

## **6.11 Delimitation of Land and Maritime Borders**

Timor-Leste is an island country in Southeast Asia, situated between two larger neighbors. To the north, west and east, lies the Indonesian archipelago. To the south, extends the vast Australian continent, about 300 nautical miles across the Timor Sea. As of 6 March 2018, there were no permanent maritime boundaries drawn with either of its neighbors, Australia and Indonesia.

In the context of foreign policy, the delimitation of boundaries, sea and land, is a priority, since it is a question of national sovereignty. Thus, since the dawn of independence, efforts have been made to start negotiations with Australia and Indonesia on the delimitation of boundaries.

This is considered a matter of sovereignty, especially for a country, which offered all kinds of sacrifices, for about 24 years, in defense of its freedom and independence. The last frontier of the Timorese struggle lies in the seas and oceans that surround Timor-Leste.

It is important to reaffirm that, for the people of the island of Timor-Leste, the surrounding seas are an integral part of their way of life and even have a spiritual meaning, since it is a legend that the Timorese are descended from the crocodile. The people depend on their seas for their sustenance and subsistence, through the fishing and harvesting of marine species. Also coral reefs and steep underwater cliffs, which surround the island of Timor-Leste, are of great importance, since they are an important attraction for tourism development.

On the other hand, the country is developing its oil industry and attracting investment based on its vast oil and gas reserves, which lie on the seabed off the south coast. Oil activities in the Timor Sea are currently governed by interim arrangements for sharing resources with Australia, which reflect the terms of a treaty signed by Australia and Indonesia, albeit during the time of the military occupation.

For this reason, since achieving its independence, it has been one of the main priorities for the country to obtain the permanent delimitation of its maritime boundaries, in accordance with international law. The establishment of permanent maritime boundaries will enable Timor-Leste to map its internationally recognized land and sea boundaries, allowing greater security and certainty for the development of a range of industries and services, including security, immigration, fisheries, tourism and customs.

On the other hand, it could also boost business development and investment, including the oil sector. Growth and economic diversification represent the building of a prosperous, secure and sustainable future for Timor-Leste.

### **6.11.1 Indonesia**

In the short term, the Government will reactivate negotiations with Indonesia to finalize the delimitation of the land boundaries, thereby closing the last two segments (Oben / Bijael Sunan and Citrana) in Oé-Cusse, definitively securing its sovereignty rights over territory.

Regarding the delimitation of maritime boundaries with Indonesia, formal consultations have already been initiated and a set of principles and guidelines for the negotiations have been developed by both governments and the application of international law agreed under the United Nations Convention on the Law of the Sea (UNCLOS), for the definition of maritime boundaries between the two countries.

Thus, the Government will resume formal negotiations on maritime boundaries immediately after the final delimitation of land borders. However, the internal discussions and preparation of political,

technical and legal documentation, which will guide these negotiations, will begin to take place immediately.

### **6.11.2 Australia**

March 6, 2018 marked a historic moment for the country with the signing of the Maritime Boundary Treaty between Timor-Leste and Australia in New York. This treaty follows a lengthy dispute settlement process on the maritime area between the two countries, which included diplomatic efforts, bilateral consultations and negotiations, and other arrangements, including legal proceedings between the two States.

In April 2016, for the first time in history, the process of compulsory conciliation with Australia under the United Nations Convention on the Law of the Sea, Timor-Leste succeeded in bringing the negotiating table to Australia. With the assistance of the Conciliation Commission, both countries have taken significant steps to reach agreement on permanent maritime boundaries, which has finally led to the signing of the new Treaty on Maritime boundaries between the two countries at United Nations Headquarters in New York, in the presence of Secretary-General António Guterres.

The Government will now also give top priority to efforts to implement the Maritime Boundary Treaty, including its ratification process by the National Parliament and negotiations with the oil companies involved in the Greater Sunrise Field to establish a special regime for the Greater Sunrise Fields for the benefit of both parties.

The Government will thus continue to make efforts to implement the agreement reached with the Australia, recognizing the inextricable link between the delimitation of maritime boundaries and the establishment of a special regime for the development of Greater Sunrise, which includes the development of resources and provisions on sharing revenues resulting from the exploitation of those resources. These negotiations will be guided by a firm policy of defending national interests, with a view to the sustainable social and economic development of the Timorese people.

Moreover, on the success of this mandatory conciliation process and considering the publication of the "Final Report and Recommendations of the Conciliation Commission", Timor-Leste, in the framework of its foreign policy, will continue to promote international law and the peaceful settlement of disputes between States, sharing its own experience and participating in international conferences and forums promoting international law, international law of the sea, and in particular the United Nations Convention on the Law of the Sea on the principle that all States must, in good faith, fulfill their obligations under international law and respect the legal rights of other States. All States, whether large or small, are equal under international law and before international courts.

At the internal level, the Government will implement strategic measures to defend independence and territorial integrity, including the supervision of land, sea and air space, in the context of strengthening national sovereignty.

### **6.11.3 Institutional Development**

With a view to implementing the country's foreign policy in the context of international relations, the Government will continue to strengthen the institutions responsible for the implementation of its foreign policy and to promote bilateral cooperation

The Government will:

- Continue to develop the legal framework conducive to the strengthening of the External Relations sector, including the structuring and enhancement of the Statute of Diplomatic Careers, as well as to regulate the rights and duties of the Diplomatic Services;

- Approve and implement legislation related to the Protocol of State, which institutionalizes the set of internal procedures and rules and in the relationship of Timor-Leste with other States, thus also dignifying the Nation and its representatives;
- Continue the elaboration, production and approval of the White Paper on Foreign Policy;
- Harmonize all international commitments binding the Timor-Leste State and promote its inter-sectoral dissemination in order to improve professionalism and State action, as well as fulfill obligations;
- Systematize procedures and regulations on International Treaties and to ensure the preservation and dissemination of documents related to the signing of International Treaties, Agreements, Memoranda of Understanding and Protocols, identifying and promoting the depository of such Treaties;
- Approve the Statute and strengthen the Institute for Diplomatic Studies, as a privileged entity for the training of diplomats and professionals, including Defense and Security Officers;
- Develop a continuous training plan for the human resources of the Ministry of Foreign Affairs and Cooperation, including strengthening competence in national and foreign languages;
- Continue to rationalize and resize diplomatic and consular missions abroad;
- Improve and constantly update the website of the Ministry of Foreign Affairs and Cooperation, including making available to the public information that promotes the country and facilitates knowledge and access to areas of national interest;
- Produce and distribute, through all diplomatic representations, promotional materials about the country, also in order to attract investment, commerce and tourism in Timor-Leste.