



## PRESS RELEASE

### **Conciliation between The Democratic Republic of Timor-Leste and The Commonwealth of Australia**

THE HAGUE, 31 August 2016

#### **Commission Holds Public Opening Session in Conciliation Proceedings**

On Monday, 29 August 2016, the Conciliation Commission held an opening session of the compulsory conciliation initiated between the Democratic Republic of Timor-Leste (“**Timor-Leste**”) and the Commonwealth of Australia (“**Australia**”) under [Annex V](#) of the United Nations Convention on the Law of the Sea (the “**Convention**”), which is being conducted under the auspices of the Permanent Court of Arbitration (the “**PCA**”). Pursuant to a decision of the Commission, with the agreement of the Parties, the opening session was webcast live and made public on the PCA website.

During the opening session, the Parties addressed the background to the Parties’ dispute and the context of the conciliation proceedings.

Timor-Leste’s submissions were made by Ms. Elizabeth Exposto (Timor-Leste’s Deputy Agent), H.E. Minister Kay Rala Xanana Gusmão, Professor Vaughan Lowe QC, Sir Michael Wood KCMG, and H.E. Minister Hermenegildo Pereira (Timor-Leste’s Agent).

Australia’s submissions were made by Mr. John Reid (Australia’s Agent), Mr. Gary Quinlan AO, and Solicitor-General Justin Gleeson SC.

The opening session was held at the Peace Palace, the headquarters of the PCA in The Hague, the Netherlands.

The Commission will proceed to hear, *in camera*, the Parties’ oral submissions on the competence of the Commission through 31 August 2016.

A video of the opening session, the hearing transcript for the opening session, and the maps and illustrative images used during the Parties’ presentations, are available at <https://pcacases.com/web/view/132>.

#### **Background to the Conciliation**

These conciliation proceedings concern the maritime boundary between Timor-Leste and Australia and were initiated by Timor-Leste on 11 April 2016 by way of a “Notification Instituting Conciliation Under Section 2 of Annex V of UNCLOS” addressed to Australia pursuant to Article 298 and Annex V of the Convention.

On 2 May 2016, Australia submitted “Australia’s Response to the Notice of Conciliation”.

The five-member Conciliation Commission was constituted on 25 June 2016 and is chaired by H.E. Ambassador Peter Taksøe-Jensen (Denmark). The other members of the Commission are Dr. Rosalie Balkin (Australia), Judge Abdul G. Koroma (Sierra Leone), Professor Donald McRae (Canada and New Zealand), and Judge Rüdiger Wolfrum (Germany).

On 28 July 2016, the Conciliation Commission held a procedural meeting with the Parties at the Peace Palace in The Hague, the Netherlands.

On 12 and 25 August 2016, the Parties provided the Commission with written submissions on the question of the Commission's competence.

With the agreement of the Parties, the Permanent Court of Arbitration acts as Registry in the proceedings.

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The **Permanent Court of Arbitration** is an intergovernmental organization established by the 1899 Hague Convention on the Pacific Settlement of International Disputes. The PCA has 121 Member States. Headquartered at the Peace Palace in The Hague, the Netherlands, the PCA facilitates arbitration, conciliation, fact-finding, and other dispute resolution proceedings among various combinations of States, State entities, intergovernmental organizations, and private parties. The PCA's International Bureau is currently administering 8 interstate disputes, 75 investor-State arbitrations, and 34 cases arising under contracts involving a State or other public entity. More information about the PCA can be found at [www.pca-cpa.org](http://www.pca-cpa.org).

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