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Australia-Indonesia maritime boundary treaty must be annuled: activist

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Protest – Timor Leste people stage a peaceful rally to protest against Australia, accused of illegally occupying the country's maritime territory in the Timor Sea, in Dili, Timor Leste, in March. (Tempo/Yohanes Seo)

President Joko “Jokowi” Widodo’s administration has been called on to immediately annul a treaty between the Australian government and the Indonesian government, which establishes the boundary of an exclusive economic zone and certain seabed boundaries in the Timor Sea signed on March 14, 1997

Ferdi Tanoni, the mandate holder for the West Timor people’s customary rights, said the agreement, which was signed by then Foreign Minister Ali Alatas and his Australian counterpart, Foreign Minister Alexander Downer, in Perth, Western Australia, has expired.

“The Indonesia-Australia agreement has never been ratified by the legislative branches of the two countries. It also cannot be implemented because East Timor became an independent country through a referendum in 1999,” he told journalists in Kupang on Wednesday.

Ferdi, who is also the chairman of the Care for West Timor Foundation (YPTB), said the agreement must be annulled and discussed again by the two countries following the changes caused by the declaration of independence of Timor Leste as a new country in the area of the Timor Sea.

“When the treaty was signed, East Timor was still an integral part of the Unitary State of the Republic of Indonesia. In a referendum in August 1999, East Timor decided to separate from Indonesia and establish a new country, the Democratic Republic of Timor Leste,” said Ferdi.

He further said the 1997 agreement only consisted of 11 articles and should take effect only after an exchange of ratification charters between the two countries. However, he said Australia had unilaterally implemented the 1997 agreement.

“Even if the Australian parliament had ratified the 1997 agreement, Jakarta must reject it because the House of Representatives never ratified the treaty,” said Ferdi.

In 1986, the Indonesian and Australian governments signed a memorandum of understanding (MoU) on handling oil pollution at sea.

Ferdi said the MoU should have been implemented to handle the Montara oil spill in the Timor Sea in 2009, but Australia ignored it.

Around 500,000 liters of oil were dumped into the ocean every day in the incident. It is considered one of Australia’s worst oil disasters. (ebf)