



**P R I M E  
M I N I S T E R**

**OPENING ADDRESS BY  
HIS EXCELLENCY THE PRIME MINISTER  
OF THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE,  
DR RUI MARIA DE ARAÚJO,  
AT THE DILI INTERNATIONAL CONFERENCE: MARITIME BOUNDARIES  
AND THE LAW OF THE SEA**

**Dili  
19 May 2016**



Palácio do Governo,  
Avenida Presidente Nicolau Lobato,  
Dili, Timor-Leste

Judge Vladimir Golitsyn, President of the International Tribunal for the Law of the Sea

Ambassador Eddy Pratomo, Special Envoy of the Maritime Boundary Delimitation between Indonesia and Malaysia

International speakers and panellists

Members of the National Parliament

Members of Government

Ambassadors

Combatants of the National Liberation

Excellencies

Ladies and gentlemen

It is a great pleasure to open this *Dili International Conference: Maritime Boundaries and the Law of the Sea*.

We are privileged to welcome Judge Vladimir Golitsyn, President of the International Tribunal for the Law of the Sea.

It is the 20<sup>th</sup> Anniversary of the Tribunal and we pay tribute to its enormous contribution to international law, global dispute settlement and peace.

Maritime boundaries and the law of the sea are very critical topics here in Timor-Leste in connection with our pursuit of sovereignty and permanent maritime boundaries.

Beyond our shores, the Law of the Sea is emerging as an essential focus for many nations in the Asia Pacific and around the globe.

With competing claims for maritime sovereignty raising tensions in our region and beyond, the law of the sea plays a central role in maintaining international peace and security.

With ever-increasing traffic in global trade routes and mining technologies that enable access to offshore resources, countries need to deepen their understanding and share perspectives on the international framework for dealing with maritime rights in our seas and oceans.

We are honoured so many eminent experts and leaders from all over the world have come to Dili today to share their insights with us and help us all appreciate the importance of international law in determining maritime boundaries. I offer all of our visitors and guests here today a warm welcome.

Ladies and Gentlemen, I would like to focus briefly on our own perspective in Timor-Leste.

Tomorrow is the 20<sup>th</sup> of May, a very significant day for Timor-Leste.

On this day, 14 years ago, the Restoration of our Independence was finally achieved and witnessed by the international community.

We remember that our nation was born from the ashes of war against great odds and at great human cost. But, importantly, our nation was also born through the help and support of the community of nations.

It is important on the occasion of this conference, dedicated to the International Law of the Sea, to remember that the effective operation of international law and co-ordination of the international community is at the heart of the history of Timor-Leste. We expect this to continue long into our future.

Although we have a long way to go in our development, I am proud to say that over the years since 20 May 2002, we have worked to establish strong foundations for our country.

We developed and implemented our *Government Program* and our *Strategic Development Plan* to build the nation and increase prosperity for our people.

Step by step we have moved from a country marked by fragility to a nation moving towards progress and strength.

Upon this solid foundation, the Government of Timor-Leste now aims to ensure all of our people enjoy good healthcare, have access to a secure livelihood and that our children and young people get access to quality education.

Having reached this stage in our nation building, the Government and the people now consider that the establishment of permanent maritime boundaries is a national priority.

Our country shares maritime boundaries with two big neighbours, Indonesia and Australia. As of today, Timor-Leste does not have permanent boundaries with either neighbour. This is a source of deep uncertainty and means that our historic struggle for sovereignty continues.

Our young nation has survived a long history of colonisation and occupation. Through great sacrifice and commitment, the people of Timor-Leste achieved freedom and independence. We now see the determination of our maritime boundaries as the final step in our fight for sovereignty.

For us, secure rights over the sea are no less important than secure borders on land. This is because we are an island people. The sea is integral to our way of life and has deep historical and spiritual meaning.

By legend, we are the grandchildren of the crocodile. The body of our spirit ancestor became the land of Timor-Leste—his lumpy hide made the mountains and valleys and our people have born and died on his back for hundreds of years. The surrounding oceans were

the homeland of our grandfather crocodile and they are today the patrimony and birthright of our people.

