

SUBMISSION TO THE

AUSTRALIAN SENATE
STANDING COMMITTEE
ON
FOREIGN AFFAIRS, DEFENCE AND TRADE

BY:

GIZRA TRIBE
SOUTH FLY ELECTORATE
WESTERN PROVINCE
PAPUA NEW GUINEA

SUMMARY

Introduction

This submission is presented to the Australian Senate Standing Committee on Foreign Affairs, Defence and Trade by the Gizra Tribe of the South Fly Electorate, Western Province, Papua New Guinea. The Gizra tribe has a population of 2,000 people who inhabit the land and sea boundaries adjacent and also within the Torres Strait Protected Zone and shared two international borders with Australia¹ and Indonesia.

The Gizra Tribe consist of three main villages namely, Kulalae, Waidoro and Kupere. The tribe identifies itself as indigenous inhabitants who have a long history of traditional ties and customary relationships with the current inhabitants or Torres Strait Islanders.

Terms of Reference

The Delivery and Effectiveness of Australian's Bilateral Aid Programme in Papua New Guinea.

Your Committee will note that major concerns and issues raised are in the area of:

1. Health
2. Education
3. Review of the Treaty Between Australia and Papua New Guinea, in particular the Torres Strait border
4. Economic Empowerment
5. Water security

Health

Health is a major concern of the Western Province as a whole. Right now we are sitting on a time bomb with the increase in the number of TB cases and the deadly drug resistant TB which is spreading in an alarming rate especially on Daru Island which is also our Provincial capital.

Education

The education standard has not improved much over the years, mainly due to lack of proper infrastructure and teaching standards. Due to lack of proper education many young people have turned to drugs and consumption of alcohol which creates many social problems. Education in the Western Province is so low that none or very few go for further studies to tertiary institutions. Many young people feel neglected and feel trapped in an environment that is not moving, thus poverty

¹ Appendix 4 – Copy of: Treaty Between the Independent State of Papua New Guinea and Australia Concerning Sovereignty and Maritime Boundaries in the Area Between the Two Countries, Including the Area Known as Torres Strait, and Related Matters.

and lawlessness which leads to civil disobedience. Lack of education and understand also contributes to poor health practice and understanding which has now led to a major break out of TB² and other diseases.

Review of Treaty

The Treaty between Papua New Guinea and Australia is a formal agreement between our two countries and it is an important arrangement which the Gizra Tribe take seriously. Many developmental issues for economic sustainability can be addressed through this Treaty.

This is a major political issue and we cannot discuss this matter in detail, however, we would be most grateful if this matter be brought before your Committee as a separate issue. This matter has never been brought up to any political or bilateral discussions before. It is our firm belief that through this review of the Treaty, bilateral aid to Western Province can be easily channelled through these arrangements without any interference from corrupt bureaucrats in Port Moresby.

We believe that once the treaty is reviewed, we in the border area with Australia will be able to see development taking place.

From our end we, the Gizra Tribal elders would like to extend an invitation to your Committee to come and see for yourselves of the situation on the ground.

Conclusion

Australian aid to Papua New Guinea is very important, it promotes growth and stability in the region as a whole and we are grateful for the annual budgetary grants to our Government. Without this important bilateral aid programme we would have a stagnant growth in our economic.

It is also very important to note that with globalisation taking place very rapidly; many pacific island countries including PNG are very vulnerable to outside influence. We the Gizra tribe are also very mind-full as we are strategically located between two international border areas; where security is a major concern for Australia as well as PNG in the midst of growing terrorist activities and threats happening around us.

We humbly, forward to your Committee our grievances and concerns and pray that your Committee will give our submission serious consideration to remember the plight of the people of Western Province for your assistance in your bilateral aid programme to Papua New Guinea in the near future.

² News Paper Extracts (Post Courier, January 20, 2015)

(APPENDIX 1)

Waidoro Village
Ward No: 15
Oriomo Bituri Local Level Government
PO Box 207
DARU,
Western Province
Papua New Guinea

31st December 2014

The Chairman
Senate Standing Committee on Foreign Affairs, Defence & Trade
PO Box 6100
Parliament House
Canberra, ACT, 2600
Australia.

Dear Mr Chairman

SUBJECT: SUBMISSION TO THE AUSTRALIAN SENATE STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE BY THE PEOPLE OF WAIDORO VILLAGE ON THE DELIVERY AND EFFECTIVENESS OF AUSTRALIA'S BILATERAL AID PROGRAM IN PAPUA NEW GUINEA

It is indeed an honour and privilege for me and my committee to be able to present to your Committee our formal submission for community based projects.

We have taken this opportunity to highlight on behalf of our people's concerns with regards to Australian Aid and the Border Development funds.

Sir, it has been a long time now, where majority of rural people who are situated in and around the border area haven't benefited since the initiation of this organisation (AusAid).

Sir, Australia/Papua New Guinea Border Development funds have not reached us through projects, though we are living some seven (7) kilometres from the Papua New Guinea and Australia Treaty area and the International border¹.

Border Development Authority have not considered us for any community level based projects such as Water security, Health facilities, improvement in Education; essential

¹ Appendix 4 Treaty between the Independent State of Papua New Guinea and Australia Concerning Sovereignty and Maritime Boundaries in the Area between the Two Countries, Including the Area Known as Torres Strait, and Related Matters.

infrastructure and empowering and assisting us with economic activities where services are delivered directly to the people.

We are unfortunate people around the International Border area haven't got access over Border Development funds since its inception.

Sir, Health, Education and Water are the basic priority projects with the current dry season we are going through now.

We believe that with sufficient and relevant information as per attached, we would be considered as a priority community in this regard. Furthermore we have no hesitation in recommending the above mentioned community to be short listed in your project selection committee.

Yours sincerely,

(signed)
Sake S. Laba,
LLG Member for Ward 15

(signed)
Bazi Kazipam
Ward 15 Recorder

(signed)
Miouri Zibbram
Community Chairman

(signed)
Saba Mabo
Village Chief

(signed)
Dida Bakua
Village Chief

(signed)
Dabu Gabara
CMI Pastor

Note: Original letter attached

Waidoro Kupere
Ward 2015.

Oriomo Local level Government

P.O. Box 207

Daru.

Western Province

31st December 2014.

Dear Sir

It is indeed an honour and privilege for me to be able to present to your Government a formal submission for community based projects.

We have taken this opportunity to highlight on behalf of our people's concerns with regards to Australian Aid and the Border Development funds.

Sir, It has been a long time now, where majority of rural people, who are situated in and around the border area haven't benefited, since the initiation of this organisation.

Sir, Australia/Papua New Guinea Border Development funds have not reached us through Projects, though we are living some seven (7) kilometres from the treaty area and International Border.

Border Development Authority haven't considered us for any community level based projects such as
1. Water Sanitation, Health, School, infrastructure and

Economic Sector, where services are delivered directly to people.

We are unfortunate people around the International Border area haven't got access over Board Development funds. since its initiation.

Sir, Health, School and Water are the basic priority projects with the current dry Session we are going through now.

We believe that, with sufficient and relevant information as per attached, we would be considered as a priority Community in this regard.

Furthermore we have no hesitation in recommending the above mentioned Community to be short listed in your project selection Committee.

Yours sincerely

How' Sake S. Laba
Member
Ward no 15. (fifteen)

Mr Bazi Kazipam
Ward Recorder

Mr Mouri Zibbrau
Com Chairman

Mr Saba Mabo
Village Chief

Mr Doda Bakua
Village Chief

Mr Daba Gabara
CMI Pastor

CAPPENDIX 23

①

The Chairman
Ward Development Committee
Kulalae/ Ngomtono Village
Via DARU, WP, PNG
Ph: 79088492 (Digicel)
Or: 0497252567 (Telstra)

22nd January 2015

The Australian Senate Committee
Australian Federal Government
CANBERRA
NSW
Australia

Dear Sir,

Ref: Submission to Australian Senate Committee

With regards to the above mentioned, I, on behalf of my people of Kulalae/ Ngomtono Village, Ward 16, in the Oriomo Bituri Rural Local Level Government, South Fly District of Western Province formally and kindly present our heart felt submission directly to the Australian Senate Committee for deliberations and consideration.

Our submission to the Australian Senate Committee is for consideration based on the facts that;-

- (i) My maritime tribal land boundaries is adjacent and also within the Torres Strait Protected Zone (TSPZ).
- (ii) My tribal land boundaries are adjacent also to two of the declared Thirteen (13) Treaty Villages along the PNG coast line of Western Province.
- (iii) Both Governments of Australia and PNG have proposed not to exclude applications for Free Movement Provisions to traditional inhabitants of additional villages based on the paper called (*'Toress Strait Treaty Overview of 2nd July 2010'*)
- (iv) My tribe of Kulalae/ Ngomtono (Togo) know as the *'Gizra Tribe'* may be identified as *Indegineous inhabitants* and not as traditional inhabitants a tribe that was discovered by the White man at the very location where we still reside today and also by the settlers who now have settled on land boudaries belonging the this tribe of which some are now part of the Thirteen (13) Treaty Inhabitants given the *Free Movement privilege* under the Treaty.

This submission also wishes to draw the attention of the Australian Senate to give consideration to my Ward for;-

- a. Consideration for inclusion into the already existing Thirteen (13) Torres Strait Treaty Villages that may have Free Movement Privileges like the current Thirteen (13) Treaty traditional inhabitants.
- b. Consideration and inclusion for projects funded by AusAid under the Treaty due to vast availability of land to the adjacent declared Treaty land boundaries.

Based upon the two matters for consideration I wish to give you an overview of the fact as to why Kulalae/Ngomtono should be considered for inclusion in the current Thirteen (13) Treaty Traditional Inhabitants;

1. Forward;-

- The Australian Government through AusAid has not assisted my community in the last 10 years in funding and assisting in delivery of basic services.
- Kulalae village has being deprived the rights to basic services and needs by AusAid.
- The establishment of the proposed Referral Hospital may not eventuate with the exclusion of dialogue between my Ward and Tribe.
- To now establish dialogue with my Ward and Tribe that will pave way for greater cooperation with the Treaty Communities, Torres Strait, and both Australia and PNG Governments.

1. Purpose:

- To bring to the attention of the Australian Senate Committee that there is no established project funded under AusAid in my village for the past 10 years.
- To recommend to the Torres Strait Treaty managing agencies that Kulalae/Ngomtono Ward can fill in the void to assist in making available land for programs and projects funded through AusAid that will have an impact on the livelihood on the people of the treaty communities as well as the general population of both PNG and the Torres Strait Islanders. development.

2. Facts and Consideration:

- Kulalae/Ngomtono being adjacent to Torres Strait, including maritime boundaries within the Torres Strait Protected Zone (TSPZ) in Australian border assisting in any form.
- Principal land and resource owner be recognised by the Australian Government and identified as '*indigineous inhabitals*'

- The Referral Hospital paves way for the development to come to my people at their door step.

3. Recommendations:

A. Review into the Treaty Arrangement and Agreement;-

- For that matter Kulalae/Ngomtono be included in the Treaty because of the use of its land boundaries and resources by the Treaty communities.

B. The free movement of my people to the Torres Strait Islands also be considered as some of our families reside on the Torres Strait Islands (Badu Island, Mabiag, including main land Australia).

C. That the Australian Government take full responsibility to compensate the underage men, who worked on the Torres Strait Islands from 1975 - 1984.

Issue that is also now with the South Fly Member (Aide Ganasi)

D. Assistance in Infrastructure Development mainly in Health and Education;-

- There is big land available where our both government has failed miserably to consider to implement these projects.
- To change the appearance of infrastructure from bush material buildings to either semi- or permanent buildings.
- To assist with medicine where it is a big problem to cater for minor issues and to avoid unnecessary deaths occurring every year.

E. Recognise the children born in the Torres Strait islands to be Australians by birth right;-

- Whatever is right and benefits the honoured to them as some are already school age children.
- That they be assisted with funds to do their paper work in Port Moresby.

F. Recognise the work of village Health Volunteers who deal with mothers or women in labour;-

- Assisted with transportation to transport mothers and women in labour or emergency to nearby health centre as we reside along the river. After losing a lot of women during child birth.

G. Assist in the relocation programma to a higher ground as the present location is a waterlogged area and erosion caused by the water has washed down houses;-

- Assist when things written in D are put into practice.
- Materials such as nails, saw and hammers and labour will be provided by the community.

H. Provide assistance during natural disasters where the government does not address this issue;-

- Our provincial government does not budget each year for such occurrence.
- Natural disasters such as storms, flooding, droughts, food shortage be considered for possible assistance not forgetting king tide as well.
- Water being one of the basic needs and problems be addressed by issuing of water tanks.

We, therefore for and behalf of our Ward and the Gizra Tribe as a whole submit this paper and trust and have confidence that the Australian Senate Committee would give consideration for a favourable decision and assistance in this regard.

Yours Sincerely

Co-Signed

HON. DANNY NAWIA:.....
Ward Member
Oriomo Bituri Local Level Government

BAIRA TRAWA:.....
Ward Chairman

MAUGA AZAE:.....
Ward Chief

KAWI SAWAKU:.....
Ward Recorder

(APPENDIX 3)

1st February 2015

The Chairman
Australian Senate Committee on
Foreign Affairs, Trade and Defence
Parliament House
Canberra, ACT
Australia

Gizra Muot Kobo
Gizra Tribe
Lower Pahoturi
South Fly District
Western Province

Dear Sir

SUBJECT: SUBMISSION FOR FUNDING AND OTHER FORMS OF ASSISTANCE FOR GIZRA TRIBE

The Gizra tribe consisting of five (5) villages namely Kupere, Waidoro, Kulalae, Siod and old Togo in the South Fly District of Western Province in Papua New Guinea are in dire need of financial and other forms of assistance to improve life.

We have no district representation in politics for equal distribution of government goods and services as we remain less developed and unchanged in our way of life since the Australian colonial era.

We have come openly to Australian government seeking assistance with funds and other forms of help to help us reduce problems and improve life of Gizra people who are in the Torres Strait Treaty area but are not the Treaty signatory villages to the Torres Strait Treaty. We share land and sea boundary with Torres Strait Islanders in Australia.

The development of PNG-Australia border area involved our land, our resources and improvement of our lives which we have and we feel denied and deprived by Fly River Provincial Government and PNG National Government.

We realize the need for development in PNG-Australia border area as it is very important for improvement of lives of PNG citizens including Gizra tribe which PNG was to accomplish with Australian financial assistance which it has failed with Australian funding assistance since 1975.

The development of border area is very important for number of reasons:

Firstly, to improve PNG-Australia border administration between two sovereign states to monitor activities across and along the border

Secondly, to plan effective border development plan involving resources or land-owners to support resource development to improve life in the whole border area, so that people help themselves in improving their own way of life and benefit sharing.

We appreciate the funding assistance Australia give to PNG for border development. But it is very badly managed with no tangible border development activities or border development projects.

It is very disappointing and frustrating to us the people on the PNG border why we are not benefiting and why there is no change or development with Australian aid funding to PNG especially to us on the border. It too is very frustrating for Australian government and Australian tax-payers to know why there is no development from Australian aid funds on the border.

We cannot bear seeing Australia continue to provide aid to PNG under present arrangement when funds are badly managed with no benefit, development or service to the people on the border. We as land and resource owner want to be involved in border development.

We as land and resource owners have management skills and knowledge to put all resources into a co-operative effort for tangible border development and economical use of Australian aid funds.

The Gizra tribe in PNG is a party to the Native Title Number QUD 6040/01 held by Leo Akiba and Torres Strait Islanders with Gizra tribe a party with "Non-Exclusive Native Title Rights and Interests" (Australian Federal Court decision).

In PNG, Gizra tribe has a title over its traditional customary land as per the Agoar Land Court Decision of 1984. We have legal right to ownership, use and interest to our own land which wholly is under the Treaty which we are not a party or signatory to the Treaty. We are giving you an alternative for border development for life improvement.

Here is our humble submission to the Australian government for funding and other forms of assistance we seek from Australian government to help us lessen problems and improve life for people on and along the PNG-Australian border.

1) We request funding assistance of K200,000.00 to help us negotiate resource use arrangement or agreement with Leo Akiba and Torres Strait Islanders to give us an access to resources in the Torres Strait as per the Federal Court decision on the Native Title case hearing number QUD 6040/01.

