Timor, it would underpin East Timor's economy. It would allow them to improve their standards of living and increase the services that they provide to the East Timor people without having to encumber themselves to entities like the International Monetary Fund or through government bonds that the East Timor government may be required to enter into to provide what we would agree are basic services. The minister made that commitment, and I thank the minister for that. One Nation will most certainly take that into consideration in relation to its support for the legislation.

We are addressing the second amendment to the bill moved by Senator Brown, which seeks to insert the words:

This Act ceases to have effect on 31 December 2006 if a permanent maritime boundary between Australia and Timor-Leste is not agreed to by that date.

I believe the amendment has merit. It requires the Australian government to negotiate with the East Timor government and to resolve those issues. The boundary it is referring to is the northern boundary. Agreeing on a permanent northern boundary will not alter to any great degree the division of the resources, but I still believe it is in the best interests of Australia and East Timor. One Nation will support that Greens amendment.

Senator ABETZ (Tasmania—Special Minister of State) (12.53 p.m.)—Can I deal with a number of the issues that have been raised and remind the Senate that the vast majority of this debate has been a repeat of what was dealt with last week. Last week we had about a three-hour filibuster on one Greens amendment. I will not be responding to every taunt made by the Australian Greens, such as reflections on my capacity, or to other cheap shots that do not further the debate. Most honourable senators in this chamber will know that by nature I am a very patient person and am willing to deal with genuine issues as they are raised, but not when they are repeated ad nauseam. Sure, some issues are raised with passion. I recall that last week I was asked most passionately whether I knew the name of the East Timorese minister for the environment. Whether the minister's name is Max or Maxine bears no relevance whatsoever to the validity of this legislation, its robustness or its integrity. With exactly the

same sort of passion and hyperbole, we have been presented with some new matters this morning.

Can I suggest with the greatest of respect that people's feelings, and the reporting of those feelings—and that is basically as strongly as it was put this morning—are not the issue here. The alleged feeling in East Timor is that we are not doing the right thing. Feelings are important, and we all have them. But at the end of the day when you are discussing matters of international law, believe it or not, you need a bit more robustness than the feelings of certain people. It is the government's view that what we are doing is quite appropriate. To assert that Australia is obligated to cease petroleum activities in what East Timor considers to be disputed areas is a misstatement of the applicable law. It just is not the law. Australia will act in accordance with its view of the law. If East Timor is of the view and feels—and I think 'feels' was about as strongly as it was put—that that is the international law then that is a matter for it to articulate and argue. We accept that and we respect that. Similarly, I would have thought that a senator in this chamber might give some consideration to the way we feel and to the way the Australian government believes the international law applies in this situation.

This is a general discussion about the issues before us. We have a very specific Greens amendment that suggests that, if we have not arranged a permanent maritime boundary between Australia and Timor Leste by 31 December 2006, the legislation is to lapse. This bill deals with an area between the two countries that, as I understand it, is not in dispute. The area we are dealing with in this bill is not in dispute. The two countries have come to a joint arrangement to harness the resource that has been created in that area. We need some certainty. That is the purpose of this legislation. Inserting this clause into the bill would take away all the certainty the bill was designed to give. If this amendment were carried, it would gut it. It would not provide the certainty, so the resource would remain in the ground and neither Timor Leste—or East Timor—nor Australia would receive any benefit.

This is a classic case of cutting off your nose to spite your face. You may not like something with respect to another area which is still in dispute, and which we are having discussions about, but this agreement is no slight on the people of East Timor. As I understand it, the dispute over that area arose when the Portuguese were the colonial governors of the area known as East Timor and it has been ongoing for some considerable period. The dispute is a legacy of the agreement between Portugal and Australia, then Indonesia and Australia and now East Timor and Australia. We will have to try to come to some resolution of it. Sure, it is a debate we can have, but it bears no relationship to the bill before us, which deals as I understand it with an area

that is not in dispute because there is an agreement signed by the two governments. This legislation is designed to provide certainty. Inserting the suggested clause would ensure that there was no certainty and that the product which is available would not be harnessed. As a result, neither the people of East Timor nor the people of Australia would benefit from the potential of that resource.

Senator Stott Despoja asked whether we had been advised of the East Timorese Prime Minister's statement. We have been, only by the media as I understand it. That does not mean it has not necessarily gone from prime minister to prime minister, and has not at this stage filtered its way through to me, but my advice at this stage is that it is simply via a media statement that the Australian government are aware of his comments. You cannot blame the East Timorese for wanting to get the best possible deal for their people. Similarly, the Australian government is also charged, albeit within the bounds of international law, to get the best deal for the Australian people. That is where we need agreement. That is the agreement that was signed some time ago, and we now have legislation to seek to implement it. If the Senate decides to gut this bill by supporting this amendment it will mean there will be no more certainty, there will be no development and the East Timorese and the Australian people will be the losers. Clearly, that is not within the interests of anybody.

