



**Australian Government**  
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Dear Professor Leach

*Michael,*

Following our discussion on 11 February, I would like to thank you for your kind invitation to participate in Monash University and Swinburne University of Technology's forthcoming symposium *Maritime Boundaries in the Timor Sea: Perspectives in International Law* on 15 February 2016.

As discussed, I am obliged to offer my sincere regrets that I am unable to attend the seminar as I have another commitment that day that I am unable to move. Other suitably senior DFAT staff are also unable to attend. I have, however, asked a member of my team, Mr Edward Cohen, to attend the seminar as an observer. I understand that a representative of the Attorney-General's Department will also attend as an observer.

I have enclosed the fact sheet on Australia's maritime arrangements with Timor-Leste which I mentioned in our discussion – this might be of interest at the symposium.

I very much appreciate both the invitation to the symposium and your forthright engagement with the Department and our Embassy in Dili. I look forward to meeting you in the near future and to participating in future events on Timor-Leste and Australia.

*With apologies, once again*

Yours sincerely

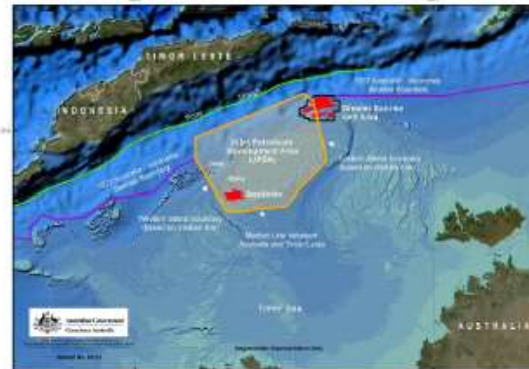
*Allister Cox*

Allister Cox  
First Assistant Secretary  
South-East Asia Maritime Division



## Australia's maritime arrangements with Timor-Leste

Australia and Timor-Leste have entered into three treaties governing maritime arrangements in the Timor Sea, including access to oil and gas resources. These arrangements are consistent with international law, including the *United Nations Convention on the Law of the Sea*.



### 2002 Timor Sea Treaty

- This treaty established the Joint Petroleum Development Area (JPDA) to enable petroleum development in an area claimed by both Australia and Timor-Leste.
- It apportions 90 per cent of JPDA petroleum to Timor-Leste and 10 per cent to Australia.
- It established a Joint Commission to oversee management of the resources cooperatively.
- As a result of joint oil and gas development in the JPDA (as of September 2015):
  - Timor-Leste has received US\$11.91 billion in revenue and accrued a National Petroleum Fund worth US\$16.44 billion
  - Australia has received US\$1.33 billion.

### 2003 International Unilateral Agreement for Greater Sunrise

- This agreement created the framework to develop the Greater Sunrise fields as a single unit.
- This was necessary because 20.1 per cent of Greater Sunrise lies within the shared JPDA and 79.9 per cent in exclusive Australian seabed jurisdiction.
- Under the agreement, companies may propose development plans for Greater Sunrise, and the Australian and Timor-Leste Governments are to approve a plan that, amongst other things, develops the Greater Sunrise resources "to the best commercial advantage consistent with good oilfield practice." To date, no plan has been approved.

### 2006 Treaty on Certain Maritime Arrangements in the Timor Sea

- This treaty splits Greater Sunrise petroleum revenue 50/50 between Australia and Timor-Leste.
- It deferred establishment of a permanent maritime boundary for 50 years or five years after exploitation of the Greater Sunrise gas fields ceases, whichever occurs earlier.
- It provides Timor-Leste with water column jurisdiction (for activities such as fishing) within the JPDA.