Many Timorese depend on the oceans for their sustenance and livelihood by fishing and harvesting marine species. Our pristine reefs and underwater cliffs attract international tourists. And, importantly, we are developing our petroleum industry and attracting investors on the basis of vast reserves of oil and gas under the seabed off the southern coast.

The continuation of all these essential cultural and economic activities depends upon securing rights to our sea.

Establishing permanent maritime boundaries will grant Timor-Leste permanent and secure access to our seas and the natural wealth beneath the waters. It will allow Timor-Leste to explore and develop new fisheries, expand the tourism industry and benefit from our petroleum resources.

Legal certainty about sovereign territory – of both land and sea – encourages business and facilitates investment.

It is critically important for the people of Timor-Leste to achieve recognition of our rights to the sea under international law. For us, resolution of the issues about our maritime territory and the resources to which we are entitled is the key to achieving control over our future.

Ladies and gentlemen,

There have been some positive steps forward. Timor-Leste is currently in negotiations on permanent maritime boundaries with Indonesia.

Importantly, both countries have agreed that the position of the boundary should be established in accordance with international law. We anticipate that these discussions will be conducted in a spirit of solidarity with our good friend Indonesia.

Regrettably, Australia has so far has been unwilling to engage with us and continues to stand behind provisional arrangements that do not conform to international law.

Two months before our independence, Australia withdrew from the maritime boundary jurisdiction of the International Tribunal for the Law of the Sea, the International Court of Justice and other maritime boundary dispute settlement mechanisms.

This means that although we have no permanent arrangements, our maritime boundaries can only be set through bilateral negotiations and we have no resort to international courts or tribunals to resolve our issues.

Last month, on 11 April, Timor-Leste initiated compulsory conciliation under the United Nations Convention on the Law of the Sea.

We have taken this step, the first country to ever do so, because we were left with no choice.

This procedure can be used when no agreement has been reached between neighbouring States and one State has made a declaration excluding the jurisdiction of binding dispute settlement bodies on maritime boundaries.

The conciliation will be conducted by a panel of five independent conciliators, known as the Conciliation Commission. If we cannot reach agreement with Australia, the Conciliation Commission will provide a report to the Secretary-General of the United Nations with recommendations to assist resolution. Australia and Timor-Leste would then be required to negotiate in good faith on the basis of the Commission's report.

We have faith in the international system and trust that this process will lead to a positive and fair outcome for both Australia and Timor-Leste.

Ladies and gentlemen,

Timor-Leste has taken this step consistent with our resolute support of international law.

Respect for international law was central in our struggle for independence.

In the period since independence, our country has already used international law courts and tribunals to resolve disputes with other States.

In our increasingly chaotic world, we believe that the maintenance and development of international law is the basis for peace, harmony and a just world order.

As a conscientious, global citizen, our country has become a party to most of the major international treaties including human rights treaties, the Statute of the International Court of Justice and the United Nations Convention on the Law of the Sea.

In observing the protocols established for the orderly interaction of States, and expecting others also to observe them, we live by our commitment and belief that States should be governed by a system of laws.

The alternative to mutual respect for the law is force, violence and oppression. In our history, we have had enough experience of existing in the absence of law and order, to know that the rule of law is worth standing for and insisting upon.

We know it is the path of peace and respect for all peoples and nations. Under international law, all States must fulfill their obligations and respect the rights of other States. All States, however, big or small, are equal before the international courts.

In connection with determination of maritime boundaries, international law and the system of rules that govern State actors is particularly robust and well supported. The relevant treaty, the United Nations Convention on the Law of the Sea, is one of the most widely signed and ratified treaties in history with 167 State parties.

We say that the international law of the sea provides fairness, consistency and predictability for all States whether large or small.

This is why we believe that international law is the best path to resolve disputes about maritime boundaries. And this is the reason that we have invited you here today to hear from these eminent speakers and to learn from the honourable international experts.

Ladies and gentlemen,

It would be a betrayal of the dignity of the Timorese people, and the sacrifice they have made for their nation, if we did not uphold international law in pursuing equitable national boundaries.

It would be a failure to honour our history if we did not fight for certainty over our rights to the sea.

I thank you all for attending this important conference and commend to you the learning and insights available from our esteemed guests.

Thank you very much.

19 May 2016  
Dr Rui Maria de Araújo