2) As we are less developed we further request Australian government assistance with:

- Educational scholarships to give us access to Australian education and learning
- Specialist Training for people of border area both Australia and PNG Border in Security
- Books and learning materials, equipment for our Elementary and Primary schools
- Island Business Services (IBS) to be extended to Gizra area for better quality goods and services.

Submitted for your consideration for Commonwealth and Federal Government funding assistance.

Appendix 3.....cont

3

Should you need us, we can be contacted through, Ms Deborah Mamusa- Kanu on phone, (765) 3277784; Mobile (765) 79015128 email: deborah.kanu14@gmail.com postal address: Papua New Guinea National Parliament, Post Office, Parliament House, Waigani, NCD, Papua New Guinea.

Thank you, sir.

Yours faithfully

(signed)
PENDE GAMOGAB
Gizra Leader
Kupere Village

(signed)
MUKA GAMEA
Gizra Leader
Waidoro Village

(signed)
JIBU MARITA
Gizra Leader
Kulalae, Siod, Old Togo village

1.

THE CHAIRMAN

AUSTRALIAN SENATE COMMITTEE
FOREIGN AFFAIRS, TRADE AND DEFENCE
PARLIAMENT HOUSE
CANBERRA ACT
AUSTRALIA.

GIZRAMUOT KOBO
GIZRA TRIBE
LOWER PAHOTURI
SOUTH FLY DISTRICT
WESTERN PROVINCE
PNG.

DEAR SIR,

1ST FEBRUARY 2015

SUBJECT : SUBMISSION FOR FUNDING AND OTHER FORMS OF
ASSISTANCE FOR GIZRA TRIBE.

GIZRA TRIBE CONSISTING OF FIVE (5) VILLAGES NAMELY
KUPERE, WAIDORO, SIOD, OLD TOGO AND KULALAE IN
THE SOUTH FLY DISTRICT OF WESTERN PROVINCE IN
PNG ARE IN DIRE NEED OF FINANCIAL AND OTHER
FORMS OF ASSISTANCE TO IMPROVE LIFE.

WE HAVE NO DIRECT REPRESENTATION IN POLITICS
FOR EQUAL DISTRIBUTION OF GOVERNMENT GOODS
AND SERVICES AS WE REMAIN LESS DEVELOPED
AND UNCHANGED IN OUR WAY OF LIFE SINCE THE
AUSTRALIAN COLONIAL ERA.

WE HAVE COME OPENLY TO AUSTRALIAN
GOVERNMENT SEEKING ASSISTANCE WITH FUNDS AND
OTHER FORMS OF HELP TO HELP US REDUCE PROBLEMS
AND IMPROVE LIVES OF GIZRA PEOPLE WHO ARE IN
THE ~~TRE~~ TORRES STRAIT TREATY AREA BUT ARE NOT
THE TREATY SIGNATORY VILLAGES TO THE TORRES
STRAIT TREATY.

WE SHARE LAND BOUNDARY WITH TORRES STRAIT
ISLANDERS IN AUSTRALIA.

THE DEVELOPMENT OF PNG-AUSTRALIA BORDER

- 2 -

AREA INVOLVED OUR LAND, OUR RESOURCES AND IMPROVEMENT OF OUR LIVES. WHICH WE HAVE AND WE FEEL DENIED AND DEPRIVED BY FLY RIVER PROVINCIAL GOVERNMENT AND PNG NATIONAL GOVERNMENT.

WE REALIZE THE NEED FOR DEVELOPMENT OF PNG - AUSTRALIA BORDER AREA AS IT IS VERY IMPORTANT FOR IMPROVEMENT OF LIVES OF PNG CITIZENS INCLUDING GIZRA TRIBE WHICH PNG WANTS TO ACCOMPLISH WITH AUSTRALIAN FINANCIAL ASSISTANCE WHICH IT HAS FAILED WITH AUSTRALIAN FUNDING ASSISTANCE SINCE 1975.

THE DEVELOPMENT OF BORDER AREA IS VERY IMPORTANT FOR NUMBER OF REASONS.

FIRSTLY TO IMPROVE PNG - AUSTRALIA BORDER ADMINISTRATION BETWEEN TWO SOVEREIGN STATES TO MONITOR ACTIVITIES ACROSS AND ALONG THE BORDER.

SECONDLY TO PLAN EFFECTIVE BORDER DEVELOPMENT PLANS INVOLVING RESOURCE OR LAND-OWNERS TO SUPPORT RESOURCE DEVELOPMENT TO IMPROVE LIFE IN THE WHOLE BORDER AREA; SO THAT PEOPLE HELP THEMSELVES IN IMPROVING THEIR OWN WAY OF LIFE AND BENEFIT SHARING.

WE APPRECIATE THE FUNDING ASSISTANCE AUSTRALIA GIVES TO PNG FOR BORDER DEVELOPMENT BUT IT IS VERY BADLY MANAGED WITH NO TANGIBLE BORDER DEVELOPMENT ACTIVITIES OR BORDER DEVELOPMENT PROJECTS.

IT IS VERY DISAPPOINTING AND FRUSTRATING TO US THE PEOPLE ON THE PNG BORDER WHY WE ARE NOT BENEFITING AND WHY THERE IS NO CHANGE OR DEVELOPMENT WITH AUSTRALIAN

- 3 -

- 3 -

AID FUNDING TO PNG ESPECIALLY TO US ON THE BORDER.

IT TOO IS VERY FRUSTRATING FOR AUSTRALIAN GOVERNMENT AND AUSTRALIAN TAX-PAYER TO KNOW WHY THERE IS NO DEVELOPMENT FROM AUSTRALIAN AID FUNDS ON THE BORDER.

WE CAN NOT BEAR SEEING AUSTRALIA CONTINUE TO PROVIDE AID TO PNG UNDER PRESENT ARRANGEMENT WHEN FUNDS ARE BADLY MANAGED WITH NO BENEFIT, DEVELOPMENT OR SERVICE TO THE PEOPLE ON THE BORDER.

WE AS LAND AND RESOURCE-OWNERS WANT TO BE INVOLVED IN BORDER DEVELOPMENT.

WE AS LAND AND RESOURCE-OWNERS HAVE MANAGEMENT SKILLS AND KNOWLEDGE TO PUT ALL RESOURCE INTO A CO-OPERATIVE EFFORT FOR TANGIBLE BORDER DEVELOPMENT AND ECONOMICAL USE OF AUSTRALIAN AID FUNDS.

THE GIZRA TRIBE IN PNG IS A PARTY TO THE NATIVE TITLE NUMBER QUD 6040/01 HELD BY LEO AKIBA AND TORRES STRAIT ISLANDERS WITH GIZRA TRIBE A PARTY WITH "NOW - EXCLUSIVE NATIVE TITLE RIGHTS AND INTERESTS".

IN PNG GIZRA TRIBE HAS A TITLE ~~OVER~~ ITS TRADITIONAL CUSTOMARY LAND AS PER THE AGOAR LAND COURT DECISION OF 1984.

WE HAVE LEGAL RIGHT TO OWNERSHIP, USE AND INTEREST TO OUR OWN LAND WHICH WHOLY IS UNDER THE TREATY WHICH WE ARE NOT A PARTY OR SIGNATORY TO THE TREATY.

WE ARE GIVING YOU AN ALTERNATIVE FOR BORDER AREA DEVELOPMENT FOR LIFE IMPROVEMENT.

HERE IS OUR HUMBLE SUBMISSION TO THE AUSTRALIAN GOVERNMENT FOR FUNDING AND

- 4 -

- 4 -

AND OTHER FORMS OF ASSISTANCE WE SEEK FROM AUSTRALIAN GOVERNMENT TO HELP US LESSEN PROBLEMS AND IMPROVE LIFE FOR PEOPLE ON AND ALONG THE PNG-AUSTRALIA BORDER.

1. WE REQUEST FUNDING ASSISTANCE OF \$200,000-00 TO HELP US NEGOTIATE RESOURCE USE ARRANGEMENT OR AGREEMENT WITH LEO AKIBA AND TORRES STRAIT ISLANDERS TO GIVE US AN ACCESS TO RESOURCES IN THE TORRES STRAIT AS PER THE FEDERAL COURT DECISION ON THE NATIVE TITLE CASE HEARING NUMBER QUD 6040/01.
2. AS WE ARE LESS DEVELOPED WE FURTHER REQUEST AUSTRALIAN GOVERNMENT ASSISTANCE WITH :-
 - a) EDUCATIONAL SCHOLARSHIPS TO GIVE US ~~US~~ ACCESS TO AUSTRALIAN EDUCATION AND LEARNING.
 - b) BOOKS AND LEARNING MATERIAL, EQUIPMENT FOR OUR ELEMENTARY AND PRIMARY SCHOOLS.
 - c) ISLAND BUSINESS SERVICES (IBS) TO BE EXTENDED TO GIZRA AREA FOR BETTER QUALITY GOODS OR SERVICES.

SUBMITTED YOURS FOR YOUR CONSIDERATION FOR COMMONWEALTH AND FEDERAL GOVERNMENT FUNDING ASSISTANCE.

SHOULD YOU NEED US, WE COULD BE CONTACTED THROUGH DEBBY MAMUSA ON PHONE OR

THANK YOU, SIR.

YOURS FAITHFULLY

PENDE GAMOGAB
GIZRA LEADER
KUPERE

MUKA GAMEA,
GIZRA LEADER
WANDURO

JIBU MARITA,
GIZRA LEADER
KULALAE, SIOD, OLD TOGO.

Appendix 4

TREATY DOCUMENT

TREATY BETWEEN THE INDEPENDENT STATE OF PAPUA NEW GUINEA AND AUSTRALIA CONCERNING SOVEREIGNTY AND MARITIME BOUNDARIES IN THE AREA BETWEEN THE TWO COUNTRIES, INCLUDING THE AREA KNOWN AS TORRES STRAIT, AND RELATED MATTERS

PAPUA NEW GUINEA and AUSTRALIA,

DESIRING to set down their agreed position as to their respective sovereignty over certain islands, to establish maritime boundaries and to provide for certain other related matters, in the area between the two countries including the area known as Torres Strait;

RECOGNISING the importance of protecting the traditional way of life and livelihood of Papua New Guineans who live in the coastal area of Papua New Guinea in and adjacent to the Torres Strait and of Australians who are Torres Strait Islanders;

RECOGNISING ALSO the importance of protecting the marine environment and ensuring freedom of navigation and overflight for each other's vessels and aircraft in the Torres Strait area;

DESIRING ALSO to cooperate with one another in that area in the conservation, management and sharing of fisheries resources and in regulating the exploration and exploitation of seabed mineral resources;

AS good neighbours and in a spirit of cooperation, friendship and goodwill;

HAVE AGREED as follows:

<p>PAPUA NEW GUINEA NATIONAL PARLIAMENT Parliamentary Paper No. PRESENTED 15 NOV 1982 CLERK _____</p>

2.

PART 1

DEFINITIONS

ARTICLE 1

Definitions

1. In this Treaty -

- (a) "adjacent coastal area" means, in relation to Papua New Guinea, the coastal area of the Papua New Guinea mainland, and the Papua New Guinea islands, near the Protected Zone; and, in relation to Australia, the coastal area of the Australian mainland, and the Australian islands, near the Protected Zone;
- (b) "fisheries jurisdiction" means sovereign rights for the purpose of exploring and exploiting, conserving and managing fisheries resources other than sedentary species;
- (c) "fisheries resources" means all living natural resources of the sea and seabed, including all swimming and sedentary species;
- (d) "free movement" means movement by the traditional inhabitants for or in the course

3.

of traditional activities;

- (e) "indigenous fauna and flora" includes migratory fauna;
- (f) "mile" means an international nautical mile being 1,852 metres in length;
- (g) "Protected Zone" means the zone established under Article 10;
- (h) "Protected Zone commercial fisheries" means the fisheries resources of present or potential commercial significance within the Protected Zone and, where a stock of such resources belongs substantially to the Protected Zone but extends into an area outside but near it, the part of that stock found in that area within such limits as are agreed from time to time by the responsible authorities of the Parties;
- (i) "seabed jurisdiction" means sovereign rights over the continental shelf in accordance with international law, and includes jurisdiction over low-tide elevations, and the right to exercise such jurisdiction in respect of

4.

those elevations, in accordance with international law;

(j) "sedentary species" means living organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil;

(k) "traditional activities" means activities performed by the traditional inhabitants in accordance with local tradition, and includes, when so performed -

(i) activities on land, including gardening, collection of food and hunting;

(ii) activities on water, including traditional fishing;

(iii) religious and secular ceremonies or gatherings for social purposes, for example, marriage celebrations and settlement of disputes; and

(iv) barter and market trade.

5.

In the application of this definition, except in relation to activities of a commercial nature, "traditional" shall be interpreted liberally and in the light of prevailing custom;

(1) "traditional fishing" means the taking, by traditional inhabitants for their own or their dependants' consumption or for use in the course of other traditional activities, of the living natural resources of the sea, seabed, estuaries and coastal tidal areas, including dugong and turtle;

(m) "traditional inhabitants" means, in relation to Papua New Guinea, persons who -

(i) live in the Protected Zone or the adjacent coastal area of Papua New Guinea,

(ii) are citizens of Papua New Guinea, and

(iii) maintain traditional customary associations with areas or features in or in the vicinity of the Protected

6.

Zone in relation to their
subsistence or livelihood or
social, cultural or religious
activities; and

in relation to Australia, persons who -

(i) are Torres Strait Islanders who
live in the Protected Zone or the
adjacent coastal area of Australia,

(ii) are citizens of Australia, and

(iii) maintain traditional customary
associations with areas or features
in or in the vicinity of the Protected
Zone in relation to their subsistence
or livelihood or social, cultural
or religious activities.

2. Where for the purposes of this Treaty it is
necessary to determine the position on the surface of
the Earth of a point, line or area, that position shall
be determined by reference to the Australian Geodetic
Datum, that is to say, by reference to a spheroid having
its centre at the centre of the Earth and a major

7.

(equatorial) radius of 6,378,160 metres and a flattening of $\frac{100}{29825}$ and by reference to the position of the Johnston Geodetic Station in the Northern Territory of Australia. That station shall be taken to be situated at Latitude $25^{\circ}56'54.5515''$ South and at Longitude $133^{\circ}12'30.0771''$ East and to have a ground level of 571.2 metres above the spheroid referred to above.

3. In this Treaty, the expression "in and in the vicinity of the Protected Zone" describes an area the outer limits of which might vary according to the context in which the expression is used.

PART 2

SOVEREIGNTY AND JURISDICTION

ARTICLE 2

Sovereignty Over Islands

1. Australia recognises the sovereignty of Papua New Guinea over -

- (a) the islands known as Kawa Island, Mata Kawa Island and Kussa Island; and
- (b) all the other islands that lie between the mainlands of the two countries and

8.

north of the line referred to in paragraph 1 of Article 4 of this Treaty, other than the islands specified in subparagraph 2 (a) of this Article.

2. Papua New Guinea recognises the sovereignty of Australia over -

(a) the islands known as Anchor Cay, Aubusi Island, Black Rocks, Boigu Island, Bramble Cay, Dauan Island, Deliverance Island, East Cay, Kaumag Island, Kerr Islet, Moimi Island, Pearce Cay, Saibai Island, Turnagain Island and Turu Cay; and

(b) all islands that lie between the mainlands of the two countries and south of the line referred to in paragraph 1 of Article 4 of this Treaty.

3. No island over which Australia has sovereignty, other than those specified in sub-paragraph 2 (a) of this Article, lies north of the line referred to in paragraph 1 of Article 4 of this Treaty.

9.

4. In this Treaty, sovereignty over an island shall include sovereignty over -

- (a) its territorial sea;
- (b) the airspace above the island and its territorial sea;
- (c) the seabed beneath its territorial sea and the subsoil thereof; and
- (d) any island, rock or low-tide elevation that may lie within its territorial sea.

