



Maritime  
Boundary  
Office

2018 Timor-Leste Update  
Australian National University

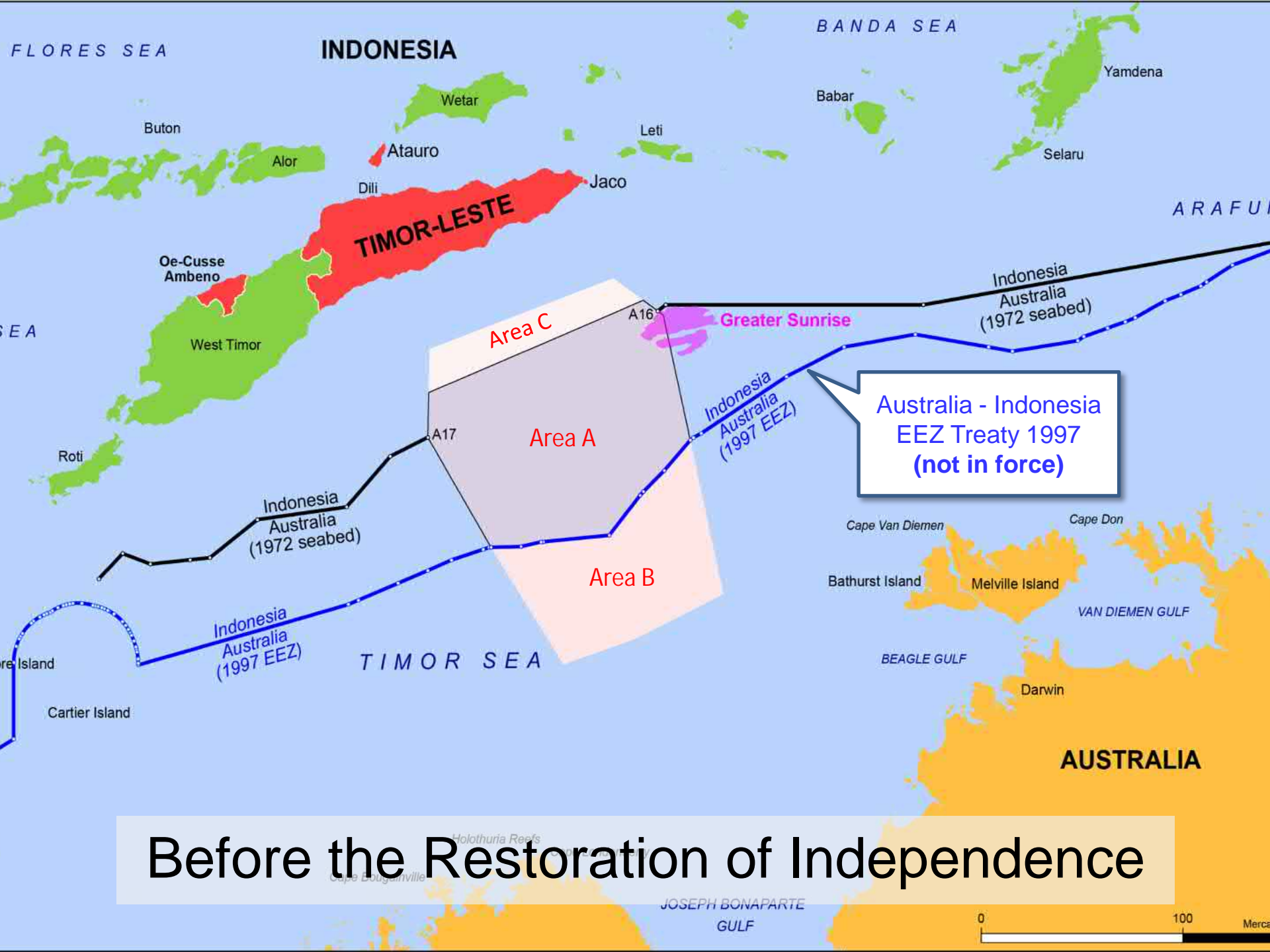
# Significance of the Maritime Boundary Treaty to Timor-Leste

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An aerial photograph of the Timor Sea, showing a vast expanse of dark blue water with white-capped waves. The perspective is from a high angle, looking down at the ocean's surface. The text 'Brief History of the Timor Sea' is overlaid in white, sans-serif font, centered horizontally and positioned in the lower half of the image. A thin white horizontal line is placed directly beneath the text.

# Brief History of the Timor Sea

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INDONESIA

BANDA SEA

ARAFURKA SEA

TIMOR-LESTE

Indonesia  
Australia  
(1972 seabed)

Indonesia  
Australia  
(1997 EEZ)

Australia - Indonesia  
EEZ Treaty 1997  
(not in force)

Indonesia  
Australia  
(1972 seabed)

Indonesia  
Australia  
(1997 EEZ)

TIMOR SEA

AUSTRALIA

Before the Restoration of Independence





After the Restoration of Independence



The background of the slide is a dark blue, textured image of ocean waves, possibly from a satellite or aerial view, with varying shades of blue and white foam visible in the crests of the waves.

