

Significant progress in Timor Sea negotiations

Posted by Tom Clarke 8sc on September 02, 2017

In what has been described as a “breakthrough” by the two governments, Australia and East Timor have reached an agreement for the framework of a new treaty that will finally set permanent maritime boundaries between the two countries.

The Timor Sea Justice Campaign’s spokesperson, Tom Clarke, welcomed the news but warned it was not yet a done deal.

“This is a really promising step in the right direction, but when it comes to the Australian Government and East Timor’s oil it’s always worth taking such promises with a big grain of salt,” said Mr Clarke.

The framework agreement is the result of a "compulsory conciliation", a UN procedure that East Timor initiated to break the stalemate created by Australia’s refusal to establish permanent and fair boundaries. The UN’s conciliation process had never been used before and exists specifically for when one country refuses to recognise the jurisdiction of the independent umpire that would normally settle disputes – in this case Australia refusing to recognise the maritime jurisdiction of the International Court of Justice.

“The devil of course will be in the detail of the new treaty, but overall this is good news because for the first time Australia is finally listening to the wishes of the Australian public and looking to give Timor a fair go by saying yes to permanent maritime boundaries,” said Mr Clarke.

According to current international law in circumstances such as these, the boundaries should be located halfway between the two coastlines and have equitable lateral boundaries.

“Given international law is very much on Timor’s side, you’d be hopeful that the placement of the boundaries will see most, if not all, of the Greater Sunrise gas field falling within East Timor’s territory. Having said that, Australia has become pretty good at ignoring international law, so of course the proof will be in the pudding,” said Mr Clarke.

Mr Clarke said the Timorese Government should be commended for managing to get Australia back to the negotiating table against the odds and securing this framework for a fairer agreement.

“The establishment of permanent maritime boundaries are the final step in Timor’s long struggle to become a nation. It will be great to see it finally happen, so it’s crucial that the Australian Government now delivers on its promise,” said Mr Clarke.

Mr Clarke said the Australian community has stood proudly in solidarity with the Timorese for many years and cautioned the Foreign Minister, Julie Bishop, that there will be many people watching closely to make sure Australia is true to its word.

“When it comes to oil and gas in the Timor Sea, Australia has really ripped off East Timor over the years, so it would just be fantastic if our Government now could finally do the right thing and make amends. But we won’t be popping the champagne just yet, as there’s still a treaty to negotiate,” said Mr Clarke.

The joint statement issued by the Permanent Court of Arbitration [can be found here](#).

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