Senator STOTT DESPOJA (South Australia) (1.02 p.m.)—I thank the minister for his response to my question. Notwithstanding my concerns about the process involved in this bill and the effect of this legislation, I indicate on behalf of the Democrats that we will not be supporting the amendment before us. While sympathetic to the motivation behind the amendment that has been put forward, I do not believe it is a workable incentive for the government to expedite its maritime boundary negotiations.

We believe there are a number of difficulties associated with the sunset clause in this context. Firstly, I do recognise that it is problematic for our parliament to end an agreement between Australia and another sovereign state, in this case Timor Leste. Clearly, Timor Leste has rights and obligations under the Greater Sunrise Agreement and it is questionable whether it is appropriate for this parliament to unilaterally interfere with those rights and obligations. For example, commercial considerations may apply if the agreement ceases to have effect while the Greater Sunrise resources are being exploited and revenue is flowing to Timor Leste. In such circumstances Timor Leste may lose vital revenue if the agreement were to cease, and that may be contrary to the interests of the people of Timor Leste.

Another practical difficulty is the date that has been put forward in this amendment. If both Green amend-

ments were to be passed—on behalf of the Democrats I supported the first amendment—the maritime boundary dispute could be referred to the ICJ in 2005, yet the Greater Sunrise Agreement would cease to have effect just one year later. I imagine that anyone here who is familiar with the processes of the ICJ would appreciate the extreme unlikelihood of the matter before the ICJ being determined within a 12-month period. I suggest to Senator Brown that while the motivation behind this amendment may be a good one, it is not a workable solution to the problems. In fact, it is a flawed solution, and under those circumstances the Democrats will not be supporting the amendment.

The minister made some comments relating to the feelings of certain people. I think that when you are talking about ‘certain people’ within the context of this debate, the Prime Minister of Timor Leste is quite an important figure. We are not just talking about individuals in this debate having strong, indeed passionate feelings, as many people in this place have. It is quite a significant statement that has been put out by the government of Timor Leste. I thank the minister for his response to my questions, but maybe I should have been asking the Labor spokesperson, given that this statement does actually refer to allusions made by the Australian Labor Party in this debate. It is pretty hard to underestimate the significance of this statement. I can see the numbers in this place, and I suggest that a lot of other questions are not necessarily going to be answered. That is not to say there are not many outstanding questions in the context of this debate, or many other reflections that I and many other people would like to make on the way this process has been handled and on what we are doing to Timor Leste in the context of these debates and negotiations.

I am terribly embarrassed today. I am not proud at all. The minister talks about what is in people’s best interests. I think what is in the best interests of our region and our nation is peace, security and goodwill with neighbours—and not ripping off neighbours. Both Timor Leste and Australia have commercial interests in this, but I do not think we have gone about this the right way in terms of organising and determining how we distribute those resources. I feel like this country and this government have been bushrangers for oil, but I recognise that this debate is not going to go much further. I indicate to Senator Brown that this amendment will not have the support of the Democrats, while I understand the intent behind it.

Senator O’BRIEN (Tasmania) (1.06 p.m.)—The opposition does not intend to support this amendment. It would effectively reflect a change to the unitisation agreement which is not apparently supported in any specific way by any statement that we are aware of from East Timor. Certainly the media release that Senator Brown referred to this morning does not suggest a

call to this place to do anything in relation to the matter; it talks about the degree of support in Timor Leste for the unitisation agreement and refers to matters which are substantially to do with the negotiation process. It suggests that, if the permanent boundaries were agreed, the issues would dissolve. I think that certainly is true. It highlights the issue that we must understand: if Timor Leste does not ratify, the international unitisation agreement does not go any further. This process is about giving the authority to the Australian government to take action, and I think, just as importantly, it gives certainty to the company or companies that are seeking to develop the resource to go ahead and develop it.

It seems to me that the failure to give effect to the unitisation agreement will delay, perhaps indefinitely, the development of this field. Whatever the outcome of negotiations between Australia and Timor Leste about the boundaries and other matters which relate to the distribution of government revenue from this project, the consequence is that, if there is no development, there is no financial resource which would ultimately find its way to Timor Leste. That is a matter which we are greatly concerned about. We do not think we should be unilaterally proposing to vary the IUA. Again, we have had a number of press releases referred to by Senator Brown. None of them have specifically supported any proposal to do with this chamber. We will not be supporting an approach which we regard as somewhat paternalistic to put our spin on what the IUA is. The Timor Leste government, through its processes, will determine whether it ratifies the international unitisation agreement or not. That is the process which will be followed. So we will not be supporting this amendment.

