Timor-Leste appreciates Australian change of position regarding the return of seized documents

The Government of Timor-Leste has appreciated the decision of the Government of Australia to return all documents and data seized from Timor-Leste's legal representative in 2013. Government Spokesperson, Minister of State Agio Pereira noted "this decision is in keeping with the friendly bilateral relationship, characterized by trust and mutual respect, which Timor-Leste seeks to build with its near neighbour."

The documents belonging to Timor-Leste were seized from the Canberra office of lawyer, Bernard Colleary, on 3 December 2013 by a team of ASIO agents. After 16 months of vigorously defending it's right to take and keep the documents, the Australian Government has now written to the International Court of Justice [ICJ] stating that it wishes to return them. On the 22nd of April the Court responded to the Australian letter authorizing the return of the documents, still sealed, under the supervision of a representative of Timor-Leste.

The seizure of the materials in December 2013 detailing Australia's spying on Timor-Leste during the negotiation of the Certain Maritime Arrangements in the Timor Sea [CMATS] Treaty compelled the State to file a complaint against Australia with the ICJ at the Hague.

Timor-Leste sought four outcomes in its complaint to the court on 17 December 2013. The return of the documents is one of those outcomes. The Government of Timor-Leste is now reserving its rights, taking legal advice and considering its position on the case with this new development.

On 3 March 2014, the Court delivered provisional measures in favour of Timor-Leste, with an injunction to Australia to "not interfere in any way in communications between Timor-Leste and its legal advisors" in connection with the Timor Sea Treaty [TST] Arbitration, any future bilateral negotiation on maritime boundaries or related procedures.

In September, 2014, the Foreign Minister of Australia, the Hon Julie Bishop MP, and Prime Minister of Australia the Hon Tony Abbott MP, requested a 6-month adjournment to the ICJ hearings and TST Arbitration to allow the two countries "to seek an amicable settlement". Timor-Leste agreed to Australia's request with the proviso that bilateral discussions during the adjournment period should produce a roadmap

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for structured talks on the delimitation of permanent maritime boundaries between Timor-Leste and Australia. The adjournment period expired on 3 March 2015. A schedule for bilateral talks on maritime boundaries between the two countries remains undefined.

Finalizing maritime boundaries will allow for long-term fiscal and regulatory certainty for commercial partners, providing an optimal investment environment for oil and gas activities in the Timor Sea. Movement toward a settlement of boundaries will be a positive step in the development of the Greater Sunrise field.

Minister of State, H.E. Agio Pereira applauded Australia's change of position, but explained that there had been little progress towards a schedule of structured negotiations on the delimitation of permanent maritime boundaries in the Timor Sea.

Noting Australia's defence of the principles of international law on the world stage he said:

"Timor-Leste hopes to see Australia put action to its declared principles, and remains optimistic that the leaders of our great neighbour will demonstrate courage and commit to a clear course of negotiations to settle the maritime boundaries between our two countries once and for all. Timor-Leste's Sixth Constitutional Government under the leadership of Prime Minister H.E. Dr. Rui Maria de Araújo is prepared to take all necessary measures to work with our neighbour Australia in this process, and to complete the delimitation of our country's sovereign territories through the drawing of permanent boundaries." **ENDS**