ARTICLE 3

Territorial Seas

1. The territorial sea boundaries between Papua New Guinea and the islands of Aubusi, Boigu and Moimi and Papua New Guinea and the islands of Dauan, Kaumag and Saibai shall be the lines described in Annex 1 to this Treaty, which are shown on the map annexed to this Treaty as Annex 2, together with such other portion of the outer limit of the territorial sea of Saibai described in Annex 3 to this Treaty that may abut the territorial sea of Papua New Guinea.

10.

2. The territorial seas of the islands specified in sub-paragraph 2(a) of Article 2 of this Treaty shall not extend beyond three miles from the baselines from which the breadth of the territorial sea around each island is measured. Those territorial seas shall not be enlarged or reduced, even if there were to be any change in the configuration of a coastline or a different result from any further survey.

3. The provisions of paragraph 2 of this Article shall not apply to that part of the territorial sea of Pearce Cay which lies south of the line referred to in paragraph 1 of Article 4 of this Treaty.

4. The outer limits of the territorial seas of the islands specified in sub-paragraph 2(a) of Article 2 of this Treaty, except in respect of that part of the territorial sea of Pearce Cay which lies south of the line referred to in paragraph 1 of Article 4 of this Treaty, shall be as described in Annex 3 to this Treaty. The limits so described are shown on the maps annexed to this Treaty as Annexes 2 and 4.

5. Papua New Guinea shall not -

- (a) extend its territorial sea off its southern coastline between the meridians of Longitude

11.

142°03'30" East and of Longitude 142°51'00" East, beyond three miles from the baselines from which the breadth of the territorial sea is measured;

(b) extend its territorial sea or archipelagic waters into the area bounded by that portion of the line referred to in paragraph 2 of Article 4 of this Treaty running from the point of Latitude 9°45'24" South, Longitude 142°03'30" East to the point of Latitude 9°40'30" South, Longitude 142°51'00" East and that portion of the line referred to in paragraph 1 of Article 4 of this Treaty which runs between those two points;

(c) establish an archipelagic baseline running in or through the area referred to in subparagraph (b) of this paragraph; or

(d) extend its territorial sea southwards across the line referred to in paragraph 1 of Article 4 of this Treaty.

6. Australia shall not extend its territorial sea northwards across the line referred to in paragraph 1 of Article 4 of this Treaty.

12.

ARTICLE 4

Maritime Jurisdiction

1. Subject to the provisions of Article 2 of this Treaty, the boundary between the area of seabed and subsoil that is adjacent to and appertains to Papua New Guinea and the area of seabed and subsoil that is adjacent to and appertains to Australia, and over which Papua New Guinea and Australia respectively shall have seabed jurisdiction, shall be the line described in Annex 5 to this Treaty. The line so described is shown on the map annexed to this Treaty as Annex 6 and, in part, on the map annexed to this Treaty as Annex 7.

2. Subject to the provisions of Article 2 of this Treaty, the boundary between the area of sea that is adjacent to and appertains to Papua New Guinea and the area of sea that is adjacent to and appertains to Australia, and in which Papua New Guinea and Australia respectively shall have fisheries jurisdiction, shall be the line described in Annex 8 to this Treaty. The line so described is shown on the map annexed to this Treaty as Annex 6 and, in part, on the maps annexed to this Treaty as Annexes 2 and 7.

3. In relation to the area bounded by the portion of the line referred to in paragraph 2 of this Article running from the point of Latitude 9°45'24" South, Longitude

13.

142°03'30" East to the point of Latitude 9°40'30" South, Longitude 142°51'00" East and that portion of the line referred to in paragraph 1 of this Article which runs between those two points, exclusive of the territorial seas of the islands of Aubusi, Boigu, Dauan, Kaumag, Moimi, Saibai and Turnagain -

- (a) neither Party shall exercise residual jurisdiction without the concurrence of the other Party; and
- (b) the Parties shall consult with a view to reaching agreement on the most effective method of application of measures involving the exercise of residual jurisdiction.

4. In paragraph 3 of this Article, "residual jurisdiction" means -

- (a) jurisdiction over the area other than seabed jurisdiction or fisheries jurisdiction, including jurisdiction other than seabed jurisdiction or fisheries jurisdiction insofar as it relates to inter alia:

14.

- (i) the preservation of the marine environment;
 - (ii) marine scientific research; and
 - (iii) the production of energy from the water, currents and winds; and
- (b) seabed and fisheries jurisdiction to the extent that the exercise of such jurisdiction is not directly related to the exploration or exploitation of resources or to the prohibition of, or refusal to authorise, activities subject to that jurisdiction.

PART 3

SOVEREIGNTY AND JURISDICTION - RELATED MATTERS

ARTICLE 5

Existing Petroleum Permit

1. Where prior to 16 September 1975 Australia has granted an exploration permit for petroleum under Australian law in respect of a part of the seabed over which it ceases by virtue of this Treaty to exercise sovereign rights, and a permittee retains rights in respect of that permit immediately prior to the entry into force of this Treaty,

15.

Papua New Guinea, upon application by that permittee, shall offer to that permittee a petroleum prospecting licence or licences under Papua New Guinea law in respect of the same part of the seabed on terms that are not less favourable than those provided under Papua New Guinea law to any other holder of a seabed petroleum prospecting licence.

2. An application for a licence under paragraph 1 of this Article shall be made -

(a) in respect of a part of the seabed lying outside the Protected Zone, within six months after the date of entry into force of this Treaty;

(b) in respect of a part of the seabed lying within the Protected Zone, during the period referred to in Article 15 and any extension of that period to which the Parties may agree.

ARTICLE 6

Exploitation of Certain Seabed Deposits

If any single accumulation of liquid hydrocarbons or natural gas, or if any other mineral deposit beneath the seabed, extends across any line defining the limits

16.

of seabed jurisdiction of the Parties, and if the part of such accumulation or deposit that is situated on one side of such a line is recoverable in fluid form wholly or in part from the other side, the Parties shall consult with a view to reaching agreement on the manner in which the accumulation or deposit may be most effectively exploited and on the equitable sharing of the benefits from such exploitation.

ARTICLE 7

Freedoms of Navigation and Overflight

1. On and over the waters of the Protected Zone that lie -

(a) north of the line referred to in paragraph 1 of Article 4 of this Treaty and seaward of the low water lines of the land territory of either Party, and

(b) south of that line and beyond the outer limits of the territorial sea,

each Party shall accord to the vessels and aircraft of the other Party, subject to paragraphs 2 and 3 of this Article, the freedoms of navigation and overflight associated with

the operation of vessels and aircraft on or over the high seas.

2. Each Party shall take all necessary measures to ensure that, in the exercise of the freedoms of navigation and overflight accorded to its vessels and aircraft under paragraph 1 of this Article -

(a) those vessels observe generally accepted international regulations, procedures and practices for safety at sea and for the prevention, reduction and control of pollution from ships;

(b) those civil aircraft observe the Rules of the Air established by the International Civil Aviation Organization as they apply to civil aircraft, and State aircraft normally comply with such of those rules as relate to safety and at all times operate with due regard for the safety of navigation;

(c) those vessels and aircraft north of the line referred to in paragraph 1 of Article 4 of this Treaty do not engage in the embarking or disembarking of any commodity, currency or person contrary to the customs, fiscal,

18.

immigration or sanitary laws and regulations of the other Party, provided that the relevant laws and regulations of that Party do not have the practical effect of denying, hampering or impairing the freedoms of navigation and overflight accorded under paragraph 1 of this Article; and

- (d) those vessels and aircraft, north of the line referred to in paragraph 1 of Article 4 of this Treaty, do not act in a manner prejudicial to the peace, good order or security of the other Party.

3. Vessels of a Party engaged in the exploration or exploitation of resources in an area of jurisdiction of the other Party shall remain subject to the laws and regulations of the other Party made in the exercise of its resources jurisdiction consistently with this Treaty and with international law, including the provisions of those laws and regulations concerning the boarding, inspection and apprehension of vessels.

4. In those areas of the Protected Zone north of the line referred to in paragraph 1 of Article 4 of this Treaty to which paragraph 1 of this Article does not apply, civil aircraft of a Party engaged in scheduled or non-

scheduled air services shall have the right of overflight, and the right to make stops for non-traffic purposes, without the need to obtain prior permission from the other Party, subject to compliance with any applicable laws or regulations made for the safety of air navigation.

5. In areas of the Protected Zone to which paragraph 1 of this Article does not apply, the vessels of a Party shall enjoy the right of innocent passage. There shall be no suspension of that right, and neither Party shall adopt laws or regulations applying to those areas that might impede or hamper the normal passage of vessels between two points both of which are in the territory of one Party.

6. In cases where the provisions of neither paragraph 1 nor paragraph 5 of this Article apply, a regime of passage over routes used for international navigation in the area between the two countries, including the area known as Torres Strait, shall apply in respect of vessels that is no more restrictive of passage than the regime of transit passage through straits used for international navigation described in Articles 34 to 44 inclusive of Document A/Conf. 62/WP.10 of the Third United Nations Conference on the Law of the Sea, provided that, before a Party adopts a law or regulation that might impede or hamper the passage over those routes of vessels proceeding to or from the territory of the other Party, it shall

20.

consult with the other Party. If the provisions of those Articles are revised, are not included in any Law of the Sea Convention or fail to become generally accepted principles of international law, the Parties shall consult with a view to agreeing upon another regime of passage that is in accordance with international practice to replace the regime of passage applying under this paragraph.

7. The rights of navigation and overflight provided for in this Article are in addition to, and not in derogation of, rights of navigation and overflight in the area concerned under other treaties or general principles of international law.

ARTICLE 8

Navigational Aids

With a view to maintaining and improving the safety of navigation through the waters in the area between the two countries, the Parties shall cooperate and, with due regard to the technical and other means available to each of them, shall, where appropriate and as may be agreed between them, provide mutual assistance in the provision and maintenance of navigational aids and in the preparation of charts and maps.

.../21

21.

ARTICLE 9

Wrecks

1. Wrecks of vessels and aircraft which lie on, in or under the seabed in an area of seabed jurisdiction of a Party shall be subject to the jurisdiction of that Party.

2. If a wreck of historical or special significance to a Party is located or found in an area between the two countries under the jurisdiction of the other Party, the Parties shall consult with a view to reaching agreement on the action, if any, to be taken with respect to that wreck.

3. The provisions of this Article shall be without prejudice to the competence of the courts of a Party, for the purposes of the laws of that Party, in relation to maritime causes of action in respect of wrecks coming within the provisions of this Article.

4. This Article shall not apply to any military vessel or aircraft of either Party wrecked after the date of entry into force of this Treaty.

.../22

22.

PART 4

THE PROTECTED ZONE

ARTICLE 10

Establishment and Purposes of the Protected Zone

1. A Protected Zone in the Torres Strait is hereby established comprising all the land, sea, airspace, seabed and subsoil within the area bounded by the line described in Annex 9 to this Treaty. The line so described is shown on the maps annexed to this Treaty as Annexes 6 and 7 and, in part, on the map annexed to this Treaty as Annex 2.
2. The Parties shall adopt and apply measures in relation to the Protected Zone in accordance with the provisions of this Treaty.
3. The principal purpose of the Parties in establishing the Protected Zone, and in determining its northern, southern, eastern and western boundaries, is to acknowledge and protect the traditional way of life and livelihood of the traditional inhabitants including their traditional fishing and free movement.
4. A further purpose of the Parties in establishing the Protected Zone is to protect and preserve the marine environment and indigenous fauna and flora in and in the

vicinity of the Protected Zone.

ARTICLE 11

Free Movement and Traditional Activities

Including Traditional Fishing

1. Subject to the other provisions of this Treaty, each Party shall continue to permit free movement and the performance of lawful traditional activities in and in the vicinity of the Protected Zone by the traditional inhabitants of the other Party.

2. Paragraph 1 of this Article shall not be interpreted as sanctioning the expansion of traditional fishing by the traditional inhabitants of one Party into areas outside the Protected Zone under the jurisdiction of the other Party not traditionally fished by them prior to the date of entry into force of this Treaty.

3. The provisions of this Article and the other provisions of this Treaty concerning traditional fishing are subject to Article 14 and paragraph 2 of Article 20 of this Treaty.

ARTICLE 12

Traditional Customary Rights

Where the traditional inhabitants of one Party

24.

enjoy traditional customary rights of access to and usage of areas of land, seabed, seas, estuaries and coastal tidal areas that are in or in the vicinity of the Protected Zone and that are under the jurisdiction of the other Party, and those rights are acknowledged by the traditional inhabitants living in or in proximity to those areas to be in accordance with local tradition, the other Party shall permit the continued exercise of those rights on conditions not less favourable than those applying to like rights of its own traditional inhabitants.

ARTICLE 13

Protection of the Marine Environment

1. Each Party shall take legislative and other measures necessary to protect and preserve the marine environment in and in the vicinity of the Protected Zone. In formulating those measures each Party shall take into account internationally agreed rules, standards and recommended practices which have been adopted by diplomatic conferences or by relevant international organisations.

2. The measures that each Party shall take in accordance with paragraph 1 of this Article shall include measures for the prevention and control of pollution or other damage to the marine environment from all sources and activities under its jurisdiction or control and shall

25.

include, in particular, measures to minimise to the fullest practicable extent -

- (a) the release of toxic, harmful or noxious substances from land-based sources, from rivers, from or through the atmosphere, or by dumping at sea;
- (b) pollution or other damage from vessels; and
- (c) pollution or other damage from installations and devices used in the exploration and exploitation of the natural resources of the seabed and subsoil thereof.

3. The measures taken by each Party in accordance with paragraph 1 of this Article shall be consistent with its obligations under international law, including obligations not to prejudice the rights of foreign ships and aircraft, and shall be subject to the provisions of Article 7 of this Treaty.

4. The Parties shall consult, at the request of either, for the purpose of -

- (a) harmonising their policies with respect to the measures that each shall take

26.

pursuant to this Article; and

- (b) ensuring the effective and coordinated implementation of those measures.

5. If either Party has reasonable grounds for believing that any planned activity under its jurisdiction or control may cause pollution or other damage to the marine environment in or in the vicinity of the Protected Zone, that Party shall, after due investigation, communicate to the other Party its assessment of the potential impact of that activity on the marine environment.

6. If either Party has reasonable grounds for believing that any existing or planned activity under the jurisdiction or control of the other Party is causing or may cause pollution or other damage to the marine environment in or in the vicinity of the Protected Zone, it may request consultations with the other Party, and the Parties shall then consult as soon as possible with a view to adopting measures to prevent or control any pollution or other damage to that environment from that activity.

ARTICLE 14

Protection of Fauna and Flora

1. Each Party shall, in and in the vicinity of the

Protected Zone, use its best endeavours to -

- (a) identify and protect species of indigenous fauna and flora that are or may become threatened with extinction;
- (b) prevent the introduction of species of fauna and flora that may be harmful to indigenous fauna and flora; and
- (c) control noxious species of fauna and flora.

2. Notwithstanding any other provision of this Treaty except paragraph 4 of this Article, a Party may implement within its area of jurisdiction measures to protect species of indigenous fauna and flora which are or may become threatened with extinction or which either Party has an obligation to protect under international law.

3. The Parties shall as appropriate and necessary exchange information concerning species of indigenous fauna and flora that are or may become threatened with extinction and shall consult, at the request of either of them, for the purpose of -

- (a) harmonising their policies with respect to the measures that each may take to

28.

give effect to paragraphs 1 and 2 of
this Article; and

- (b) ensuring the effective and coordinated implementation of those measures.

4. In giving effect to the provisions of this Article, each Party shall use its best endeavours to minimise any restrictive effects on the traditional activities of the traditional inhabitants.

ARTICLE 15

Prohibition of Mining and Drilling of the Seabed

Neither Party shall undertake or permit within the Protected Zone mining or drilling of the seabed or the subsoil thereof for the purpose of exploration for or exploitation of liquid hydrocarbons, natural gas or other mineral resources during a period of ten years from the date of entry into force of this Treaty. The Parties may agree to extend that period.

ARTICLE 16

Immigration, Customs, Quarantine and Health

1. Except as otherwise provided in this Treaty,

each Party shall apply immigration, customs, quarantine and health procedures in such a way as not to prevent or hinder free movement or the performance of traditional activities in and in the vicinity of the Protected Zone by the traditional inhabitants of the other Party.

