

TIMOR SEA JUSTICE CAMPAIGN

A FAIR GO FOR EAST TIMOR

Australia finds another international umpire to ignore as Timor commences conciliation at the UN

Friday, September 02, 2016

This week Australia and East Timor began a 'compulsory conciliation' process that was initiated by Timor at the United Nations.

This is the first time the procedure has ever been used. It exists for situations in which one country – in this case Australia – refuses to recognise the jurisdiction of the independent umpire that would normally settle disputes regarding maritime boundaries.

As the Australian Government **was quick to point out**, the outcome of this conciliation is not legally binding.

East Timor's lead negotiator, Xanana Gusmao, opened proceedings with reflections on why as a sovereign nation it was important for East Timor to establish permanent maritime boundaries and complete its long journey to independence.

"We have not come to The Hague to ask for favors or special treatment. We have come to seek our rights under international law," said Mr Gusmao.

Australia's delegation on the other hand, opened by mounting a challenge to the commission's authority to consider the central topic of maritime boundaries.

The Timor Sea Justice Campaign's spokesperson, Tom Clarke, said fair minded Australians would be ashamed of their Government's behavior in this long running dispute.

"It's not the best look when you start proceedings with a petulant whinge followed by an argument that the commission doesn't even have the authority to consider what everyone came to discuss. It's just more of the same from Australia, it's doing all it can to avoid setting permanent boundaries with East Timor," said Mr Clarke.

Just two months before East Timor became independent in 2002, Australia withdrew its recognition of the maritime boundary jurisdiction of the International Court of Justice and the International Tribunal on the Law of Sea.



'We haven't come to The Hague to seek favours, we come to uphold our rights under international law' - Xanana Gusmao

4:01 AM - 29 Aug 2016



Tom Clarke
@TomHRLC

Listening now to Aus' opening defence at TheHague just reminds me of this cracker cartoon | It's [#TimorsOil](#)

With no legal avenue to challenge Australia's unilateral depletion of contested oil fields, Timor was jostled into a series of questionable treaties in order to get a share of the revenue from some of the fields. However, East Timor has consistently stated that it wants to establish permanent maritime boundaries.

The overwhelming consensus is that under current international law, permanent boundaries would be based along the median line half way between the two coastlines. This would result in the lucrative Greater Sunrise gas field, estimated to be worth \$40 billion in government revenue, being located mostly, if not entirely within Timor's exclusive economic zone.

"If our foreign minister, Julie Bishop, is confident of her Government's legal position why then does she refuse to submit to independent and binding arbitration so this matter can be settled once and for all? Why does Australia continue to turn it's back on the independent umpire? The obvious answer is greed," said Mr Clarke.

The commission is expected to decide within a month whether or not it has the jurisdiction to proceed with the conciliation process. If it does, the process may take more than 12 months to complete.

Meanwhile, **the Timor Sea Justice Campaign has launched a crowdfunding campaign** to set up a focused and sustained professional campaign to raise awareness and fight for a fair go for Timor.



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Please chip in and share this link: <https://chuffed.org/project/fair-go-for-timor>

For media enquiries, please contact Tom Clarke on +41 797 590 448 or tom@dukestmedia.com (please note he's currently in Geneva so eight hours behind AEST.)