# Timor-Leste/Australia Conciliation

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Meeting with UN Secretary-General Ban Ki-Moon on 13 April 2016, following commencement of UN compulsory conciliation

# What is 'Compulsory Conciliation'?

Compulsory conciliation is a non-binding procedure under Article 298 and Annex V of UNCLOS, in which a panel of expert conciliators assists State parties to try to reach an amicable settlement of their dispute, within 12 months.





# Conciliation Commission

Timor-Leste's appointees



Judge Abdul Koroma



Judge Rüdiger Wolfrum

Australia's appointees

Agreed Chair



H.E. Ambassador Peter  
Taksøe-Jensen (Chairman)



Dr. Rosalie Balkin



Professor Donald McRae



Conciliation Commission and the delegations from Timor-Leste and Australia at The Hague, July 2016



Public hearing at the Peace Palace, The Hague, August 2016

XANANA GUSMÃO



# Australia's Jurisdictional Challenge

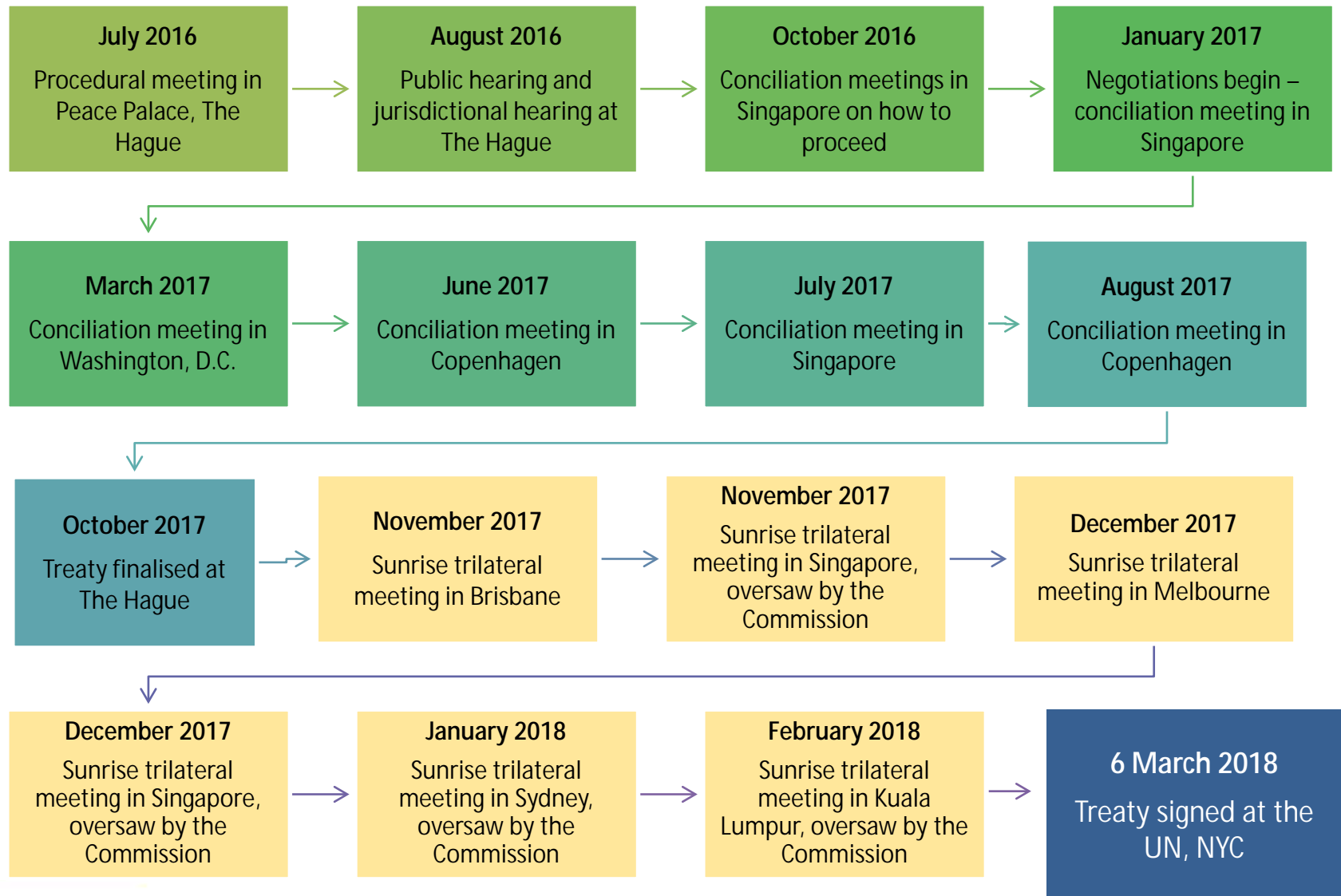
- Australia raised an objection to the Commission's competence to hear the dispute under UNCLOS; if it succeeded, the conciliation would not go ahead. The objection was heard at the Hague in August 2016.
- On 19 September, the Commission unanimously determined it had competence.
- After that, Australia agreed to participate in good faith.