2. Each Party, in administering its laws and policies relating to the entry and departure of persons and the importation and exportation of goods into and from areas under its jurisdiction in and in the vicinity of the Protected Zone, shall act in a spirit of mutual friendship and good neighbourliness, bearing in mind relevant principles of international law and established international practices and the importance of discouraging the occurrence, under the guise of free movement or performance of traditional activities, of illegal entry, evasion of justice and practices prejudicial to effective immigration, customs, health and quarantine protection and control.

3. Notwithstanding the provisions of paragraph 1 of this Article -

- (a) traditional inhabitants of one Party who wish to enter the other country, except for temporary stay for the performance of traditional activities, shall be subject to the same immigration, customs, health

30.

and quarantine requirements and procedures
as citizens of that Party who are not
traditional inhabitants;

(b) each Party reserves its right to limit free
movement to the extent necessary to control
abuses involving illegal entry or evasion
of justice; and

(c) each Party reserves its right to apply such
immigration, customs, health and quarantine
measures, temporary or otherwise, as it
considers necessary to meet problems which
may arise. In particular each Party may
apply measures to limit or prevent free
movement, or the carriage of goods, plants
or animals in the course thereof, in the
case of an outbreak or spread of an epidemic,
epizootic or epiphytotic in or in the vicinity
of the Protected Zone.

ARTICLE 17

Implementation and Coordination

In order to facilitate the implementation of
the provisions of this Treaty relating to the Protected
Zone, the authorities of each Party shall, at the request

31.

of the authorities of the other Party, as may be appropriate and necessary -

- (a) make available to the authorities of the other Party information on the relevant provisions of its laws, regulations and procedures relating to immigration, citizenship, customs, health, quarantine, fisheries, the protection of the environment and other matters; and
- (b) consult with the authorities of the other Party with a view to making appropriate administrative or other arrangements to resolve any problems arising in the implementation of those provisions.

ARTICLE 18

Liaison Arrangements

1. Each Party shall designate a representative who shall facilitate the implementation at the local level of the provisions of this Treaty.
2. The two designated representatives shall -
 - (a) exchange information on relevant developments in and in the vicinity

32.

of the Protected Zone;

- (b) consult together and take such action as is appropriate to their respective functions to facilitate the practical operation at the local level of the provisions of this Treaty and to resolve any problems arising therefrom;
- (c) keep under review free movement by the traditional inhabitants of one Party into areas under the jurisdiction of the other Party and the local arrangements applying in respect of such free movement; and
- (d) draw to the attention of their Governments, and make recommendations as appropriate on, any matters affecting the implementation of the provisions of this Treaty or arising therefrom which are not capable of resolution at the local level or which may otherwise require consideration by both Parties.

3. In the exercise of his functions, each representative shall -

- (a) consult closely with representatives of the

traditional inhabitants of his country, particularly in relation to any problems which may arise in respect of free movement, traditional activities and the exercise of traditional customary rights as provided for in this Treaty, and convey their views to his Government; and

- (b) maintain close liaison with national, State, Provincial and local authorities of his country on all matters falling within their respective responsibilities.

4. Unless a different location is required by the circumstances, the representative of Papua New Guinea shall be based at Daru and the representative of Australia shall be based at Thursday Island.

ARTICLE 19

Torres Strait Joint Advisory Council

1. The Parties shall jointly establish and maintain an advisory and consultative body which shall be known as the Torres Strait Joint Advisory Council (called in this Article "the Advisory Council").

2. The functions of the Advisory Council shall be -

34.

- (a) to seek solutions to problems arising at the local level and not resolved pursuant to Article 18 of this Treaty;
- (b) to consider and to make recommendations to the Parties on any developments or proposals which might affect the protection of the traditional way of life and livelihood of the traditional inhabitants, their free movement, performance of traditional activities and exercise of traditional customary rights as provided for in this Treaty; and
- (c) to review from time to time as necessary, and to report and to make recommendations to the Parties on, any matters relevant to the effective implementation of this Treaty, including the provisions relating to the protection and preservation of the marine environment, and fauna and flora, in and in the vicinity of the Protected Zone.

3. The Advisory Council shall not have or assume responsibilities for management or administration. These responsibilities shall, within the respective areas of jurisdiction of each Party, continue to lie with the relevant

national, State, Provincial and local authorities.

4. In the exercise of its functions, the Advisory Council shall ensure that the traditional inhabitants are consulted, that they are given full and timely opportunity to comment on matters of concern to them and that their views are conveyed to the Parties in any reports and recommendations made by the Advisory Council to the Parties.

5. The Advisory Council shall transmit its reports and recommendations to the Foreign Ministers of the Parties. After consideration by appropriate authorities of the Parties, consultations may be arranged with a view to the resolution of matters to which the Advisory Council has invited attention.

6. Unless otherwise agreed by the Parties, the Advisory Council shall consist of eighteen members, that is nine members from each Party who shall include -

- (a) at least two national representatives;
- (b) at least one member representing the Fly River Provincial Government in the case of Papua New Guinea and one representing the Government of Queensland in the case of Australia; and

36.

(c) at least three members representing the
traditional inhabitants,

with each Party being free to decide from time to time
from which of the aforementioned categories any other of
its members will be drawn.

7. The Advisory Council shall meet when necessary
at the request of either Party. Consecutive meetings of
the Advisory Council shall be chaired alternately by a
representative of Papua New Guinea and a representative
of Australia. Meetings shall be held alternately in Papua
New Guinea and Australia or as may from time to time be
otherwise arranged.

PART 5

PROTECTED ZONE COMMERCIAL FISHERIES

ARTICLE 20

Priority of Traditional Fishing and

Application of Measures to

Traditional Fishing

1. The provisions of this Part shall be administered
so as not to prejudice the achievement of the purposes
of Part 4 of this Treaty in regard to traditional fishing.

2. A Party may adopt a conservation measure consistent with the provisions of this Part which, if necessary for the conservation of a species, may be applied to traditional fishing, provided that that Party shall use its best endeavours to minimise any restrictive effects of that measure on traditional fishing.

ARTICLE 21

Conservation, Management and Optimum Utilisation

The Parties shall cooperate in the conservation, management and optimum utilisation of Protected Zone commercial fisheries. To this end, the Parties shall consult at the request of either and shall enter into arrangements for the effective implementation of the provisions of this Part.

ARTICLE 22

Conservation and Management of Individual Fisheries

1. The Parties shall, where appropriate, negotiate subsidiary conservation and management arrangements in respect of any individual Protected Zone commercial fishery.

2. If either Party notifies the other in writing that it regards one of the Protected Zone commercial

38.

fisheries as one to which common conservation and management arrangements should apply, the Parties shall within ninety days from the date of the notification enter into consultations with a view to concluding arrangements specifying the measures to be applied by them with respect to that fishery.

3. The Parties shall, where appropriate, also negotiate supplementary conservation and management arrangements in respect of resources directly related to a fishery referred to in paragraph 1 of this Article, including resources involving stocks occurring in the Protected Zone where such stocks are not otherwise subject to the provisions of this Treaty.

ARTICLE 23

Sharing of the Catch of the Protected Zone

Commercial Fisheries

1. The Parties shall share the allowable catch of the Protected Zone commercial fisheries in accordance with the provisions of this Article and of Articles 24 and 25 of this Treaty.

2. The allowable catch, that is to say the optimum sustainable yield, of a Protected Zone commercial fishery shall be determined jointly by the Parties as part of the

subsidiary conservation and management arrangements referred to in paragraph 1 of Article 22 of this Treaty.

3. If either Party has reasonable grounds for believing that the commercial exploitation of a species of Protected Zone commercial fisheries would, or has the potential to, cause serious damage to the marine environment, or might endanger another species, that Party may request consultations with the other Party and the Parties shall then consult as soon as possible with a view to reaching agreement on whether such commercial exploitation could be undertaken in a manner which would not result in such damage or endanger another species.

4. In respect of any relevant period where the full allowable catch of a particular Protected Zone commercial fishery might be taken, each Party shall be entitled to a share of the allowable catch apportioned, subject to paragraphs 5, 6 and 8 of this Article and to Articles 24 and 25 of this Treaty, as follows:

(a) in areas under Papua New Guinea jurisdiction:

Papua New Guinea - 75%

Australia - 25%

(b) in areas under Australian jurisdiction,

40.

except as provided in (c) below:

Papua New Guinea - 25%

Australia - 75%

(c) within the territorial seas of Anchor Cay,
Black Rocks, Bramble Cay, Deliverance
Island, East Cay, Kerr Islet, Pearce Cay
and Turu Cay:

Papua New Guinea - 50%

Australia - 50%

5. Papua New Guinea shall have the sole entitlement to the allowable catch of the commercial barramundi fishery near the Papua New Guinea coast, except within the territorial seas of the islands of Aubusi, Boigu, Dauan, Kaumag, Moimi and Saibai where, in respect of that fishery, the provisions of paragraph 4 (b) of this Article shall not apply.

6. In apportioning the allowable catch in relation to an individual fishery, the Parties shall normally consider the allowable catch expressed in terms of weight or volume. In calculating the apportionment of the total allowable catch of the Protected Zone commercial fisheries, the Parties shall have regard to the relative value of individual fisheries and shall, for this purpose, agree on a common value for production

from each individual fishery for the period in question, such value being based on the value of the raw product at the processing facility or such other point as may be agreed, but prior to any enhancement of value through processing, including processing at a pearl culture farm, or further transportation or marketing.

7. The Parties may agree to vary the apportionment of the allowable catch determined for individual fisheries as part of the subsidiary conservation and management arrangements referred to in paragraph 1 of Article 22 of this Treaty but so as to maintain in respect of the total allowable catch of the Protected Zone commercial fisheries the apportionment specified in paragraph 4 of this Article for each Party.

8. In calculating the total allowable catch of the Protected Zone commercial fisheries, the allowable catch of the commercial barramundi fishery referred to in paragraph 5 of this Article shall be disregarded.

ARTICLE 24

Transitional Entitlement

1. As part of the subsidiary conservation and management arrangements referred to in paragraph 1 of Article 22 of this Treaty, the level of the catch of each

42.

Protected Zone commercial fishery to which each Party is entitled, provided it remains within the allowable catch -

(a) shall not, during the period of five years immediately after the entry into force of this Treaty, be reduced below the level of catch of that Party before the entry into force of this Treaty; but

(b) may, during the second period of five years after the entry into force of this Treaty, be adjusted progressively so that at the end of that second five-year period it reaches the level of catch apportioned in each case in Article 23 of this Treaty.

2. The entitlement of a Party under this Article shall, where the limitation of the allowable catch makes it necessary, take priority over the entitlement of the other Party under Article 23 of this Treaty, but shall be taken into account in calculating the entitlement of the first Party.

ARTICLE 25

Preferential Entitlement

If, in any relevant period, a Party does not itself propose to take all the allowable catch of a Protected Zone

commercial fishery to which it is entitled, either in its own area of jurisdiction or that of the other Party, the other Party shall have a preferential entitlement to any of the allowable catch of that fishery not taken by the first Party.

ARTICLE 26

Licensing Arrangements

1. In the negotiation and implementation of the conservation and management arrangements referred to in paragraph 1 of Article 22 of this Treaty -

(a) the Parties shall consult and cooperate in the issue and endorsement of licences to permit commercial fishing in Protected Zone commercial fisheries;

(b) the responsible authorities of the Parties may issue licences to fish in any Protected Zone commercial fishery; and

(c) persons or vessels which are licensed by the responsible authorities of one Party to fish in any relevant period in a Protected Zone commercial fishery shall, if nominated by the responsible authorities of that Party, be

44.

authorised by the responsible authorities of the other Party, wherever necessary, by the endorsement of licences or otherwise, to fish in those areas under the jurisdiction of the other Party in which the fishery concerned is located.

2. The persons or vessels licensed by one Party which have been authorised, or are to be authorised, under the provisions of paragraph 1 of this Article to fish in waters under the jurisdiction of the other Party shall comply with the relevant fisheries laws and regulations of the other Party except that they shall be exempt from licensing fees, levies and other charges imposed by the other Party in respect of such fishing activities.

3. In issuing licences in accordance with paragraph 1 of this Article, the responsible authorities of both Parties shall have regard to the desirability of promoting economic development in the Torres Strait area and employment opportunities for the traditional inhabitants.

4. The responsible authorities of both Parties shall ensure that the traditional inhabitants are consulted from time to time on the licensing arrangements in respect of Protected Zone commercial fisheries.

ARTICLE 27

Third State Fishing in Protected Zone Commercial Fisheries

1. The responsible authorities of the Parties shall inform one another and shall consult, at the request of either of them, concerning the proposed exploitation of the Protected Zone commercial fisheries -

(a) by a joint venture in which there is third-State equity participation; or

(b) by a vessel of third-State registration or with a crew substantially of the nationality of a third State.

2. Vessels the operations of which are under the control of nationals of a third State shall not be licensed to exploit the Protected Zone commercial fisheries without the concurrence of the responsible authorities of both Parties in a particular case or class of cases.

ARTICLE 28

Inspection and Enforcement

1. The Parties shall cooperate, including by exchange of personnel, in inspection and enforcement to prevent violations of the Protected Zone commercial fisheries

46.

arrangements and in taking appropriate enforcement measures in the event of such violations.

2. The Parties shall consult from time to time, as necessary, so as to ensure that legislation and regulations adopted by each Party pursuant to paragraph 1 of this Article are, as far as practicable, consistent with the legislation and regulations of the other Party.

3. Each Party shall make it an offence under its fisheries laws or regulations for a person to use a vessel of its nationality to fish in Protected Zone commercial fisheries for species of fisheries resources in areas over which the other Party has jurisdiction in respect of those species -

(a) without being duly licensed or authorised by that other Party; or

(b) in the case of a licensed or authorised vessel, in breach of the fisheries laws or regulations of the other Party applying within those areas.

4. Each Party will, in relation to species of fisheries resources in areas where it has jurisdiction in respect of those species -

- (a) investigate suspected offences against its fisheries laws and regulations; and
- (b) except as provided in or under this Article, take corrective action when necessary against offenders against those laws or regulations.

5. In this Article, "corrective action" means the action normally taken in respect of a suspected offence, after due investigation, and includes, where appropriate, the apprehension of a suspected offender, the prosecution of an alleged offender, or the execution of a penalty imposed by a court or the cancellation or suspension of the licence of an offender.

6. In accordance with the provisions of this Article, and in other appropriate cases as may be agreed between the Parties, corrective action in respect of offences or suspected offences against the fisheries laws or regulations of the Parties shall be taken by the authorities of the Party whose nationality is borne by the vessel or person concerned (called in this Article "the first Party") and not by the Party in whose area of jurisdiction the offence or suspected offence occurs (called in this Article "the second Party").

7. The Parties acknowledge that the principle stated

48.

in paragraph 6 of this Article should not be applied so as to frustrate the enforcement of fisheries laws or regulations or to enable offenders against those laws or regulations to go unpunished.

8. Where, in the case of a suspected offence alleged to have been committed in or in the vicinity of the Protected Zone, it appears that the offence was, or might reasonably be considered to have been, committed in the course of traditional fishing, corrective action or other measures shall be taken by the authorities of the first Party and not by the authorities of the second Party and, if being detained by the authorities of the second Party, the alleged offenders and their vessel shall be either released or handed over to the authorities of the first Party, in accordance with arrangements that will avoid undue expense or inconvenience to the authorities of the second Party.

9. Where paragraph 8 of this Article applies, the authorities of the second Party may require assurance in a particular case that corrective action or other measures will be taken by the authorities of the first Party that will adequately ensure that the activity complained of will not be repeated.

10. Where the provisions of paragraph 8 of this Article do not apply, and the person or vessel alleged to have been

involved or used in the commission of a suspected offence in the Protected Zone is licensed to fish in the Protected Zone by the authorities of the first Party, corrective action shall be taken by the authorities of the first Party and not by the authorities of the second Party and, if being detained by the authorities of the second Party, the alleged offenders and their vessel shall be either released or handed over to the authorities of the first Party, in accordance with arrangements that will avoid undue expense or inconvenience to the authorities of the second Party, and the provisions of paragraphs 13 and 14 of this Article shall apply.

