

SUBMISSION NO. 40

The Secretary
Joint Standing Committee on Treaties
Parliament House
Canberra ACT 2600
AUSTRALIA

Dear Secretary

Re. Inquiry into the Timor Sea Treaty (May 2002) and the Exchange of Notes between East Timor and Australia (Timor Sea) (May 2002)

Thank you for the opportunity to comment on the review by your Committee of these agreements.

I believe that Australia has benefited and continues to benefit from the international reputation gained from our support of the people of the Democratic Republic of East Timor since 1999 and, in particular, since that country achieved independence.

According to current international law (UN Convention on the Law of the Sea), it would appear that the correct boundary between Australia and East Timor is midway between the two countries.

I believe that the decision by the Australian Government to withdraw from the jurisdiction of the International Court which adjudicates disputes regarding the UN Convention on the Law of the Sea could be interpreted as an unfriendly gesture, thus acting counter to the reputation outlined above.

By insisting on a bilateral negotiation, which may take up to 30 years - the life of the oil and gas fields - the Australian Government would be pursuing a policy, the effect of which would be to rob East Timor of oil and gas revenues from the Greater Sunrise field, and perhaps other oil and gas reserves yet to be defined in the Timor Sea.

The amount of wealth involved dwarfs the financial value of the aid contributed by Australia towards the reconstruction of East Timor.

I submit, therefore, that the Committee should press the Australian Government: to resolve the outstanding seabed boundary disputes AND the related resource sharing dispute between Australian and East Timor according to international law, and with the assistance of international arbitration, if agreement cannot easily be reached.

I further submit that this should be done in a timely manner, so that the people of East Timor are not wrongly deprived of resources, in particular from the rich oil and gas fields of Greater Sunrise, to the North-east of the Joint Petroleum Developmet Area, but also the oil and gas fields to the South-west.

Yours sincerely,

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