

TIMOR SEA JUSTICE CAMPAIGN

UN deadline looms for Australia over Timor Sea dispute

If the Australian Government fails to appoint delegates on Monday for the 'compulsory conciliation' initiated by East Timor, then the UN's Secretary General, Ban Ki-moon, will step in to appoint delegates on its behalf.

The conciliation process – which East Timor is hoping will help force Australia to acknowledge the need to establish permanent maritime boundaries in the Timor Sea – has never been used before.

The compulsory mechanism exists for the rare circumstance in which one country in a dispute refuses to recognise the independent umpire. This is what Australia did two months before East Timor's independence in 2002 when it withdrew its recognition of the maritime boundary jurisdiction of the International Court of Justice and the International Tribunal on the Law of the Sea.

The Timor Sea Justice Campaign's spokesperson in Melbourne, Tom Clarke, said the Australian Government was facing its comeuppance for decades of short-changing East Timor out of billions of dollars in gas and oil royalties.

"It reflects very poorly on Australia that it has even come to this. East Timor is simply asking for what it's entitled to – permanent maritime boundaries in accordance with current international law – yet the Turnbull Government stubbornly refuses to discuss the matter. Now it will have some explaining to do at the UN," said Mr Clarke.

The compulsory conciliation process will conclude with a panel of experts recommending where permanent maritime boundaries should be set according to current international law. However, the ruling is not binding.

The overwhelming consensus is that under current international law, in circumstances such as these where the two coastlines are less than 400 nautical miles apart, boundaries are drawn halfway between the two coastlines along the 'median line'.

"If the Australian Government had any confidence in its

outdated arguments it would not have turned its back on the independent umpire in the first place,” said Mr Clarke.

East Timor has consistently asked Australia to commit to bilateral negotiations to establish permanent maritime boundaries, but Australia has consistently refused. Instead it has jostled the tiny nation into a series of temporary deals which all give Australia a share of oil located closer to Timor than Australia.

“By refusing to establish permanent and fair boundaries, Australia is short-changing East Timor out of billions of dollars. It’s immoral, it’s bad policy and it’s embarrassing. We’re becoming known as the region’s bully. It’s time for Prime Minister Malcolm Turnbull to sit down with East Timor’s PM and just draw the line,” said Mr Clarke.

For further comment, please contact Tom Clarke on 0422 545 763

A fair go for East Timor.

Recent media coverage

Timor Leste's Minister of State, Agio Pereira, recently gave an [interview on ABC's RN Drive](#) about why Timor is taking Australia to the UN for compulsory conciliation regarding the need to set fair and permanent maritime boundaries.

Labor's foreign affairs spokesperson, [Tanya Plibersek](#), spoke with [ABC's PM program](#) about why a Labor Government would be willing to have the dispute settled by third party arbitration if boundaries couldn't be settled by consensus.

The Sydney Morning Herald published a strongly worded [opinion piece by Jose Ramos Horta](#) on how Australia pushed dodgy oil and gas deals down Timor's throat and now needed to commit to fresh negotiations.

Timor Sea Justice Campaigner, Tom Clarke, recently [wrote in the Guardian Australia](#) about how Australia's morally bankrupt policy in the Timor Sea entrenches Australia's reputation as a regional bully.

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