11. The provisions of paragraph 10 of this Article shall also apply in respect of a suspected offence by a person or vessel of the first Party in an area of jurisdiction of the second Party outside the Protected Zone where -

(a) that person or vessel was authorised by the authorities of the second Party to fish in the area where the suspected offence was committed under the arrangements referred to in paragraph 1 of Article 22 of this Treaty;
and

(b) the suspected offence was committed in relation to the fishery the subject of that authorisation

50.

and did not involve the taking of other species or potential injury to another fishery.

12. Persons or vessels of the first Party detained by the authorities of the second Party in the circumstances described in paragraphs 8 and 10 of this Article may be detained for as long as necessary to enable those authorities to conduct an expeditious investigation into the offence and to obtain evidence. Thereafter, they shall not be detained other than for the purpose of the handing over of the persons or vessels in accordance with the provisions of those paragraphs unless they are lawfully detained on some other ground.

13. If an alleged offender referred to in paragraph 10 of this Article is, in respect of conduct in waters under the jurisdiction of the second Party -

- (a) convicted of an offence against the fisheries laws or regulations of the first Party; or
- (b) found by the authorities of the first Party, on the basis of sufficient available evidence, to have contravened or failed to comply with a condition of his licence or authorisation or that of his vessel;

51.

the authorities of the first Party shall, where appropriate and having regard to paragraph 7 of this Article, cancel or suspend the licence or authorisation of the person or his vessel so far as it relates to the Protected Zone commercial fisheries.

14. Where a person or vessel involved or used in the commission of the alleged offence referred to in paragraph 10 of this Article is also currently licensed or authorised to fish in the area of the Protected Zone by the second Party, the authorities of the second Party may, after receiving a report and representations, if any, from the authorities of the first Party, cancel or suspend that licence or authorisation in accordance with its laws for such period as is warranted by the circumstances of the case.

15. Each Party shall provide the other Party with any evidence obtained during investigations carried out in accordance with this Article into a suspected offence involving a person or vessel of the other Party. Each Party shall take appropriate measures to facilitate the admission of such evidence in proceedings taken in respect of the suspected offence.

16. In this Article references to persons and vessels of, or of the nationality of, a Party include references to

52.

persons or vessels licensed by that Party under sub-paragraph 1(b) of Article 26 of this Treaty, and the crews of vessels so licensed, except where such persons or vessels have a prior current licence from the other Party under that sub-paragraph.

PART 6

FINAL ARTICLES

ARTICLE 29

Settlement of Disputes

Any dispute between the Parties arising out of the interpretation or implementation of this Treaty shall be settled by consultation or negotiation.

ARTICLE 30

Consultations

The Parties shall consult, at the request of either, on any matters relating to this Treaty.

ARTICLE 31

Annexes

The Annexes to this Treaty shall have force and effect as integral parts of this Treaty.

53.

ARTICLE 32
Ratification

This Treaty shall be subject to ratification and shall enter into force on the exchange of the instruments of ratification.

IN WITNESS WHEREOF the undersigned being duly authorised have signed the present Treaty and have affixed thereto their seals.

DONE in duplicate at Sydney on this eighteenth day of December, One thousand nine hundred and seventy-eight.

FOR PAPUA NEW GUINEA

FOR AUSTRALIA

Signed MICHAEL SOMARE
Prime Minister

Signed MALCOLM FRASER
Prime Minister

Signed N. EBIA OLEWALE
Deputy Prime Minister
and Minister for
Foreign Affairs and
Trade

Signed ANDREW PEACOCK
Minister for
Foreign Affairs

ANNEX 1 TO THE TREATY
BETWEEN THE INDEPENDENT
STATE OF PAPUA NEW GUINEA
AND AUSTRALIA CONCERNING
SOVEREIGNTY AND MARITIME
BOUNDARIES IN THE AREA
BETWEEN THE TWO COUNTRIES,
INCLUDING THE AREA KNOWN
AS TORRES STRAIT, AND
RELATED MATTERS

TERRITORIAL SEA BOUNDARIES BETWEEN PAPUA NEW GUINEA
AND THE ISLANDS OF AUBUSI, BOIGU AND MOIMI AND
BETWEEN PAPUA NEW GUINEA AND THE ISLANDS OF
DAUAN, KAUMAG AND SAIBAI

BETWEEN PAPUA NEW GUINEA AND THE ISLANDS OF AUBUSI, BOIGU AND MOIMI

A line -

commencing at the point of Latitude
9°15'43" South, Longitude 142°03'30"
East ("Point 1");

running thence north-easterly along the
geodesic to the point of Latitude 9°12'50"
South, Longitude 142°06'25" East ("Point 2");

thence north-easterly along the geodesic to
the point of Latitude 9°11'51" South,
Longitude 142°08'33" East ("Point 3");

thence south-easterly along the geodesic to
the point of Latitude 9°11'58" South,
Longitude 142°10'18" East ("Point 4");

2.

thence north-easterly along the geodesic to
the point of Latitude $9^{\circ}11'22''$ South,
Longitude $142^{\circ}12'54''$ East ("Point 5");

thence south-easterly along the geodesic to
the point of Latitude $9^{\circ}11'34''$ South,
Longitude $142^{\circ}14'08''$ East ("Point 6");

thence south-easterly along the geodesic to
the point of Latitude $9^{\circ}13'53''$ South,
Longitude $142^{\circ}16'26''$ East ("Point 7"); and

thence south-easterly along the geodesic to
the point of Latitude $9^{\circ}16'04''$ South,
Longitude $142^{\circ}20'41''$ East ("Point 8")
where it terminates.

BETWEEN PAPUA NEW GUINEA AND THE ISLANDS OF DAUAN, KAUMAG AND SAIBAI

A line -

commencing at the point of Latitude
 $9^{\circ}22'04''$ South, Longitude $142^{\circ}29'41''$ East
("Point 9");

running thence north-easterly along the
geodesic to the point of Latitude $9^{\circ}21'48''$
South, Longitude $142^{\circ}31'29''$ East ("Point 10");

thence south-easterly along the geodesic to
the point of Latitude $9^{\circ}22'33''$ South,
Longitude $142^{\circ}33'28''$ East ("Point 11");

thence north-easterly along the geodesic to
the point of Latitude $9^{\circ}21'25''$ South,
Longitude $142^{\circ}35'29''$ East ("Point 12");

thence north-easterly along the geodesic to
the point of Latitude $9^{\circ}20'21''$ South,
Longitude $142^{\circ}41'43''$ East ("Point 13");

3.

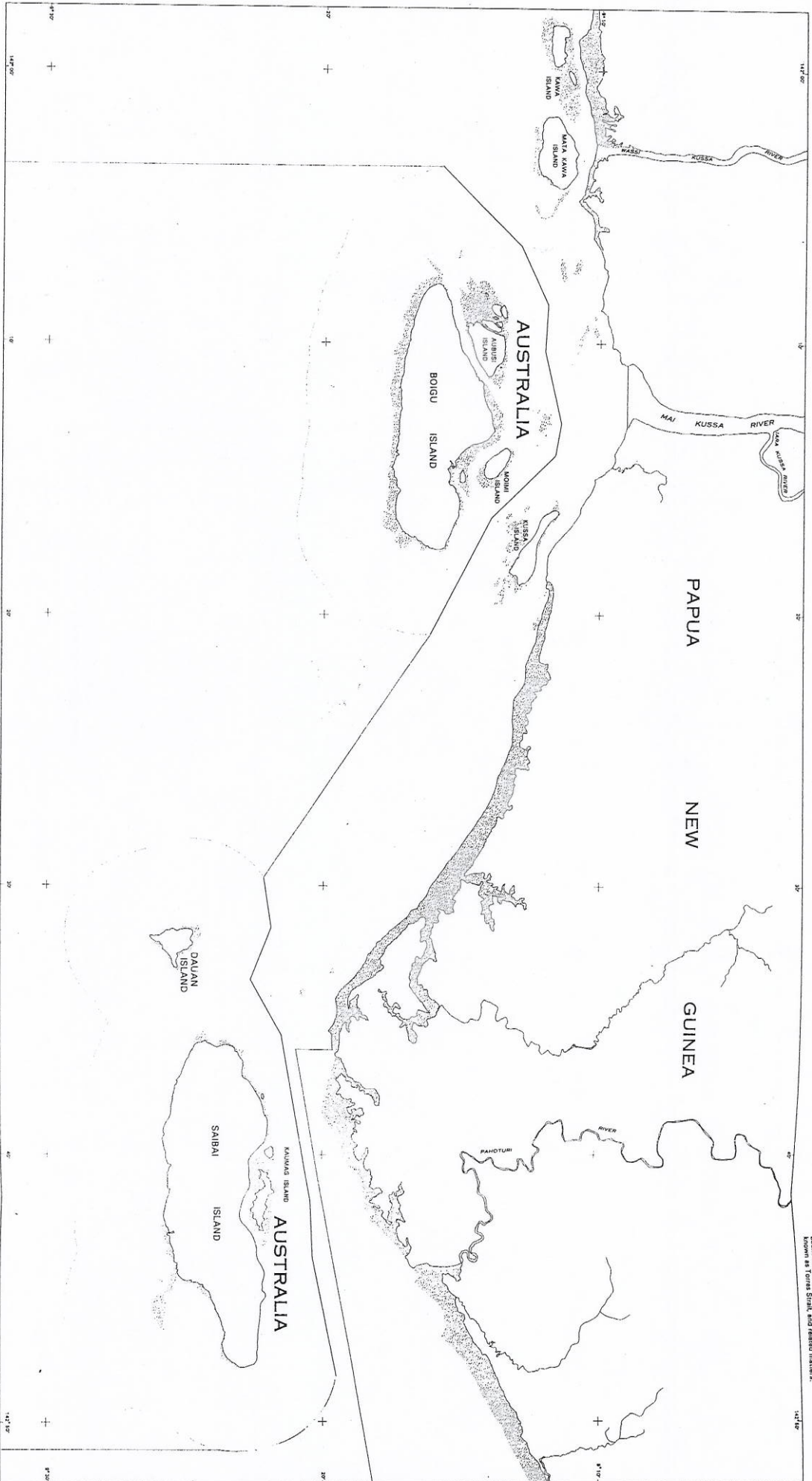
thence north-easterly along the geodesic to
the point of Latitude $9^{\circ}20'16''$ South,
Longitude $142^{\circ}43'53''$ East (Point 14");
and

thence north-easterly along the geodesic to
the point of Latitude $9^{\circ}19'26''$ South,
Longitude $142^{\circ}48'18''$ East ("Point 15")
where it terminates.

Prepared by
the National Mapping Bureau, Port Moresby,
and
the Division of National Mapping, Canberra.



Territorial sea boundaries (part of the outer limits
Thereof) are shown in paragraph 4 of article 3 of the
Treaty and in paragraph 4 of article 3 of the
Treaty.
Part of the outer limits, referred to in paragraph 4
of article 3 of the Treaty, of the territorial seas
of certain Australian Islands.
Fisheries jurisdiction line.
Proclaimed Zone boundary.



ANNEX 2 to the Treaty between the Independent State of
Papua New Guinea and Australia, defining the territorial sea
boundaries between the two countries, including the area
known as Torres Strait, and related matters.

ANNEX 3 TO THE TREATY
BETWEEN THE INDEPENDENT
STATE OF PAPUA NEW GUINEA
AND AUSTRALIA CONCERNING
SOVEREIGNTY AND MARITIME
BOUNDARIES IN THE AREA
BETWEEN THE TWO COUNTRIES,
INCLUDING THE AREA KNOWN
AS TORRES STRAIT, AND
RELATED MATTERS

OUTER LIMITS OF TERRITORIAL SEAS

TERRITORIAL SEA OF THE ISLANDS OF AUBUSI, BOIGU AND MOIMI

The outer limit of the territorial sea of the islands of Aubusi, Boigu and Moimi shall be a continuous line -

- (a) commencing at the point specified as Point 1 in Annex 1 to this Treaty;
- (b) running thence along the geodesics successively joining the points specified as Points 1 to 8 in Annex 1 to this Treaty; and
- (c) thence along a series of intersecting arcs of circles having a radius of three miles and drawn successively from the following points -

	<u>Latitude</u> (South)	<u>Longitude</u> (East)
(i)	9°15'53"	142°17'39"
(ii)	9°16'26"	142°17'36"
(iii)	9°16'28"	142°17'36"
(iv)	9°16'31"	142°17'30"
(v)	9°17'06"	142°17'30"

2.

(vi)	9°17'15"	142°17'30"
(vii)	9°17'26"	142°17'15"
(viii)	9°17'50"	142°16'46"
(ix)	9°17'55"	142°16'39"
(x)	9°17'56"	142°16'30"
(xi)	9°17'53"	142°16'11"
(xii)	9°17'52"	142°16'07"
(xiii)	9°17'44"	142°14'52"
(xiv)	9°17'45"	142°14'49"
(xv)	9°17'44"	142°14'38"
(xvi)	9°17'44"	142°14'30"
(xvii)	9°17'38"	142°14'06"
(xviii)	9°17'38"	142°13'59"
(xix)	9°17'36"	142°13'47"
(xx)	9°17'34"	142°13'31"
(xxi)	9°17'33"	142°13'20"
(xxii)	9°17'32"	142°12'56"
(xxiii)	9°17'32"	142°12'46"
(xxiv)	9°17'33"	142°12'26"
(xxv)	9°17'38"	142°11'56"
(xxvi)	9°17'39"	142°11'51"
(xxvii)	9°17'38"	142°11'34"
(xxviii)	9°17'37"	142°11'30"
(xxix)	9°17'33"	142°10'20"
(xxx)	9°17'30"	142°10'13"
(xxxi)	9°17'15"	142°09'08"
(xxxii)	9°17'13"	142°09'00"
(xxxiii)	9°17'02"	142°08'35"
(xxxiv)	9°16'56"	142°08'23"
(xxxv)	9°16'52"	142°08'15"
(xxxvi)	9°16'47"	142°08'01"
(xxxvii)	9°16'46"	142°07'58"
(xxxviii)	9°16'21"	142°06'52"
(xxxix)	9°16'19"	142°06'51"
(xl)	9°15'08"	142°06'28"

to the point of commencement.

TERRITORIAL SEA OF THE ISLANDS OF DAUAN, KAUMAG AND SAIBAI

The outer limit of the territorial sea of the islands of Dauan, Kaumag and Saibai shall be a continuous line -

- (a) commencing at the point specified as Point 9 in Annex 1 to this Treaty;
- (b) running thence along the geodesics successively joining the points specified as Points 9 to 15 in Annex 1 to this Treaty; and
- (c) thence along a series of intersecting arcs of circles having a radius of three miles and drawn successively from the following points -

	<u>Latitude</u> (South)	<u>Longitude</u> (East)
(i)	9°22'24"	142°47'49"
(ii)	9°22'28"	142°47'53"
(iii)	9°22'39"	142°47'57"
(iv)	9°22'48"	142°48'00"
(v)	9°22'58"	142°48'01"
(vi)	9°23'02"	142°48'01"
(vii)	9°23'06"	142°47'59"
(viii)	9°23'12"	142°47'55"
(ix)	9°23'28"	142°47'46"
(x)	9°23'44"	142°47'41"
(xi)	9°25'46"	142°46'36"
(xii)	9°25'48"	142°46'36"
(xiii)	9°25'53"	142°46'29"
(xiv)	9°26'05"	142°46'12"
(xv)	9°26'10"	142°46'03"

4.

