

**FORUM HOSTED BY THE INTERNATIONAL PEACE INSTITUTE
AND THE MARITIME BOUNDARY OFFICE**

“Timor-Leste’s Story: Securing its Sovereignty over Land and Sea”

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**OPENING REMARKS BY HIS EXCELLENCY
THE PRIME MINISTER OF THE DEMOCRATIC REPUBLIC
OF TIMOR-LESTE, DR RUI MARIA DE ARAÚJO**

Good Morning everyone.

Thank you for joining us to listen and offer your ideas, experience and wisdom, as we share Timor-Leste’s story to secure sovereignty over our land and now our sea.

Many of you know of our independence struggle, and importantly, many of you were with us during those long and difficult years.

We Timorese are a strong and resilient people, and we fought against great odds and at great cost to secure our sovereignty.

We built our nation from the ashes of war and are committed to our development guided by our Government Program and our Strategic Development Plan.

While transitioning to self-governance for the first time in over 500 years, we established a semi-presidential democracy, set up systems of civil administration and started building the foundations of a State.

Importantly we are an open society with a free media, a robust civil society and the rule of law.

We also have one of the highest representations of women in Parliament in the world.

While we still have a long way to go in developing our nation, we are proud of our achievements in peace-building and State-building.

However, our struggle for sovereignty is not over. The final frontier is Timor-Leste’s maritime territory.

Timor-Leste is yet to draw permanent maritime boundaries with its two great neighbours, Australia and Indonesia.

Timor-Leste is pleased to announce that we have commenced talks with Indonesia on maritime boundaries, a historic first step towards achieving permanent maritime boundaries. As our two States share the objective of reaching final agreement on boundaries in accordance with international law, we expect to make good progress.

We ask the same of Australia: let us sit together and finally draw the line.

The Government of Timor-Leste has determined it a national priority to set our boundaries. This national priority is shared by all. We will not achieve our full sovereignty until our rights over both land and sea are recognised.

As a coastal nation, our surrounding seas and oceans are central to the Timorese culture and way of life and are a critical source of livelihood for our people.



As a small nation, Timor-Leste is aware of its vulnerabilities. It is an unequal world. Small States have always been at risk of being swallowed by bigger interests and agendas.

That is why Timor-Leste is such a strong supporter of the United Nations and international law. The multilateral system and international law guides fair behaviour and can provide States with options for dispute resolution.

After vast reserves of oil and gas were found in the 1950s and 60s in the Timor Sea, Indonesia and Australia began negotiations on seabed boundaries. The then Portuguese colony of Timor-Leste was not included.

Australia was the first and only nation in the world to give recognition to the Indonesian military occupation of Timor-Leste, following the military invasion of 1975.

The United Nations, on the other hand, did not recognise the occupation.

This is but a small part of the history which led to an agreement between Australia and Indonesia on seabed rights, prior to Timorese independence. That agreement, known as the Timor Gap Treaty, gave Australia rights to explore and exploit the resources in a vast area of the Timor Sea, right up to the Timor Trough, a mere 40 nautical miles from Timor-Leste's coast.

The Timor Gap Treaty was no longer recognised after the Timorese voted overwhelmingly for independence. But the form of it became the basis for new treaty negotiations between Australia and the United Nations-led transitional administration, (UNTAET) which administered our country from 1999 to 2002.

The traces of this past remain in the current interim treaty regime between Australia and Timor-Leste. This regime sets up temporary resource-sharing arrangements that are, however, without prejudice to the final delimitation of maritime boundaries between our countries.

It is now time to permanently settle our maritime boundaries and give recognition and force to Timor-Leste rights under international law.

It is our experience that international law serves well in protecting the rights and interests of small States.

When Timor-Leste went to the International Court of Justice to challenge Australia's seizure of our confidential documents, we stood side by side as equals – and the ICJ decided in our favour.

Timor-Leste has also brought a legal challenge to the current Timor Sea treaty regime on the basis that Australia allegedly spied on Timor-Leste's negotiating team leading up to the 2006 agreement.

Timor-Leste now looks to international law to determine our maritime boundaries with our large and powerful neighbours. All States which have joined the United Nations Convention on the Law of the Sea, including Timor-Leste, Australia and Indonesia, are bound by its rules and principles.

The Convention provides dispute resolution mechanisms to assist States with coming to agreement on maritime boundaries. However, in March 2002, just before Timor-Leste became an independent nation, Australia chose to withdraw from the jurisdiction of the International Court of Justice and dispute resolution bodies under the Convention, on the matter of boundaries delimitation.

Timor-Leste therefore cannot ask an international court to decide where an equitable boundary would lie under international law, if we are unable to reach bilateral agreement with Australia.

We remain hopeful that the new Prime Minister of Australia will be prepared to join us at the negotiating table and close Australia's last remaining gap in its maritime boundary.

We ask for nothing more than our maritime rights under international law.

Thank you for your attention.

