

Australia is guilty of same misconduct as China over our treatment of East Timor

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Published: July 14, 2016 - 11:04PM

Territorial aggression. Refusal to abide by the rule book. It's a challenging set of behaviours.

Understandably the Turnbull government wishes China would heed the international law of the sea and unreservedly accept this week's ruling from the Permanent Court of Arbitration in The Hague – the result of a complaint brought by the Philippines against China's activities in the South China Sea.

Of course our Foreign Affairs Minister, Julie Bishop, would have far more credibility in calling on China to respect international law if successive Australian governments weren't guilty of similar maritime misconduct.

For 14 years now, Australia's tiny neighbour, East Timor, has been consistently requesting Australia to negotiate the establishment of permanent maritime boundaries between the two coastlines. For 14 years now, Australia has refused to even consider doing so.

Instead it has jostled East Timor into a series of temporary resource sharing arrangements, all of which short-change one of the poorest countries in Asia out of billions of dollars in oil and gas resources.

To think China is the only bully in our region willing to thumb its nose to international law for greater territorial control and access to lucrative resources would be to overlook the fact the Australian government has unilaterally depleted the contested Laminaria Corallina oil fields. These are fields that the East Timorese claimed belong to them, that have now been sucked dry without East Timor receiving a single dollar.

This is something the government of East Timor doesn't want to see repeated. It has launched its own proceedings in the United Nations.

Disappointingly, the Australian government, like China before it, is squabbling about the jurisdiction – trying to dismiss the independent umpire as irrelevant.

Bishop and Prime Minister Malcolm Turnbull need to realise that if Australia wants its calls for China to abide by the UN Convention on the Law of Sea (UNCLOS) to be taken seriously, that the Australian government must start walking the talk.

In March 2002, just two months before East Timor's independence, the Howard government's Foreign Affairs Minister, Alexander Downer, pre-emptively withdrew Australia's recognition of the maritime boundary jurisdiction of the International Court of Justice. It's time for Bishop to reinstate our recognition of this important body.

A rules-based world order is in Australia's interest. But the first step in making that a reality is to stop treating international law like a buffet menu from which you can just pick and choose the bits you want and discard anything you don't like the look of.

The Australian government must sit down at the negotiating table with East Timor and right the deliberate wrongs that have deprived the young nation from benefiting from its own natural resources.

Take for example the Greater Sunrise gas field. It's anticipated to generate about \$40 billion in government revenue over its lifetime. As it is located much closer to East Timor than Australia, if permanent maritime boundaries were established in keeping with international law most, if not all, of the field would belong to East Timor.

It was during negotiations about this field that the Australian government installed listening devices in the East Timorese cabinet room. It used an aid project as the cover to conduct espionage for commercial gain. This is not something Australians can be proud of and again is something more in keeping with what you'd expect from the Chinese Government.

The overwhelming consensus is that current international law would see maritime boundaries based along the median line – that means halfway between the two coastlines. This would be both fair and commonsense. It would mean if an oil or gas field was located closer to East Timor then it would belong to the Timorese and if it was closer to Australia then it would be ours.

This "median line solution" is exactly what we agreed to with New Zealand in 2006 when we resolved overlapping claims off Norfolk and Macquarie islands. Australian governments seemingly find international law easier to abide by when billions of dollars worth of oil and gas is not up for grabs.

"Australia supports the right of all countries to seek to resolve disputes peacefully in accordance with international law, including UNCLOS," Bishop said in response to the South China sea dispute, before adding that adherence to international law is the foundation for peace, stability and prosperity in East Asia.

These are wise words, but they will continue to ring hollow while the Australian government continues to turn its back on the independent umpire so it can continue to short-change East Timor out of billions of dollars in oil revenue.

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