

TT May June
Submission No: ...12.....

Dear Secretary I hope this reaches you in time for inclusion for the inclusion of submissions on this matter.

The Secretary
Parliamentary Joint Standing Committee on Treaties
Parliament House
Canberra ACT

The following is a Submission to the JSCT call for submissions on the International Unitization Agreement (IUA), for the Sunrise Troubadour Oil and Gas Reserve in the Timor Sea region.

This submission submitted by
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Matt Coffey
Submission to Parliamentary Joint Standing Committee on Treaties
Sunrise Troubadour IUA
Timor Sea Joint Petroleum Development Area

It is with great regret that we see petroleum developments continuing to be approved and in the case of Bayu Undan (ConocoPhillips) receiving environmental (EPIP) approval in the midst of the Timor Sea Treaty negotiation period. To think that the Australian Government had the right to impose its environmental checks and balances upon an area of the Timor Sea, and then seek to negotiate the shared ownership of resources after this time. These shared resources, which are now, agreed within the TST as 90% Timor Leste & 10% Australian, are approved by the 10% stakeholder. The environmental checks and balances for the 90% stake that Timor Leste is responsible for did not occur as the Australian process of approval had begun. These actions show the "glaring arrogance" of the Department of Foreign Affairs negotiating team on the Timor Negotiations and the same could be said about there Minister who has been described in that manner numerous times in the media, some of which has been put forward in the Federal Parliament.

I ask this Committee what relevance Australia's 10% has when 100% of the Environmental Approvals (including public submissions) have been started before the Nation of Timor Leste was liberated from the Indonesian occupation. What credence and diplomatic ethicality do these approvals obtain, is this style of negotiation going to continue with the Sunrise Troubadour developments approval as well?

Whilst the environmental approvals may allay some damage to the marine environment the security

and protection of aquatic species in this region is at risk of increased pressure from both hydrocarbon resource development and the “incessant” predation of species by the Indonesian and Taiwanese illegal fishing operations. Which have now reached “plague proportions,” with more than 70 vessels “processed” by the Navy since 1 January this year the highest count recorded ever in Australia. A point worth mentioning is that these vessels are in many cases equal in size as those that two years ago were carrying refugees into Australia.

The Indonesian fishermen are predominately fishing for ‘shark fin’ and in this process are putting not only eight shark species at risk; they are also reducing the predator species at the top of the food chain which could imbalance all life forms that reside lower down in the food chain. The process used in this fishing method is to catch and ‘re-hook’ a live Queenfish which is then offered out on a large heavy gauge line to catch a Dolphin or Porpoise. This mammalian species is then “murdered on the deck” and cut up into pieces and hooked onto a long multi hook line that is, trolled behind the boat in close to shoals, the sharks find the smell of Dolphin is irresistible and react to the bait. Once they are caught the sharks remain on the deck of the boat for few minutes whilst they have their dorsal fin cut off then the shark is returned to the sea, to die.

The risk of illegal fishing in the JDPa obviously did not matter in the approval of the TST, as some of the illegal fishing boats were apprehended, in and immediately around the JDPa area.

Recently here in Darwin Alexander Downer advised the SEA OCC 2003 conference on the risks perceived for resource developments in the Timor Sea area. In his speech he failed to mention any threats that could be posed by one of the aforementioned “shark-fin” boats should they be in this area for a different intent of a threat nature. Neither the IUA or the TST address this issue which is of great risk at a time when Osama Bin Laden (in, Al Jazeera, 2 tapes), Imam Samudra and Amrozi have all stated to the media that they think that Australia assisted East Timor to break away from Indonesia and stole the Hydrocarbon resources in the process. This does show that the risk is high and matters pertaining to this need to be addressed before any agreement like the IUA, is agreed to.

As this treaty and the Timor Sea Treaty (TST) have only recognized Australian Environmental Legislation isn't it time that Timor Leste had a chance at representing their 90% of the deal.

The definition of a TREATY, is a negotiation between two equally recognized parties, this is not the case, and in the past Timor Sea Treaty, has not been the case.

To portend that this agreement is only about “ring-fencing” a resource that is 4000 feet below the sea surface is crude and ignorant and fails to address all things other than hydrocarbons and dollars.

Yours Sincerely Matt Coffey...