

SUBMISSION NO. 28

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

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).

The Australian people have shown through their support in word and deed that they wish to see a free and independent East Timor.. They gave generously in providing material aid to relieve the destitution and destruction of the country which was perpetrated by Indonesian armed forces after the people of East Timor voted in a UN sponsored referendum for independence and self -government. They overwhelmingly supported the intervention by the Australian army to restore law and order in the newly liberated land which would allow the people to take the first steps in rebuilding their society and their infrastructure.

There is no way the Australian people would allow an agreement between Australia and East Timor which would deprive the East Timorese people of their just share in the oil and gas resources in the Timor Sea. These resources are absolutely necessary to provide an adequate economic basis on which the new nation can grow and develop.

Clearly a reading of the Timor Sea Treaty (May 2002) and the Exchange of Notes between East Timor and Australia(Timor Sea)(May 2002) indicates

- 1) There is a dispute over the 'lateral' seabed boundaries and seabed resource sharing and that
- 2) The Australian Government, in agreeing to revise the Greater Sunrise resource sharing arrangements recognises that there is substance in the East Timor position.

It is essential that the good relations which exist between Australia and East Timor should not be placed in jeopardy by a quarrel over oil and gas resources. Meaningful negotiations should be commenced as soon as possible, in a spirit of goodwill and for the benefit of the people of both countries ,to determine a mutually acceptable definition of seabed boundaries which would permit the negotiators to move forward. Guidance in the formulation of such a definition is available in a statement by a previous Senate Committee that "the Australian Government should take into account international law in relation to seabed boundaries". To facilitate the agreement, if this is required, international mediation would be available.

The destruction wrought by Indonesian forces after August 30 1999 was so widespread and so severe that every assistance should be provided to repair the damage to the spirit and the fabric of East Timorese society. Australia must play its part in this reparation by agreeing to a just distribution of the oil and gas resources of the Timor Sea.

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