(xvi)	9°26'15"	142°45'47"
(xvii)	9°26'15"	142°45'34"
(xviii)	9°26'12"	142°45'25"
(xix)	9°26'09"	142°45'12"
(xx)	9°26'06"	142°45'07"
(xxi)	9°25'57"	142°44'39"
(xxii)	9°25'48"	142°43'07"
(xxiii)	9°25'54"	142°42'42"
(xxiv)	9°25'53"	142°42'13"
(xxv)	9°25'52"	142°41'59"
(xxvi)	9°25'51"	142°41'51"
(xxvii)	9°25'48"	142°41'15"
(xxviii)	9°25'47"	142°41'04"
(xxix)	9°25'46"	142°40'55"
(xxx)	9°25'43"	142°40'20"
(xxxi)	9°25'44"	142°40'04"
(xxxii)	9°25'50"	142°39'30"
(xxxiii)	9°25'51"	142°39'22"
(xxxiv)	9°25'50"	142°39'13"
(xxxv)	9°25'48"	142°39'03"
(xxxvi)	9°25'35"	142°38'05"
(xxxvii)	9°25'31"	142°37'46"
(xxxviii)	9°25'28"	142°37'36"
(xxxix)	9°25'23"	142°37'22"
(xl)	9°25'22"	142°37'19"
(xli)	9°25'04"	142°36'35"
(xlii)	9°24'50"	142°36'03"
(xliiii)	9°25'25"	142°33'03"
(xliv)	9°25'27"	142°32'58"
(xlv)	9°25'54"	142°32'17"
(xlvi)	9°26'11"	142°33'00"
(xlvii)	9°26'15"	142°31'55"
(xlviii)	9°26'17"	142°31'52"
(xlix)	9°26'17"	142°31'48"
(l)	9°26'15"	142°31'46"
(li)	9°26'06"	142°31'47"
(lii)	9°25'38"	142°31'35"

5.

(liii)	9°25'28"	142°31'34"
(liv)	9°25'24"	142°31'33"
(lv)	9°25'05"	142°31'27"
(lvi)	9°24'39"	142°31'18"
(lvii)	9°24'37"	142°31'17"
(lviii)	9°24'32"	142°31'24"

to the point of commencement.

TERRITORIAL SEA OF ANCHOR CAY AND EAST CAY

The outer limit of the territorial sea of Anchor Cay and East Cay shall be a continuous line formed by a series of intersecting arcs of circles having a radius of three miles and drawn successively, so as to enclose the islands, from the following points -

	<u>Latitude</u> (South)	<u>Longitude</u> (East)
(i)	9°21'27"	144°07'30"
(ii)	9°21'25"	144°07'28"
(iii)	9°21'25"	144°07'38"
(iv)	9°21'26"	144°07'44"
(v)	9°21'29"	144°07'50"
(vi)	9°21'31"	144°07'55"
(vii)	9°21'44"	144°08'24"
(viii)	9°21'45"	144°08'27"
(ix)	9°21'49"	144°08'33"
(x)	9°21'54"	144°08'37"
(xi)	9°23'09"	144°12'43"
(xii)	9°23'02"	144°12'55"
(xiii)	9°23'02"	144°13'23"
(xiv)	9°23'04"	144°13'29"
(xv)	9°23'06"	144°13'33"
(xvi)	9°23'09"	144°13'40"
(xvii)	9°23'13"	144°13'44"
(xviii)	9°23'30"	144°13'59"

6.

(xix)	9°23'40"	144°14'11"
(xx)	9°23'44"	144°14'18"
(xxi)	9°23'50"	144°14'25"
(xxii)	9°23'59"	144°14'30"
(xxiii)	9°24'05"	144°14'31"
(xxiv)	9°24'19"	144°14'33"
(xxv)	9°24'29"	144°14'37"
(xxvi)	9°24'40"	144°14'40"
(xxvii)	9°24'44"	144°14'40"
(xxviii)	9°24'49"	144°14'35"
(xxix)	9°24'53"	144°14'33"
(xxx)	9°24'57"	144°14'27"
(xxxi)	9°24'57"	144°14'20"
(xxxii)	9°24'56"	144°14'14"
(xxxiii)	9°24'44"	144°13'19"
(xxxiv)	9°24'40"	144°13'02"
(xxxv)	9°24'36"	144°12'58"
(xxxvi)	9°24'31"	144°12'56"
(xxxvii)	9°23'47"	144°12'34"
(xxxviii)	9°22'06"	144°08'38"
(xxxix)	9°22'07"	144°08'31"
(xl)	9°21'59"	144°07'57"
(xli)	9°21'47"	144°07'32"
(xlii)	9°21'44"	144°07'29"
(xliii)	9°21'40"	144°07'26"
(xliv)	9°21'35"	144°07'24"

TERRITORIAL SEA OF BLACK ROCKS AND BRAMBLE CAY

The outer limit of the territorial sea of Black Rocks and Bramble Cay shall be a continuous line formed by a series of intersecting arcs of circles having a radius of three miles and drawn successively, so as to enclose the islands, from the following points -

	<u>Latitude</u> (South)	<u>Longitude</u> (East)
(i)	9°10'28"	143°49'59"

7.

(ii)	9°08'40"	143°52'19"
(iii)	9°08'33"	143°52'22"
(iv)	9°08'26"	143°52'32"
(v)	9°08'24"	143°52'41"
(vi)	9°08'23"	143°52'48"
(vii)	9°08'24"	143°52'54"
(viii)	9°08'27"	143°53'06"
(ix)	9°08'32"	143°53'12"
(x)	9°08'43"	143°53'19"
(xi)	9°08'48"	143°53'19"
(xii)	9°08'52"	143°53'17"
(xiii)	9°09'00"	143°53'13"
(xiv)	9°09'04"	143°53'07"
(xv)	9°09'08"	143°53'00"
(xvi)	9°09'07"	143°52'49"

TERRITORIAL SEA OF DELIVERANCE ISLAND AND KERR ISLET

The outer limit of the territorial sea of Deliverance Island and Kerr Islet shall be a continuous line formed by a series of intersecting arcs of circles having a radius of three miles and drawn successively, so as to enclose the islands, from the following points -

	<u>Latitude</u> (South)	<u>Longitude</u> (East)
(i)	9°32'39"	141°32'15"
(ii)	9°32'35"	141°32'11"
(iii)	9°32'07"	141°31'50"
(iv)	9°32'02"	141°31'54"
(v)	9°31'56"	141°31'58"
(vi)	9°31'51"	141°32'02"
(vii)	9°31'29"	141°32'17"
(viii)	9°31'27"	141°32'19"
(ix)	9°31'24"	141°32'21"
(x)	9°30'40"	141°33'32"

8.

(xi)	9°30'08"	141°34'01"
(xii)	9°30'01"	141°34'05"
(xiii)	9°29'57"	141°34'08"
(xiv)	9°29'51"	141°34'14"
(xv)	9°29'51"	141°34'19"
(xvi)	9°29'58"	141°36'13"
(xvii)	9°30'04"	141°36'16"
(xviii)	9°30'12"	141°36'16"
(xix)	9°30'28"	141°36'18"
(xx)	9°30'47"	141°36'18"
(xxi)	9°31'00"	141°36'15"
(xxii)	9°31'11"	141°36'10"
(xxiii)	9°31'29"	141°36'02"
(xxiv)	9°31'38"	141°35'55"
(xxv)	9°31'47"	141°35'46"
(xxvi)	9°31'50"	141°35'42"
(xxvii)	9°32'02"	141°35'21"
(xxviii)	9°36'21"	141°34'33"
(xxix)	9°36'24"	141°34'34"
(xxx)	9°36'35"	141°34'33"
(xxxi)	9°36'49"	141°34'26"
(xxxii)	9°36'56"	141°34'21"
(xxxiii)	9°37'05"	141°34'02"
(xxxiv)	9°37'14"	141°33'47"
(xxxv)	9°37'15"	141°33'28"
(xxxvi)	9°37'13"	141°33'25"
(xxxvii)	9°37'09"	141°33'22"
(xxxviii)	9°37'03"	141°33'21"
(xxxix)	9°36'58"	141°33'22"
(xl)	9°36'52"	141°33'27"

TERRITORIAL SEA OF PEARCE CAY

The outer limit of that part of the territorial sea of Pearce Cay which lies north of the line referred to in paragraph 1 of Article 4 of this Treaty shall be a continuous line -

9.

- (a) commencing at the point of Latitude $9^{\circ}33'00''$ South, Longitude $143^{\circ}14'51''$ East;
- (b) thence along a series of intersecting arcs of circles having a radius of three miles and drawn successively from the following points -

	<u>Latitude</u> (South)	<u>Longitude</u> (East)
(i)	$9^{\circ}30'56''$	$143^{\circ}17'03''$
(ii)	$9^{\circ}30'53''$	$143^{\circ}17'03''$
(iii)	$9^{\circ}30'50''$	$143^{\circ}17'08''$
(iv)	$9^{\circ}30'46''$	$143^{\circ}17'19''$
(v)	$9^{\circ}30'43''$	$143^{\circ}17'26''$
(vi)	$9^{\circ}30'42''$	$143^{\circ}17'34''$
(vii)	$9^{\circ}30'41''$	$143^{\circ}17'43''$
(viii)	$9^{\circ}30'48''$	$143^{\circ}17'42''$
(ix)	$9^{\circ}30'50''$	$143^{\circ}17'40''$

to the point of Latitude $9^{\circ}33'00''$ South, Longitude $143^{\circ}19'46''$ East; and

- (c) thence along the parallel of Latitude $9^{\circ}33'00''$ South to the point of commencement.

TERRITORIAL SEA OF TURNAGAIN ISLAND

The outer limit of the territorial sea of Turnagain Island shall be a continuous line formed by a series of intersecting arcs of circles having a radius of three miles, and drawn successively, so as to enclose the island, from the following points -

	<u>Latitude</u> (South)	<u>Longitude</u> (East)
(i)	$9^{\circ}32'54''$	$142^{\circ}10'47''$

10.

(ii)	9°32'54"	142°10'44"
(iii)	9°32'54"	142°10'40"
(iv)	9°32'52"	142°10'36"
(v)	9°32'49"	142°10'35"
(vi)	9°32'44"	142°10'36"
(vii)	9°32'23"	142°10'54"
(viii)	9°32'11"	142°11'39"
(ix)	9°32'10"	142°11'45"
(x)	9°32'15"	142°11'54"
(xi)	9°32'37"	142°14'59"
(xii)	9°32'36"	142°15'08"
(xiii)	9°32'37"	142°15'14"
(xiv)	9°32'40"	142°15'24"
(xv)	9°32'44"	142°15'40"
(xvi)	9°32'44"	142°15'47"
(xvii)	9°32'45"	142°15'53"
(xviii)	9°32'48"	142°16'04"
(xix)	9°32'51"	142°16'16"
(xx)	9°32'53"	142°16'28"
(xxi)	9°32'54"	142°16'34"
(xxii)	9°32'56"	142°16'39"
(xxiii)	9°32'58"	142°16'49"
(xxiv)	9°33'02"	142°17'01"
(xxv)	9°33'03"	142°17'12"
(xxvi)	9°33'05"	142°17'18"
(xxvii)	9°33'11"	142°17'30"
(xxviii)	9°33'14"	142°17'40"
(xxix)	9°33'16"	142°17'50"
(xxx)	9°33'18"	142°18'00"
(xxxi)	9°33'21"	142°18'09"
(xxxii)	9°33'23"	142°18'16"
(xxxiii)	9°33'28"	142°18'27"
(xxxiv)	9°33'33"	142°18'42"
(xxxv)	9°33'35"	142°18'51"
(xxxvi)	9°33'38"	142°19'03"
(xxxvii)	9°33'41"	142°19'12"
(xxxviii)	9°33'42"	142°19'19"

11.

(xxxix)	9°33'44"	142°19'25"
(xl)	9°33'47"	142°19'38"
(xli)	9°33'49"	142°19'40"
(xlii)	9°34'15"	142°20'11"
(xliii)	9°34'19"	142°20'16"
(xliv)	9°34'23"	142°20'17"
(xlv)	9°34'29"	142°20'14"
(xlvi)	9°34'34"	142°20'10"
(xlvii)	9°34'42"	142°20'03"
(xlviii)	9°34'46"	142°19'58"
(xlix)	9°34'49"	142°19'52"
(l)	9°34'52"	142°19'32"
(li)	9°34'52"	142°19'24"
(lii)	9°34'52"	142°19'15"
(liii)	9°34'50"	142°19'05"
(liv)	9°34'48"	142°18'54"
(lv)	9°34'46"	142°18'39"
(lvi)	9°34'43"	142°18'28"
(lvii)	9°34'40"	142°18'11"
(lviii)	9°34'38"	142°18'05"
(lix)	9°34'35"	142°17'56"
(lx)	9°34'30"	142°17'39"
(lxi)	9°34'23"	142°17'09"
(lxii)	9°34'21"	142°16'55"
(lxiii)	9°34'19"	142°16'39"
(lxiv)	9°34'16"	142°16'29"
(lxv)	9°34'07"	142°15'58"
(lxvi)	9°34'05"	142°15'49"
(lxvii)	9°34'01"	142°15'41"
(lxviii)	9°33'50"	142°15'17"
(lxix)	9°33'48"	142°15'10"
(lxx)	9°33'44"	142°15'00"
(lxxi)	9°33'35"	142°14'48"
(lxxii)	9°33'24"	142°14'31"
(lxxiii)	9°33'09"	142°13'59"
(lxxiv)	9°33'08"	142°13'53"

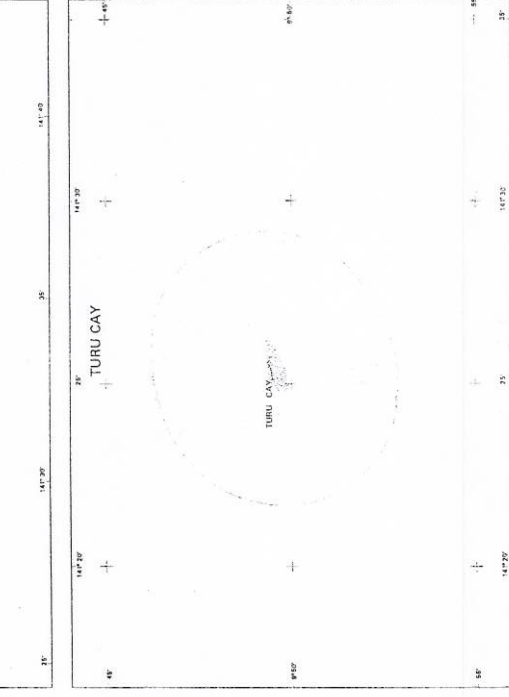
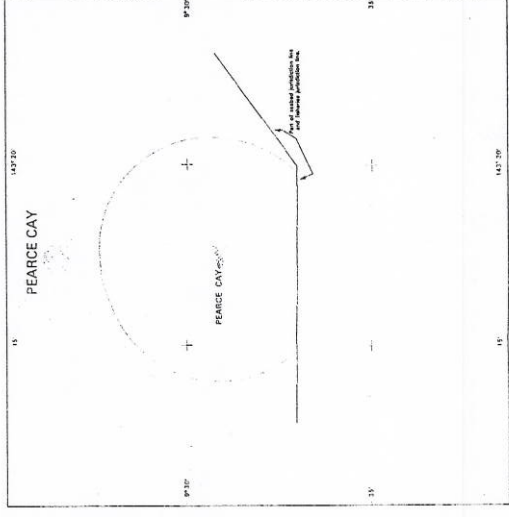
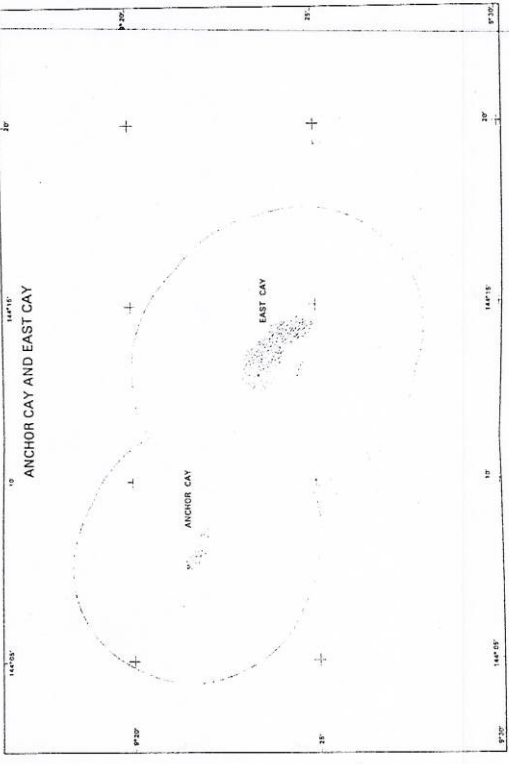
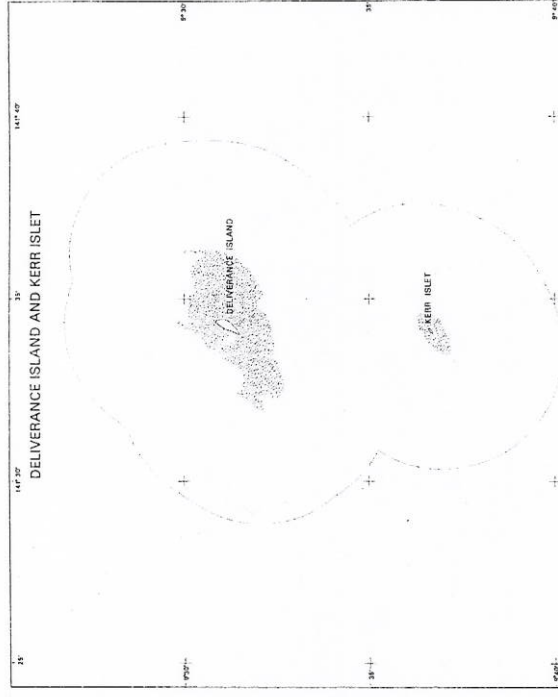
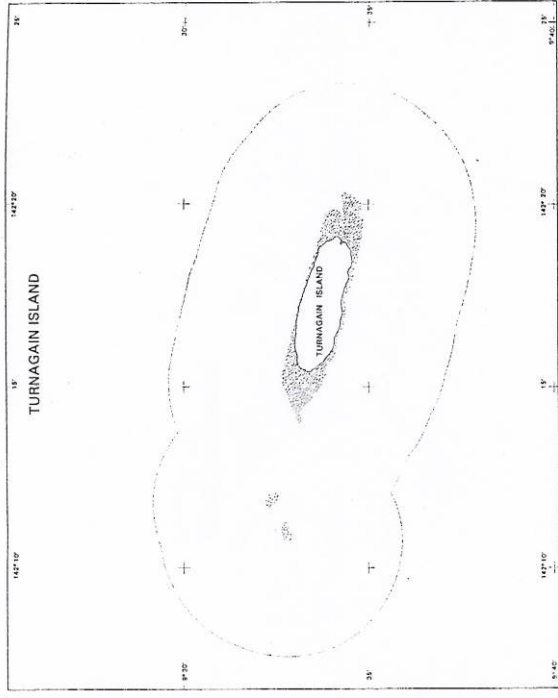
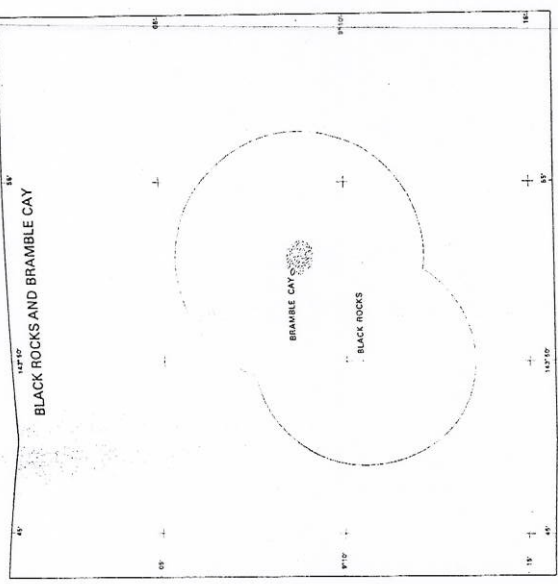
12.

