

Thursday 28 November 2013

## Time for the Australian Government to finish the job and establish permanent maritime boundaries with East Timor

With the Timor Sea dispute returning to [public attention](#) due to allegations that the Australian Government spied on East Timor during crucial negotiations over a \$40 billion dollar gas field, it's increasingly clear that permanent maritime boundaries are required.

The Timor Sea Justice Campaign's spokesperson, Tom Clarke, said Australia's strategy to date of jostling East Timor into a series of temporary resource sharing agreements was not a long-term solution and he hoped the Abbott Government would take a different and more principled approach.

"Only permanent maritime boundaries -- established in accordance with current international law -- can put this matter to rest. Prime Minister Abbott has a chance to cement Australia's strong relationship with East Timor by agreeing to permanent boundaries that would ensure East Timor was not being short-changed through shoddy deals regarding oil and gas resources," said Mr Clarke.

Mr Clarke said without permanent boundaries each time a new oil or gas field is discovered, the two countries will have to go through fiercely contested negotiations. Permanent boundaries would give both nations and the corporations seeking to develop the fields certainty.

"This isn't an issue of charity. It's an issue of what East Timor is legally entitled to," said Mr Clarke.

Since the 1982 UN Convention on the Law of the Sea, international law has strongly favoured median line boundaries between countries less than 400 nautical miles apart. While there are 80 examples of the median line resolving such claims, there is only one exception; the 1972 Australian-Indonesian seabed boundary.

"In a nutshell, international law tells us to draw a line half way between East Timor and Australia. If an oil field is closer to East Timor, well then it belongs to East Timor. If it's closer to Australia then is Australian. It shouldn't be too hard. The main obstacle to an equitable, lasting and legally sound solution has been the Australian Government's refusal to play by the rules," said Mr Clarke.

Two months before East Timor's independence in 2002, Australia withdrew its recognition of the maritime boundary jurisdiction of the International Court of Justice and the International Tribunal of the Laws of the Sea. This deprived East Timor of a legal avenue to challenge Australia's unilateral depletion of contested fields in the Timor Sea.

"Turning your back on the independent umpire is not the action of a Government that is confident in its legal position or one intending to play fair. It's the action of a Government intent on short changing one of the poorest countries in Asia. Let's hope the Abbott Government is willing to rectify that and give East Timor a fair go by allowing it to access to its own natural resources," Mr Clarke said.

In 2004 when Australia and New Zealand established a maritime boundary to resolve overlapping claims off Norfolk Island, Australia agreed to a median line boundary.

"Evidently, Australia finds adhering to current international law easier when billions of dollars in government royalties from oil and gas resources are not at stake," said Mr Clarke.

*For further comments, please contact Tom Clarke on 0422 545 763 or on [tom@dukestmedia.com](mailto:tom@dukestmedia.com)*

### **A fair go for East Timor**

#### Timor Sea Justice Campaign

The Timor Sea Justice Campaign is comprised of concerned Australians of various ages, backgrounds and political persuasions who all want our Government to give East Timor a fair go. Specifically, we're calling for the establishment of permanent maritime boundaries in accordance with international law - that is, the boundary should be drawn along the median line half way between the two countries' coastlines.

[www.TimorSeaJustice.com](http://www.TimorSeaJustice.com)