I have had the benefit of looking at the press release, and I have reviewed matters which we commented on in the debate last week. Had there been a need for us to withdraw any matter that was on the record, I would have done so. There is no need to do so. The matters that we put on the record were factual at the time that we made the statement. In terms of the way the press release is phrased, it seems to me that Prime Minister Alkatiri’s media office is talking about the issues that were raised in the previous press release—the difficulties that the government of Timor Leste has with the Australian government’s actions in relation to the issuing of licences and the process of negotiation. We have made our comments in relation to the process of negotiation and given a commitment to, in government, do the appropriate things to expedite those processes as far as is practicable. I rely on the statements we have already made. Other than that and studying the media release, and in the context of the statements we have made, I have nothing further to add.

Senator HARRIS (Queensland) (1.11 p.m.)—I am seeking some clarification from the minister. Page 4 of

the bill, item 1, subsection 5(1) refers to the 'Eastern Greater Sunrise area'. Does that refer to the section identified as the 'Northern Territory side' on the document that I tabled last week? Does item 2, subsection 5(1) in referring to the 'Greater Sunrise unit area' refer to the JPDA? I need to clarify whether they are the two areas that the legislation is referring to.

Senator ABETZ (Tasmania—Special Minister of State) (1.12 p.m.)—Senator Harris, your explanation in relation to the first item was correct; your explanation in relation to the second item was not correct. The second item refers to both the east and west in relation to the map you tabled on Thursday.

Senator HARRIS (Queensland) (1.13 p.m.)—I wish to record my thanks to the minister for that answer.

Question negatived.

Bill agreed to.

CUSTOMS TARIFF AMENDMENT (GREATER SUNRISE) BILL 2004

Bill—by leave—taken as a whole.

Bill agreed to.

Bills reported without amendment; report adopted.

Third Reading

Senator ABETZ (Tasmania—Special Minister of State) (1.15 p.m.)—I move:

That these bills be now read a third time.

Senator BROWN (Tasmania) (1.15 p.m.)—What a terrible moment this is for Australia, Timor Leste and this parliament. Here we have the third reading of the Customs Tariff Amendment (Greater Sunrise) Bill 2004, which will rob the poorest country in South-East Asia to line the pockets of the government and the oil corporations of the richest country in the region, Australia. In the Committee of the Whole we heard comments coming from the East Timorese, including community organisations in East Timor—Australia moved the boundary, under the Suharto occupation years, to put the oil and gas fields back in Australian territory—saying that they feel as though East Timor remains occupied not by Indonesia but by Australia. Of course, you do not need gunboats for this; you need to put the fledgling East Timorese government of Prime Minister Alkatiri on the rack. Both the Labor Party and the government are doing just that here by saying, on East Timor's Independence Day, 'If you don't do this, you won't get revenue from other oilfields.' They have been forced to sign an agreement which will lead to the development of the Greater Sunrise field, not an agreement which would give East Timor the total revenue, because it is East Timorese territory, but an agreement which gives East Timor 20 per cent and Australia 80 per cent. Over the next 30 years, through that process, it will rob our poor neighbour of \$8 billion.

East Timor is a country which has government spending of \$100 per head per annum. It cannot afford schools for its kids, it cannot afford electric lighting for its houses, it cannot afford street paving and it cannot afford hospitals. It has an infant death rate scores of times higher than the rate in Australia. There are people living in grinding poverty, there is huge unemployment and there is growing youth disillusionment. East Timor has one nest egg with which to get itself out of this grinding poverty—gas and oilfields—and along comes the Australian government, in the wake of Gareth Evans's signature with Ali Alatas AO from the Suharto regime, saying, 'That's ours. There's lots of money there; we'll take it.'

Following 25 years under Suharto—who was named last week as the worst in a great series of evil dictators of recent times in robbing his people, including of course the East Timorese, not only of their money but their lives, their nation and their rights—the two great parties of our country, post East Timorese independence, now say: 'We'll take the oil and gas fields. We know it's illegal that they are in Australia's bailiwick under this duress. We'll close down on the International Court of Justice and will not allow the dispute that has arisen to be settled there.' This is robbery by the Australian government and Latham opposition of the Timor Leste people. The sore that has opened up is not going to heal for decades to come, nor should it. The money that East Timor is going to be deprived of will always be wanted by this poor neighbour of ours.

In the press release that we talked about today, Prime Minister Alkatiri said that there was a widespread lack of support in his country for this agreement that we are driving through in this parliament. The best the Special Minister of State can do is get up and insult him and say, 'Believe it or not, you need a bit more robustness than the feelings of certain people.' Where I come from, where the Greens come from, feelings count. The feelings of the prime minister of the poorest country in our region matter. When he said that there was not widespread support for this agreement, in a typically diplomatic and understated way—

Senator Abetz interjecting—

Senator BROWN—The Special Minister of State opposite said, 'But he signed the agreement.' I have already explained that I was there when Prime Minister Howard, Senator Hill and Mr Downer were coercing this country next door, at the behest of Woodside, to sign this agreement; otherwise they would not get royalties from the development of other, earlier oil and gas fields also taken from the territory of the East Timorese people. It is a despicable day in Australian politics. This is a despicable act by the Howard government and the Latham opposition.

