

1. We believe Australia is being unfair to Timor-Leste about sharing oil and gas in the Timor Sea.
2. We believe the fair solution is to agree to setting the border which has never been finalised. The current situation is not a border, but a resource sharing agreement.
3. Both Coalition and Labor governments have had a consistent position up until now.
4. The Labor Party has changed its policy to one of finalising a border agreeable to both nations.
5. Even the oil and gas companies now want this resolved for the sake of certainty.
6. All the disputed resources are on the Timor-Leste side of the median line.
7. Government personnel in Timor-Leste are keen for progress:
“In April, I met Indonesian President Joko Widodo. He and I agreed to immediately give a renewed boost to the negotiation of the borders between Timor-Leste and Indonesia, especially the sea border. The land border is 98% established.....With regard to Australia, Timor-Leste has also proposed the start of negotiations for the definition of our shared sea border. We continue to wait for an answer to our proposal...”

Statement by Taur Matan Ruak, President of Timor-Leste, May 25, 2015

Some background

- Timor Leste has no border with Australia.
- Australia withdrew from the two international bodies which deal with maritime disputes just before TL independence in 2002 (the UN Convention on the Law of the Sea and the maritime boundary section of the International Court of Justice) to avoid being forced to settle a border.
- TL needed access to revenue quickly on independence and agreed to a temporary resource sharing agreement involving
 - o Bayu Undan, of which Timor receives 90% of revenue and Australia 10%
 - o Laminaria-Coralina – lying totally within a disputed area- of which Australia received all the revenue and Timor none. Both of these areas are on TL’s side of the median line.
- Negotiations on Greater Sunrise 2004-2006 divided the resources of that field equally between Australia and Timor-Leste on condition that border discussions would be deferred for 50 years. Australia spied on the Timorese negotiators and thus gained unfair advantage, resulting in Timor-Leste taking Australia to court, a case which Timor-Leste has now dropped.
- The boundary dispute can now be pursued. Timor-Leste is willing to work with Australia.
- Indonesia is willing to be involved where appropriate.

A border fitting current international standards would have to entail the median line, as that is the standard process for determination of international acceptance.

How can you support advancement of a fair resolution of this matter within your Party and in the Parliament, e.g.

1. to engage with Timor-Leste to settle fair and permanent maritime boundaries, including willingness to agree on lateral boundaries in the Timor Sea with Indonesia and Timor-Leste.
2. to remove reservations to Australia rejoining UN bodies from which it withdrew in 2002 in order to bring a level playing field, and therefore more fairness, to the process of determination of the maritime boundary.

Do you have any advice for us in our efforts to tell the whole story to Parliamentarians? Could you indicate what steps you will take to bring this matter to a just resolution?