



ASIA PACIFIC

Maritime border dispute with Australia a 'second fight for independence' for Timor-Leste

Campaigners in Timor-Leste say the maritime boundary dispute with Australia infringes on the country's sovereignty and its economy.

By [Samantha Yap](#)

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PHOTOS



Protesters calling for a permanent maritime boundary to be drawn up along the "median line" in the Timor Sea. (Credit: MKOTT)



DILI, Timor-Leste: More than a decade after gaining their independence, the people of Timor-Leste are fighting another battle. This time, there are billions of dollars at stake.

Timorese business leaders and civil society campaigners are calling on Australia to enter into "good faith" negotiations for a permanent maritime boundary at an equal distance between the two countries.

"We are asking Australia to come to the table in good faith and

discuss our maritime boundary, based on respect for each other,” said Juvinal Dias, rally leader of the Movement Against the Occupation of Timor Sea (MKOTT).

Last month, MKOTT staged a rally outside the Australian Embassy in the capital Dili to mark the 10-year anniversary of the Certain Maritime Arrangement of the Timor Sea (CMATS) treaty.



Rally leader Juvinal Dias. (Photo: MKOTT)

MKOTT is asking Australia to resubmit to the jurisdiction under the international court mechanism for the disputed maritime boundary.

According to Mr Dias, around 4,000 protesters made up of students, activists, former resistance fighters and civil society staged a peaceful protest calling Australia to respect its sovereignty.

Mr Dias said that they are fighting for the same right as every country in the world, the “right for their own territory”. That is a view shared by others in the business world.

“This fight is almost like our second fight for independence. We’ve got our political independence but it’s now about sovereignty and economics,” said Francisco Da Costa Monteiro, President and CEO of Timor Gas and Petroleum (TIMOR GAP), Timor-Leste’s national oil company.



Mr Dias said the maritime boundary protest is the largest protest in Timor-Leste in 10 years with around 4,000 protesters. (Credit: MKOTT)

Under the United Nations Convention on the Law of the Sea (UNCLOS), Timor-Leste believes it is entitled to a wider area than has been agreed upon in several treaties.

Just before Timor-Leste became independent in 2002, Australia withdrew from the dispute-settling authority of UNCLOS.

On Jan 12, 2006, Australia and Timor-Leste signed the CMATS treaty for the equal distribution of proceeds of petroleum obtained in the Greater Sunrise oil and gas fields. The deposits in the disputed Greater Sunrise oil and gas fields under the CMATS treaty are worth at least US\$40 billion.

Ties between the two countries turned sour when Timor-Leste took Australia to the International Court of Justice in 2013, alleging Australia spied on Timor-Leste's deliberations over CMATS.

TIMOR-LESTE'S ECONOMY ON THE LINE

"To us it's better to enter into the negotiations for limiting the maritime boundary permanently so that it can provide certainties for everyone that's involved," said Mr Monteiro, who is also the Joint Commissioner under the Timor Sea Treaty (TST) which oversees the Joint Petroleum Development Area (JPDA).

These certainties would allow the companies and investors who carry out oil explorations in the Timor Sea to clearly identify who legally has the right to manage the resources.



*Petroleum deposits in the disputed Greater Sunrise oil and gas fields under the CMATS treaty are worth at least US\$40 billion.
(Credit: MKOTT)*

Mr Monteiro added that “having full control of 100 per cent of the area will certainly help develop the country’s economy”.

The TST, signed on May 20, 2002, the day Timor-Leste gained independence, provides for the sharing of proceeds of petroleum found in the JPDA between Australia and Timor-Leste. But the JPDA does not determine the maritime boundary between the two countries.

AUSTRALIA'S PROPOSAL

Timor-Leste’s current population hovers at around 1.2 million people.

“Australia is a big country and doesn’t need more resources, especially resources that are lying in our boundaries,” said former Foreign Minister of Timor-Leste, Zacarias Albano Da Costa.

“As a Timorese I think I should make an appeal to the Australian people to also look at our situation, and think about the solution which can bring fairness to the dealings between the two countries,” he added.

Last month, Australia’s opposition Labor party proposed to conclude “good faith” negotiations with Timor-Leste to settle the boundaries once and for all.

Australia’s opposition foreign affairs spokesperson, Ms Tanya Plibersek made this announcement at the countries National Press Club adding that while Australia regularly calls on other countries to abide by international laws to settle disputes, Australia too will need to “adhere to them”.



Timor-Leste is calling for a permanent maritime boundary of equal distance between Australia and Timor-Leste in the Timor Sea.

(Photo: Samantha Yap)

"If we are not successful in negotiating a settlement with our neighbour, we are prepared to submit ourselves to the international adjudication or arbitration," she pledged.

But the decision to enter into dialogue still rests with Prime Minister Malcolm Turnbull's government. Meanwhile, Timor-Leste looks set to keep pushing the issue until the permanent maritime boundary is drawn up.

"We being a new (and) small country, we cannot hope much but hope for the wisdom of the international community," said Mr Monteiro.

- CNA/hs

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