TERRITORIAL SEA OF TURU CAY

The outer limit of the territorial sea of Turu Cay shall be a continuous line formed by a series of intersecting arcs of circles having a radius of three miles and drawn successively, so as to enclose the island, from the following points -

	<u>Latitude</u> (South)	<u>Longitude</u> (East)
(i)	9°49'53"	141°24'42"
(ii)	9°49'39"	141°24'44"
(iii)	9°49'31"	141°24'52"
(iv)	9°49'25"	141°25'02"
(v)	9°49'23"	141°25'13"
(vi)	9°49'20"	141°25'25"
(vii)	9°49'19"	141°25'36"
(viii)	9°49'18"	141°25'43"
(ix)	9°49'18"	141°25'53"
(x)	9°49'17"	141°26'07"
(xi)	9°49'23"	141°26'09"
(xii)	9°49'26"	141°26'06"
(xiii)	9°49'32"	141°25'58"
(xiv)	9°49'38"	141°25'49"
(xv)	9°49'44"	141°25'38"
(xvi)	9°49'47"	141°25'31"
(xvii)	9°49'53"	141°25'19"
(xviii)	9°49'56"	141°25'09"
(xix)	9°49'57"	141°24'54"
(xx)	9°49'56"	141°24'45"

ANNEX 4 to the Treaty between the Independent State of Papua New Guinea and Australia concerning sovereignty and maritime jurisdiction in the area between the two countries, including the area known as Torres Strait, and related matters.



The outer limits, referred to in paragraph 4 of Article 3 of the Treaty of the territorial sea of certain Australian Islands.



Prepared by the National Mapping Bureau, Port Moresby, and the Division of National Mapping, Canberra.

ANNEX 5 TO THE TREATY BETWEEN
THE INDEPENDENT STATE OF
PAPUA NEW GUINEA AND AUSTRALIA
CONCERNING SOVEREIGNTY AND
MARITIME BOUNDARIES IN THE AREA
BETWEEN THE TWO COUNTRIES,
INCLUDING THE AREA KNOWN AS
TORRES STRAIT, AND RELATED
MATTERS

SEABED JURISDICTION LINE

A line -

- (a) commencing at the point of Latitude $10^{\circ}50'00''$ South, Longitude $139^{\circ}12'00''$ East;
- (b) running thence south-easterly along the geodesic to the point of Latitude $11^{\circ}09'00''$ South, Longitude $139^{\circ}23'00''$ East;
- (c) thence north-easterly along the geodesic to the point of Latitude $10^{\circ}59'00''$ South, Longitude $140^{\circ}00'00''$ East;
- (d) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}46'00''$ South, Longitude $142^{\circ}00'00''$ East;
- (e) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}45'24''$ South, Longitude $142^{\circ}03'30''$ East;
- (f) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}42'00''$ South, Longitude $142^{\circ}23'00''$ East;
- (g) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}40'30''$ South, Longitude $142^{\circ}51'00''$ East;

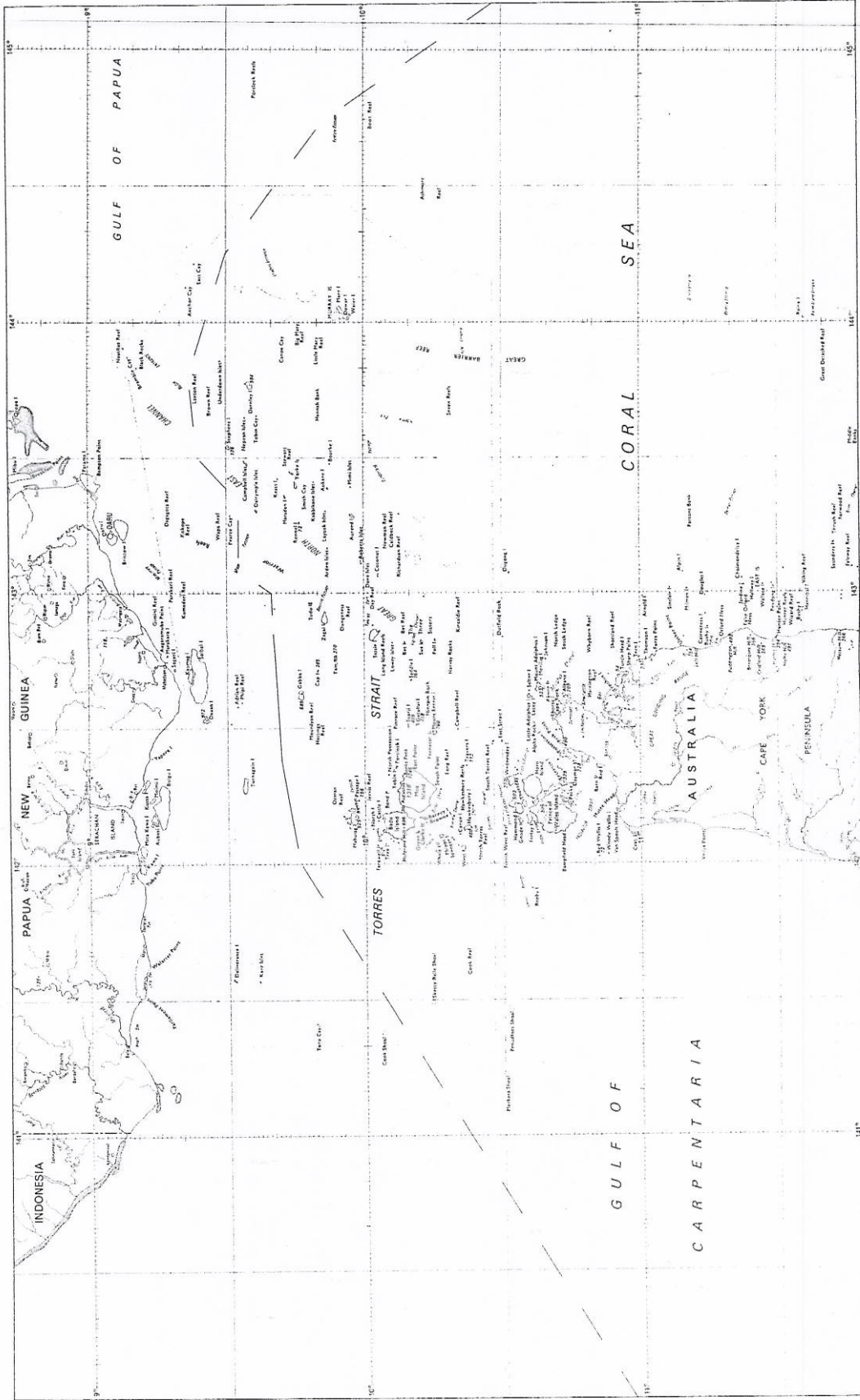
2.

- (h) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}40'00''$ South, Longitude $143^{\circ}00'00''$ East;
- (i) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}33'00''$ South, Longitude $143^{\circ}05'00''$ East;
- (j) thence east along the parallel of Latitude $9^{\circ}33'00''$ South to its intersection by the meridian of Longitude $143^{\circ}20'00''$ East;
- (k) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}24'00''$ South, Longitude $143^{\circ}30'00''$ East;
- (l) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}22'00''$ South, Longitude $143^{\circ}48'00''$ East;
- (m) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}30'00''$ South, Longitude $144^{\circ}15'00''$ East;
- (n) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}51'00''$ South, Longitude $144^{\circ}44'00''$ East;
- (o) thence south-easterly along the geodesic to the point of Latitude $12^{\circ}20'00''$ South, Longitude $146^{\circ}30'00''$ East;
- (p) thence south-easterly along the geodesic to the point of Latitude $12^{\circ}38'30''$ South, Longitude $147^{\circ}08'30''$ East;
- (q) thence south-easterly along the geodesic to the point of Latitude $13^{\circ}10'30''$ South, Longitude $148^{\circ}05'00''$ East;

3.

- (r) thence south-easterly along the geodesic to the point of Latitude $14^{\circ}38'00''$ South, Longitude $152^{\circ}07'00''$ East;
- (s) thence south-easterly along the geodesic to the point of Latitude $14^{\circ}45'00''$ South, Longitude $154^{\circ}15'00''$ East;
- (t) thence north-easterly along the geodesic to the point of Latitude $14^{\circ}05'00''$ South, Longitude $156^{\circ}37'00''$ East; and
- (u) thence north-easterly along the geodesic to the point of Latitude $14^{\circ}04'00''$ South, Longitude $157^{\circ}00'00''$ East where it terminates.

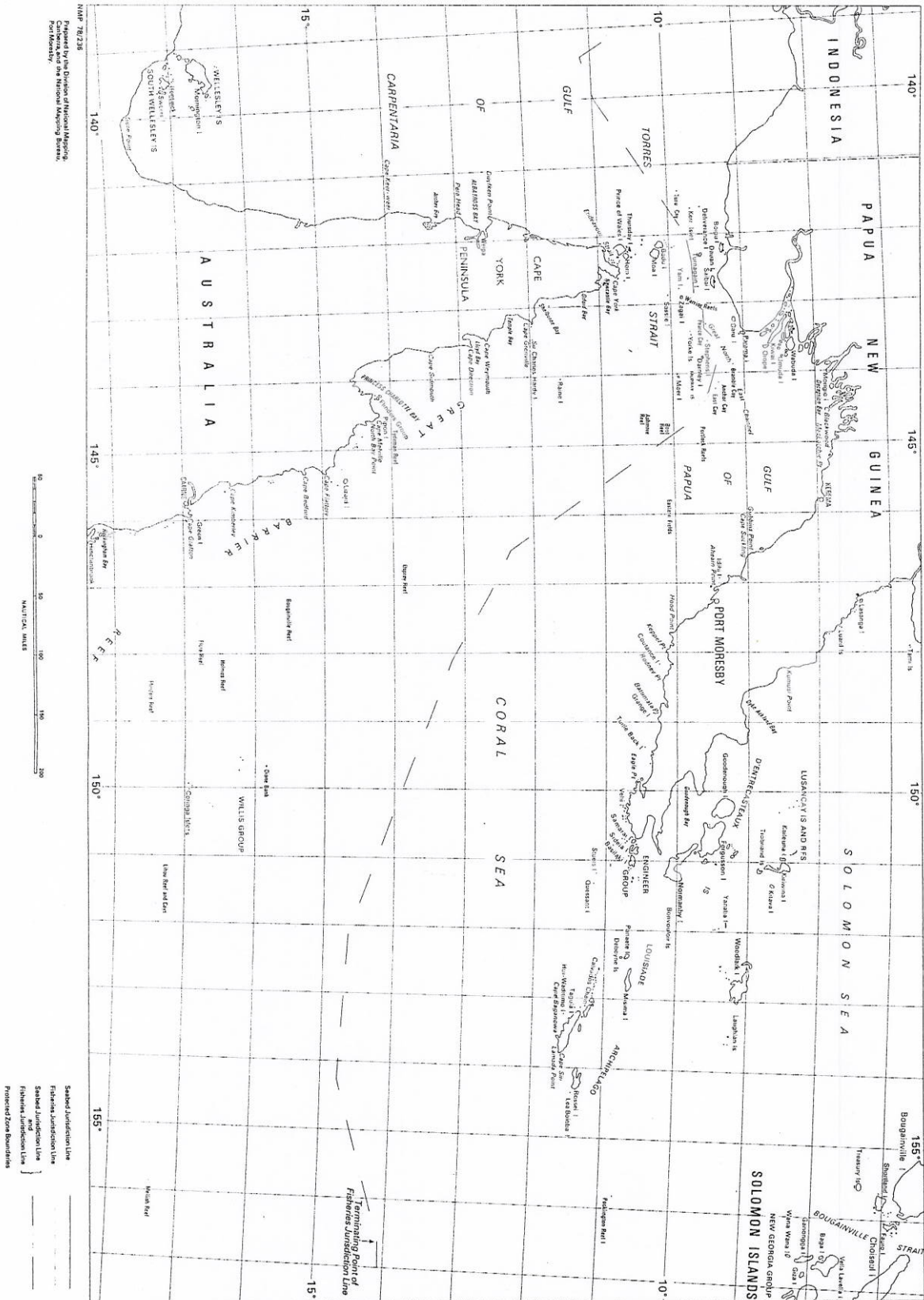
ANNEX 7 to the Treaty between Australia and the Independent State of Papua New Guinea concerning sovereignty and maritime jurisdiction in the area known as Torres Strait, and related matters.



NMP 75/237
Prepared by the Division of National Mapping,
and the National Mapping Bureau,
Port Moresby.

Sashed Jurisdiction Line
Fisheries Jurisdiction Line
Sashed Jurisdiction Line
Fisheries Jurisdiction Line
Protected Zone Boundaries





ANNEX 6 to the Treaty between Australia and the Independent State of Papua New Guinea concerning sovereignty and maritime boundaries. The boundaries shown are those as defined in the Treaty, and are known as 'Treaty Lines' and related matters.

