



SPOKESPERSON SIXTH CONSTITUTIONAL GOVERNMENT



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Compulsory Conciliation moves to the next step but could be avoided by a commitment to negotiations on maritime boundaries

Today the Government of Australia has notified Timor-Leste of the appointment of its two conciliators for the Compulsory Conciliation proceedings initiated by Timor-Leste on the 11th of April 2016.

Arising from Australia's on-going refusal to negotiate a permanent maritime boundary, Timor-Leste commenced the proceedings, conducted under the provisions of the United Nations Convention on the Law of the Sea, to facilitate the conclusion of an agreement with Australia on permanent maritime boundaries.

Australia has permanent boundaries with all of its neighbours except Timor-Leste, despite agreeing to negotiate boundaries in treaties over a decade ago and as required to do under international law. Prime Minister, Dr. Rui Maria de Araújo has explained that “establishing permanent maritime boundaries is a matter of national priority for Timor-Leste, as the final step in realising our sovereignty as an independent State.”

The conciliation process is to be conducted by a panel of five independent conciliators who constitute a Conciliation Commission. Timor-Leste's two appointed conciliators were named in its notice. The panel of four is now required to agree a fifth member as chair within 30 days.

The function of the Commission is set out in UNCLOS Annex V is to “hear the parties, examine their claims and objections, and make proposals to the parties with a view to reaching an amicable settlement.” The Commission seeks to encourage the parties to sit together and try to resolve their differences, effectively by third party assisted negotiation. If this is not successful within 12 months, the Commission will issue its recommendation in the form of a report.

Chief Negotiator for Maritime Boundaries, H.E. Kay Rala Xanana Gusmão said in Sydney last Friday “We've always wanted to negotiate, as countries are obliged to do under international law. An important point to note is that Australia could agree at any time now to negotiate maritime boundaries or allow the international court to make a determination as to where the boundary should be and we would welcome such a development.”

Spokesperson for the Sixth Constitutional Government, Minister of State Agio Pereira added “Timor-Leste is ready to fully engage with the Commission as it seeks to assist both our countries to reach an amicable settlement. However this is a process that should not have been necessary between friends.” **ENDS**



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