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World court to shine light on E.Timor-Australia spy row
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The Hague (AFP) - Tiny, young East Timor drags its giant neighbour Australia before the United Nations' top court next week in a cloak-and-dagger case with billions of dollars in natural resources at stake.

At the heart of the David and Goliath dispute at the International Court of Justice (ICJ) in The Hague is a controversial oil and gas treaty signed by Dili in 2006, shortly after independence from Indonesia.

East Timor wants judges at the ICJ, which rules on disputes between states, to order Australia to return documents its intelligence services seized last year relating to Dili's bid to get the treaty torn up.

"It's simple: we're asking for our documents back. Australia has unlawfully taken documents that are rightfully the property of Timor-Leste," government spokesman Agio Pereira told AFP ahead of Monday's hearing.

East Timor gained its independence in 2002 following years of brutal Indonesian occupation but has a sluggish economy that is heavily dependent on oil and gas.

Dili wants the key treaty it signed with Canberra in 2006 dividing oil and gas resources ripped up, saying Australia spied on ministers to gain a commercial advantage.

Australia allegedly used an aid project refurbishing East Timor's cabinet offices as a front to plant listening devices in the walls in order to eavesdrop on deliberations about the treaty in 2004.

The treaty, Certain Maritime Arrangements in the Timor Sea, or CMATS, set out a 50-50 split of proceeds from the vast maritime energy fields between Australia and East Timor estimated at 26 billion euros (\$36 billion).

Dili signed such treaties "at fragile and vulnerable times in our young nation's history," government spokesman Pereira said.

"Now, in 2014, we are acting with a new breadth of information, data and analysis, including information that Australia may have acted in bad faith and in breach of international law."

Australian media have reported that the lion's share of Timor Sea oil and gas would be on Timorese territory if the maritime border were defined according to customary rules of the sea.

But first the half-island nation wants the ICJ to order the return of documents seized in November when Australia's domestic spy agency raided the Canberra offices of East Timor's lawyer, Bernard Collaery.

Collaery is representing East Timor's government in its bid lodged last year to get the CMATS treaty cancelled at the Permanent Court of Arbitration, housed in the same Palace of Justice in The Hague as the ICJ.

While that case is being held behind closed doors, the ICJ hearings will for the first time shine a very public light on Australia's alleged skulduggery.

"This is going to be pretty hard on Australia's image, it's not exactly glorious for them," international law expert Olivier Rentelink from The Hague's Asser Institute told AFP.

The premises of a former Australian intelligence agent turned whistleblower in the arbitration case against Canberra were also raided.

Australia has largely refused to comment on the proceedings, although Prime Minister Tony Abbott has defended the raids as in the national interest.

East Timor Minister for Petroleum and Mineral Resources Alfredo Pires stressed his country's generally good relations with Australia but said: "The only avenue we have as a small country is international legislation."

Dili has asked for "provisional measures" until the ICJ rules on the case, including that the documents be handed to the court and that Australia guarantee it will not intercept communications between East Timor and its legal advisers.

"Timor Leste is a young country, we had the UN here and everyone teaching us transparency, the rule of law, and then we get one of the great teachers not following the rules," said Pires.

Cases at the ICJ can take years to resolve.