Prepared by the Division of National Mapping, Canberra, and the National Mapping Bureau, Perth, Western Australia.

0 50 100 150 200
NAUTICAL MILES

Submerged Jurisdiction Line
Fisheries Jurisdiction Line
Terminating Point of Fisheries Jurisdiction Line

ANNEX 8 TO THE TREATY BETWEEN THE
INDEPENDENT STATE OF PAPUA NEW GUINEA
AND AUSTRALIA CONCERNING SOVEREIGNTY
AND MARITIME BOUNDARIES IN THE AREA
BETWEEN THE TWO COUNTRIES, INCLUDING
THE AREA KNOWN AS TORRES STRAIT, AND
RELATED MATTERS

FISHERIES JURISDICTION LINE

A line -

- (a) commencing at the point of Latitude $10^{\circ}50'00''$ South, Longitude $139^{\circ}12'00''$ East;
- (b) running thence south-easterly along the geodesic to the point of Latitude $11^{\circ}09'00''$ South, Longitude $139^{\circ}23'00''$ East;
- (c) thence north-easterly along the geodesic to the point of Latitude $10^{\circ}59'00''$ South, Longitude $140^{\circ}00'00''$ East;
- (d) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}46'00''$ South, Longitude $142^{\circ}00'00''$ East;
- (e) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}45'24''$ South, Longitude $142^{\circ}03'30''$ East;
- (f) thence north along the meridian of Longitude $142^{\circ}03'30''$ East to its intersection by the parallel of Latitude $9^{\circ}15'43''$ South;
- (g) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}12'50''$ South, Longitude $142^{\circ}06'25''$ East;

2.

- (h) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}11'51''$ South, Longitude $142^{\circ}08'33''$ East;
- (i) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}11'58''$ South, Longitude $142^{\circ}10'18''$ East;
- (j) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}11'22''$ South, Longitude $142^{\circ}12'54''$ East;
- (k) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}11'34''$ South, Longitude $142^{\circ}14'08''$ East;
- (l) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}13'53''$ South, Longitude $142^{\circ}16'26''$ East;
- (m) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}16'04''$ South, Longitude $142^{\circ}20'41''$ East;
- (n) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}22'04''$ South, Longitude $142^{\circ}29'41''$ East;
- (o) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}21'48''$ South, Longitude $142^{\circ}31'29''$ East;
- (p) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}22'33''$ South, Longitude $142^{\circ}33'28''$ East;
- (q) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}21'25''$ South, Longitude $142^{\circ}35'29''$ East;

3.

- (r) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}20'21''$ South, Longitude $142^{\circ}41'43''$ East;
- (s) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}20'16''$ South, Longitude $142^{\circ}43'53''$ East;
- (t) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}19'26''$ South, Longitude $142^{\circ}48'18''$ East where it joins the outer limit of the three mile territorial sea of Saibai Island;
- (u) thence along that outer limit so as to pass to the east of Saibai Island to the point of Latitude $9^{\circ}23'40''$ South, Longitude $142^{\circ}51'00''$ East;
- (v) thence south along the meridian of Longitude $142^{\circ}51'00''$ East to its intersection by the parallel of Latitude $9^{\circ}40'30''$ South;
- (w) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}40'00''$ South, Longitude $143^{\circ}00'00''$ East;
- (x) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}33'00''$ South, Longitude $143^{\circ}05'00''$ East;
- (y) thence east along the parallel of Latitude $9^{\circ}33'00''$ South to its intersection by the meridian of Longitude $143^{\circ}20'00''$ East;
- (z) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}24'00''$ South, Longitude $143^{\circ}30'00''$ East;

4.

- (za) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}22'00''$ South, Longitude $143^{\circ}48'00''$ East;
- (zb) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}30'00''$ South, Longitude $144^{\circ}15'00''$ East;
- (zc) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}51'00''$ South, Longitude $144^{\circ}44'00''$ East;
- (zd) thence south-easterly along the geodesic to the point of Latitude $12^{\circ}20'00''$ South, Longitude $146^{\circ}30'00''$ East;
- (ze) thence south-easterly along the geodesic to the point of Latitude $12^{\circ}38'30''$ South, Longitude $147^{\circ}08'30''$ East;
- (zf) thence south-easterly along the geodesic to the point of Latitude $13^{\circ}10'30''$ South, Longitude $148^{\circ}05'00''$ East;
- (zg) thence south-easterly along the geodesic to the point of Latitude $14^{\circ}38'00''$ South, Longitude $152^{\circ}07'00''$ East;
- (zh) thence south-easterly along the geodesic to the point of Latitude $14^{\circ}45'00''$ South, Longitude $154^{\circ}15'00''$ East; and
- (zi) thence north-easterly along the geodesic to the point of Latitude $14^{\circ}05'00''$ South, Longitude $156^{\circ}37'00''$ East where it terminates.

ANNEX 9 TO THE TREATY BETWEEN THE
INDEPENDENT STATE OF PAPUA NEW
GUINEA AND AUSTRALIA CONCERNING
SOVEREIGNTY AND MARITIME BOUNDARIES
IN THE AREA BETWEEN THE TWO COUNTRIES,
INCLUDING THE AREA KNOWN AS TORRES
STRAIT, AND RELATED MATTERS

PROTECTED ZONE

A line -

- (a) commencing at the point of Latitude $10^{\circ}28'00''$ South, Longitude $144^{\circ}10'00''$ East;
- (b) running thence west along the parallel of Latitude $10^{\circ}28'00''$ South to its intersection by the meridian of Longitude $141^{\circ}20'00''$ East;
- (c) thence north along that meridian to its intersection by the parallel of Latitude $9^{\circ}33'00''$ South;
- (d) thence north-easterly along the geodesic to the point of Latitude $9^{\circ}13'00''$ South, Longitude $141^{\circ}57'00''$ East;
- (e) thence north along the meridian of Longitude $141^{\circ}57'00''$ East to its intersection by the southern coastline of the island of New Guinea at low water;
- (f) thence generally easterly along the southern coastline of the island of New Guinea, that is along the low water line on that coast and across any river mouth and in the case of the mouth of the Mai Kussa River along the parallel of Latitude $9^{\circ}09'00''$ South, thence along the southern coastline of the island of New Guinea, that is along the low water line on that coast and across any river mouth to its intersection by the meridian of Longitude $142^{\circ}36'00''$ East;

2.

- (g) thence south along that meridian to its intersection by the parallel of Latitude $9^{\circ}21'00''$ South;
- (h) thence north-easterly along the geodesic between that point of intersection and the point of Latitude $9^{\circ}09'00''$ South, Longitude $143^{\circ}47'20''$ East;
- (i) thence along the outer limit of the three-mile territorial sea of Black Rocks, so as to pass to the north-west of Black Rocks, to the point of intersection of that limit by the outer limit of the three-mile territorial sea of Bramble Cay;
- (j) thence along that outer limit, so as to pass successively to the north and east of Bramble Cay, to the point of Latitude $9^{\circ}10'50''$ South, Longitude $143^{\circ}55'40''$ East;
- (k) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}18'40''$ South, Longitude $144^{\circ}06'10''$ East;
- (l) thence along the outer limit of the three-mile territorial sea of Anchor Cay, so as to pass to the north of Anchor Cay, to the point of intersection of that limit by the outer limit of the three-mile territorial sea of East Cay;
- (m) thence along that outer limit, so as to pass successively to the north and east of East Cay, to the point of Latitude $9^{\circ}26'50''$ South, Longitude $144^{\circ}16'50''$ East;
- (n) thence south-easterly along the geodesic to the point of Latitude $9^{\circ}35'15''$ South, Longitude $144^{\circ}28'00''$ East;

3.

- (o) thence south along the meridian of Longitude $144^{\circ}28'00''$ East to its intersection by the parallel of Latitude $9^{\circ}54'00''$ South;
- (p) thence south-westerly along the geodesic to the point of Latitude $10^{\circ}15'00''$ South, Longitude $144^{\circ}12'00''$ East; and
- (q) thence south-westerly along the geodesic to the point of commencement.

TUESDAY, JANUARY 20, 2015

Did we take our feet of the TB paddle?

IT IS unfortunate that those in the frontline in the fight against tuberculosis have now fallen victim to the deadly disease.

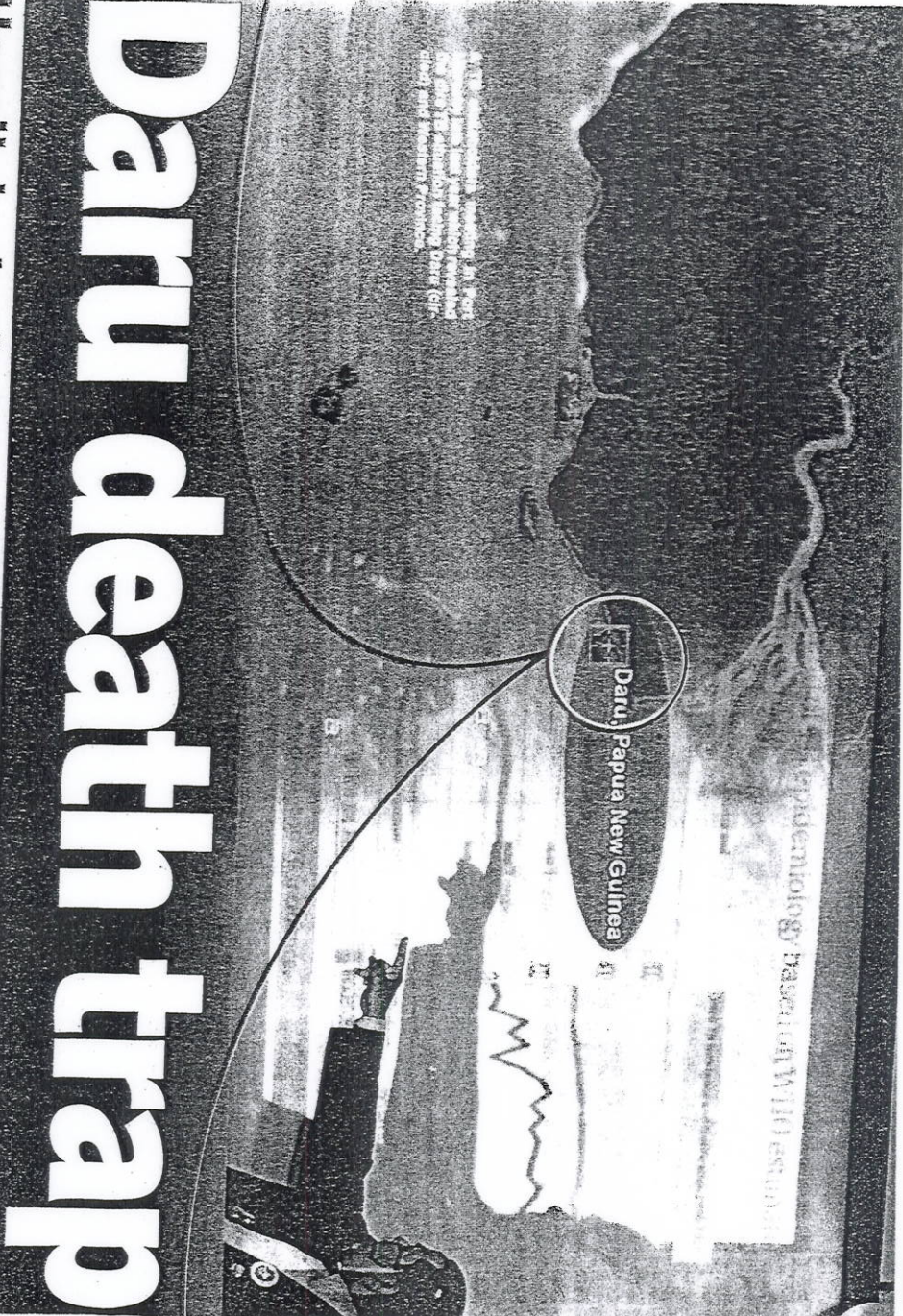
And to know it is the multi-drug resistant strain of tuberculosis (MDR-TB) they have contracted is a double blow to the nine nurses at the Daru General Hospital in Western Province. One of them is undergoing treatment for the worst strain of TB. Their diagnosis compelled hospital colleagues to stage a sit-in protest yesterday, demanding that authorities provide better protection for health workers. It is within their rights as employees to demand protection from what is now an occupational hazard and if the employer – in this instance the Government – cannot guarantee a safe and trouble-free working environment then their safety takes precedence.

The nurses' condition also raises questions about the extent of the spread of TB in the Western Province and if the Daru General Hospital has the capacity and the resources to fight it. The assistance that the Australian government and donor partners including the World Health Organisation (WHO) offered to fight the disease were timely lifelines that they threw to the local authorities. But is the local population secured or is this the start of a bigger problem that potentially could make its way to and affect other centres including the National Capital District?

The Government will need to urgently undertake an assessment of the situation in the Western Province, Gulf and parts of Central Provinces to ascertain how many people are affected and if there is a need for another campaign – this time targeting the nation.

The Daru General Hospital's TB committee has given the Government two weeks to respond to their demands, while lamenting the lack of action from provincial authorities and leaders. Failure by the authorities to act immediately could put at risk the lives of the other hospital staff and in a worst case scenario could become an incubation camp for the spread of the disease to other health workers, patients and their guardians. We concur with the anger expressed by the striking workers at the failure by the provincial authorities to lead the push for change in the Western Province. The province continues to lag behind in development indicators including health outcomes and its leaders will need to be held accountable for their lack of action. The 14-day ultimatum that the hospital's TB committee has given authorities to respond to their demands now enters a critical phase. This matter has now gone beyond the jurisdiction of the Western Province and warrants intervention by those in Waigani including the National Health Department. The contracting of the diseases by the nurses now raises questions about the viability of the Daru General Hospital to continue to provide basic health services to the people of Western Province.

It appears those in authority dropped their guard following the conclusion of the TB campaign last year, which could have dire consequences for PNG and its people. Word on the nurses contracting the disease will eventually spread and could have a ripple effect in the community, which could see members of the public and health workers refusing to go to work. It appears those in authority dropped their guard following the conclusion of the TB campaign last year, which could have dire consequences for PNG and its people.



Daru crippled as nurses contract drug resistant TB

BY GRACE SALMANG

NINE nurses at Daru General Hospital in Western Province have contracted the multi-drug resistant strain of tuberculosis, forcing the rest of the hospital staff to stage a sit-in protest yesterday for better protection at work. One nursing officer is on extreme drug resistance treatment for the strain of the disease, which poses a greater risk to life and is currently out of control. The hospital's executive officer Colin Ahana, who spoke on behalf of the sitting chief medical officer, Dr Naomi Poma, said the other eight nurses were currently on the multi-drug-resistant

(MDR) treatment. As the disease paralysed services at the hospital yesterday, the remaining hospital staff protested, supporting widespread fear on the island that the TB epidemic rampant in the province will spread among the hospital workers.

CONTINUED PAGE 2

Daru hospital nurses contract killer TB

FROM PAGE 1

SINCE last year health authorities have described the threat from the disease as a public health emergency. The health department declared Western Province, including Daru, a hotspot for TB together with neighbouring Gulf, the National Capital District, and parts of Central Province. Last October Prime Minister Peter O'Neill launched a national tuberculosis awareness campaign, saying TB was becoming a concern in these areas. Australia and the World Health Organisation would be equally concerned about developments in Daru as they spent millions of kina to upgrade the hospital's TB ward to treat the disease and in a bid to stop patients from travelling to Queensland to seek treatment.

The protesting workers called on provincial leaders, stakeholders and members of the public to be aware that Western Province was a leading hot spot for TB in the country.

Yesterday's protest was headed by the hospital's TB committee which also presented a petition to Dr Poma giving authorities two weeks to respond to their grievances.

"If Prime Minister can take the lead in advocating to the nation about the TB epidemic, why can't our provincial leaders do the same?" "There is an increase in all types of TB cases and these has affected our staff and our lives are at risk, we are becoming patients too," they said in their petition.

People classified as MDR sufferers are second-stage patients who are bound for a 24-month-long treatment which is... native.

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