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Submission No: 8

**East Timor Independent Information Centre For the
Timor Sea**

(CIITT)

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BY:

To: Committee Secretary
Joint Standing Committee on Treaties
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**Submission to the Australian Parliament's
Joint Standing Committee on Treaties**

**Regarding the International Unitisation Agreement
Between the Government of Australia and
The Government of the Democratic Republic of East Timor**

Honourable members of the Parliament of Australia,

The Independent Information Centre for the Timor Sea (CIITT), was formed in 2002 by thirteen East Timorese non-governmental organizations, in addition to clergy, academics and others from civil society. The CIITT represents different constituencies, but with a common goal of ensuring that the resources of the Timor Sea are used in the most safe and effective way to advance the prosperity of our people. CIITT provided written and oral submissions to your Committee last year as you considered the Timor Sea Treaty between Australia and East Timor.

We ask you to acknowledge that East Timor is an independent and sovereign country, which exists between two "powerful" neighbours, Australia and Indonesia. Its independence and sovereignty as a country is acknowledged by the entire international community, including Australia and Indonesia. This was shown by the presence of Prime Minister John Howard and President

Megawati Soekarno Putri at our birth as an independent nation on 20 May 2002.

However, East Timor is still facing a serious challenge in settling its national sovereignty and its right over natural resources both in and under the sea. If the maritime boundary in the area of Timor Gap is not settled, it will automatically affect the legal, political and economic relationships between our two countries as well our people, Australian and East Timorese.

To overcome this negative impression, we therefore appeal to your morality and political will, and challenge your civilization and democracy by addressing the following issues:

1. Concern

Having followed the whole process of this issue, we are very concerned about:

- The attitude of Australia government which has withdrawn from the International Court of Justice and International Tribunal for the Law of the Sea mechanisms for resolving maritime boundary disputes
- Australia's policy on the issue of Greater Sunrise where it is acting as if it has sovereignty over 79.9% of the Unitisation area
- Australia's attitude in blackmailing East Timor to sign the International Unitization Agreement before Australia fulfilled its commitment to ratify the 20 May 2002 Timor Sea Treaty.
- Australia's support for joint development of oil and gas inside the JPDA, while those resources outside the Timor Gap, such as 80% of the Greater Sunrise field and the, Laminaria-Corallina field are excluded from the joint development framework. These fields are claimed by both our countries, and would belong to East Timor under current legal principles.
- Australia's views that it is being generous by allowing East Timor to receive 90% of JPDA revenues. This is not a gift, but it is our legal right.

2. Our views

1. We view that Australia is blocking political and legal resolution of the maritime boundary, which prevents the completion of East Timor's national sovereignty and our right over our natural resources.
2. Australia is allowing greed for the natural resources in the to prevent the fulfilment of Australia's legal and neighbourly obligations to settle the boundary between our countries.
3. Sending Australia troops as Peacekeepers, giving humanitarian aid, and bilateral assistance are nothing if the Australia government continues to refuse to settle the maritime boundary and recognize East Timor's entitlement

4. The Australia government has forced East Timor to sign the International Unitization Agreement
5. Australian policy to occupy oil and gas fields outside JPDA (80% The Greater Sunrise field) is unfriendly and violates international legal principles like UNCLOS and ICJ decisions.

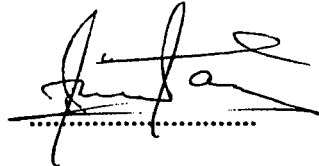
3. Appeals

We appeal to Australian members of parliament to:

1. Delay ratification of the International Unitization Agreement because this agreement assigns 80% of the Greater Sunrise field to Australia, without acknowledging that this territory is claimed by both countries, and without support a process for resolving the competing claims.
2. Settle the maritime boundary in Timor Sea between Australia and East Timor
3. Respect international legal principles such as UNCLOS and ICJ
4. Stop making contracts for new exploration outside the JPDA until permanent maritime boundaries are determined in accordance with international law.

In closing, we request your permission to publish and circulate this submission both in Australia and East Timor.

Dili, East Timor
13 June 2003
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