# Path to negotiations

Commission proposed a package of **confidence-building measures** to make way for negotiations, including:

- For Timor-Leste to terminate CMATS
  - National Parliament approved on 10 January 2017
  - Termination took effect on 10 April 2017
- For Timor-Leste to end the two cases against Australia (on espionage and pipeline jurisdiction)
- For Australia to commit to negotiate in good faith, and to come to the table with a mandate to negotiate

# Conciliation meetings





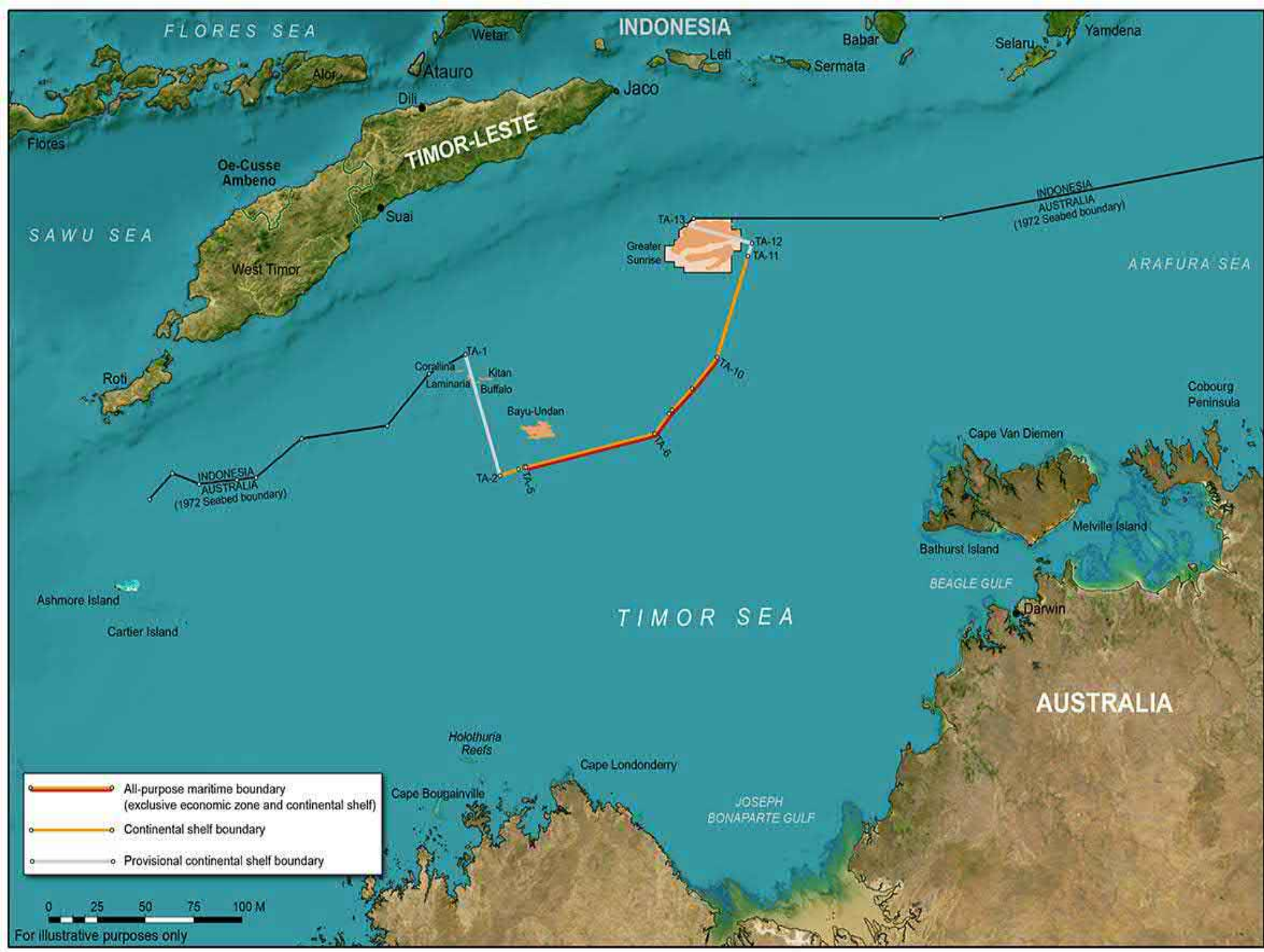
Agents initial the Treaty at The Hague on 13 October 2017



Timor-Leste and Australia sign the Treaty in New York on 6 March, 2018



Significance of the treaty





A group of young children, likely of Pacific Island descent, are smiling and laughing outdoors. The child in the foreground is a young boy with a wide smile, wearing a blue shirt. To his left, a girl in a red and blue soccer jersey with 'FCBA' and stars is also smiling. Other children are visible in the background, some laughing. The scene is set in a grassy area with trees in the distance.

# Questions?

For more information on maritime boundaries,  
see the MBO website:

[www.gfm.tl](http://www.gfm.tl)