Senator Abetz interjecting—

Senator BROWN—The minister opposite calls that description ‘hyperbole’, but there is no defence of it. It is a shameful day in Australian politics. This is the power of resource colonialism manifest writ large in the Australian parliament. I do not expect there will be much of a write-up in the media about this. In fact, there will probably be none because when the two big parties get together and even commit international robbery, not much notice tends to be taken of it. But I and Senator Nettle and the others on the crossbenches feel differently about this. We feel mighty strongly about it. The minister might describe the time spent on this debate as filibustering, as he does in putting down one of the most important debates in this parliament in my time here.

Senator Abetz—So was the jackets debate, Bob.

Senator BROWN—This is hugely important to our region and the minister likens it to a debate at the behest of one of his members years ago about whether or not we should wear jackets in this place. That is the level of silliness in the face of seriousness that we are getting from the government about this. No wonder there is silence from the opposition.

Senator O’Brien—Are you asking me to interject, Bob?

Senator BROWN—It would be better for you to interject than to say nothing, Sir. This is a terrible moment in our history in this country; it is a shameful moment. I will not have a part of it, and I know that Senator Nettle and colleagues in this quarter will not either, but that does not give us the power to correct it. A wrong is being committed here today in the name of this nation. If only the Australian people knew about the theft from East Timor that is being committed here today, how would they feel about those of you who are voting for that theft?

Senator HARRIS (Queensland) (1.23 p.m.)—I rise to place on the record at the conclusion of this debate on the Customs Tariff Amendment (Greater Sunrise) Bill 2004 some consideration of Australia’s relationship with both East Timor and Indonesia. It is interesting to note that through its aid program Australia provides to Indonesia well in excess of \$100 million, of that amount something like \$28 million specifically is for their defence forces. Yet to East Timor we provide less than we give to Indonesia for armaments. That really encapsulates the situation we have at this time. One Nation puts on record very clearly that we will be watching the government. We will see whether Senator Abetz’s commitment to looking at additional ways to increase our assistance to East Timor is successful. If those ways can be found, I put on the record very clearly that One Nation will support them 100 per cent. We will be looking for that commitment and we will be watching to ensure that it does occur.

Question put:

That these bills be now read a third time.

The Senate divided. [1.30 p.m.]

(The President—Senator the Hon. Paul Calvert)

Ayes.....	49
Noes.....	11
Majority.....	38

AYES

Abetz, E.	Barnett, G.
Bishop, T.M.	Boswell, R.L.D.
Buckland, G.	Calvert, P.H.
Campbell, G.	Chapman, H.G.P.
Colbeck, R.	Collins, J.M.A.
Cook, P.F.S.	Crossin, P.M.
Denman, K.J.	Eggleston, A. *
Evans, C.V.	Ferguson, A.B.
Ferris, J.M.	Forshaw, M.G.
Harradine, B.	Hogg, J.J.
Humphries, G.	Hutchins, S.P.
Johnston, D.	Kirk, L.
Knowles, S.C.	Lightfoot, P.R.
Ludwig, J.W.	Lundy, K.A.
Macdonald, J.A.L.	Mackay, S.M.
Mason, B.J.	McGauran, J.J.J.
McLucas, J.E.	Moore, C.
Murphy, S.M.	O’Brien, K.W.K.
Payne, M.A.	Ray, R.F.
Santoro, S.	Scullion, N.G.
Sherry, N.J.	Stephens, U.
Tchen, T.	Tierney, J.W.
Troeth, J.M.	Vanstone, A.E.
Watson, J.O.W.	Webber, R.
Wong, P.	

NOES

Allison, L.F. *	Bartlett, A.J.J.
Brown, B.J.	Cherry, J.C.
Greig, B.	Harris, L.
Lees, M.H.	Murray, A.J.M.
Nettle, K.	Ridgeway, A.D.
Stott Despoja, N.	

* denotes teller

Question agreed to.

Bills read a third time.

MILITARY REHABILITATION AND COMPENSATION BILL 2003

MILITARY REHABILITATION AND COMPENSATION (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2003

Second Reading

Debate resumed from 1 March, on motion by **Senator Ian Campbell**:

That these bills be now read a second time.

Senator MARK BISHOP (Western Australia) (1.35 p.m.)—The purpose of the Military Rehabilitation and Compensation Bill 2003 and the Military Rehabilitation and Compensation (Consequential and Transitional Provisions) Bill 2003 is to introduce a new single compensation scheme for all military service. In the