

June 7, 2018

When Crocodiles and Kangaroos Dance Together, Anything is Possible: Report of the Timor-Leste and Australia Conciliation Commission

By: Nigel Bankes

Report commented on: Report and Recommendations of the Compulsory Conciliation Commission between Timor-Leste and Australia on the Timor Sea, Registry, Permanent Court of Arbitration, [9 May 2018](#)

The Conciliation Commission in the dispute between Timor-Leste and Australia with respect to a permanent maritime boundary in the Timor Sea has now issued its final Report and Recommendations on what must be recorded as an exceptionally successful conciliation exercise. The report documents the process of shepherding the Parties to the conclusion and signature of the [Treaty between the Democratic Republic of Timor-Leste and Australia Establishing their Maritime Boundaries in the Timor Sea](#), New York, March 6, 2018. This treaty not only establishes permanent maritime boundaries between the two States it also establishes (Annex B) a joint development regime for the Greater Sunrise and Troubadour deposits that fall on either side of the agreed maritime boundary. The Report also documents the ultimately unsuccessful efforts of the Commission to facilitate the Parties in reaching agreement on a development concept for the Greater Sunrise Field. In dealing with a set of issues that went beyond that of delimitation, the Report illustrates the flexibility of conciliation procedures to address (with the consent of the Parties) a broader suite of issues than could be accommodated in a more formal and constrained adjudication procedure.

This Report will become a must read for anybody interested in the topics of maritime boundary delimitation and alternative dispute resolution. The Report fulfils the obligations of a Conciliation Commission appointed under section 2 of Annex V of the Law of the Sea Convention ([LOSC](#)) which report (Annex V, Article 7) “shall record any agreements reached and, failing agreement, its conclusions on all questions of fact or law relevant to the matter in dispute and such recommendations as the commission may deem appropriate for an amicable settlement.” In the instant case the Commission concluded [6] that it no longer needed to provide the Parties with recommendations concerning the resolution of their dispute since “The Parties have, themselves, achieved a resolution of that dispute.” The Commission did not [298] offer any concrete recommendations with respect to the issue on which the Parties did not reach agreement; namely the selection of the development concept for Greater Sunrise.

As noted in an [earlier post](#) on the Commission’s [Decision on Competence](#), 19 September 2016, the Commission was established at the instance of Timor-Leste under Article 298 of LOSC which permits compulsory conciliation when a state party (Australia) has elected to file a declaration under that Article indicating that it does not accept compulsory and binding dispute resolution under section 2 of Part XV of the LOSC with respect to marine boundary delimitation matters or matters of historic title. Australia objected to the competence of the Commission but

the Commission concluded (in a decision with binding effect [66]) that it was properly seized with the dispute.

The Report is divided into eight parts. **Part I** is an introduction in which the Commission summarizes the conciliation and its outcome and indicates what the Report will cover, including a commitment to identify [7] “what, in its view, constituted the key elements of its engagement with the Parties that made possible the achievement of an agreement on maritime boundaries.”

Part II, the shortest Part, discusses the geography of the area to be delimited and serves to remind the reader that Timor-Lest and Australia are separated by the Timor Sea which at its narrowest is approximately 243 nautical miles. **Part III** provides the background to the dispute noting the colonial history of Timor-Leste as well as Australia’s treaty relations with neighbouring Indonesia including the [1972 Seabed Treaty](#), the [1989 Timor Gap Treaty](#) (which established a zone of cooperation rather than a delimitation) and the [1997 treaty](#) (not yet in force) principally concerned with the delimitation of the Exclusive Economic Zone. There is a considerable literature on these and later treaty arrangements with Timor-Leste. For one example see Triggs and Bialek, “The New Timor Sea Treaty and Interim Arrangements for Joint Development of Petroleum Resources of the Timor Gap” (2002), 3 Melbourne Journal of International Law 322. It bears emphasising that the 1972 Seabed Treaty is one of the few delimitation agreements that have allowed the existence of a significant geological discontinuity (the feature known as the Timor Trough) to significantly modify (to the advantage of Australia) delimitation based on equidistance.

Part III also summarizes the relevant treaty relations between Australia and Timor-Leste beginning in 2002 (when Timor-Leste regained its independence) with the [Timor Sea Treaty](#). That Treaty continued the joint development concept of the Timor ap Treaty albeit with some different terms and a different sharing formula. A second treaty was the [Unitisation Agreement for the Sunrise and Troubadour Fields](#) and a third treaty was the 2006 Treaty on Certain Maritime Arrangements (the [CMATS treaty](#)). Article 4 of the CMATS treaty established a moratorium on the settlement of permanent maritime boundaries. The Commission also summarized the three other proceedings commenced by Timor-Leste against Australia: an arbitration under the [Timor Sea Treaty \(2013\)](#), proceedings in the International Court of Justice, [Questions relating to the Seizure and Detention of Certain Documents and Data \(Timor-Leste v. Australia\)](#) with respect to Australia’s seizure of documents from one of Timor-Leste’s legal advisors, and a [second arbitration \(2015\)](#) under the Timor Sea Treaty dealing with the nature of Australia’s jurisdiction over pipelines landing in Australia from the joint development zone. All of this perhaps suggested that conditions were not exactly propitious for any efforts by the Commission to (LOSC, Annex V, Article 6) “make proposals ... with a view to reaching an amicable settlement.”

Part IV of the Report describes the Commission’s mandate and [rules of procedure](#). In this part of the report the Commission chose to emphasise the importance of certain provisions in its rules which allowed [57] it to meet with each Party separately and also allowed the chair or a delegation of the Commission to confer with either Party on behalf of the Commission. The Commission felt [58] that this facilitated continued engagement through different media and also facilitated discussions with the political leadership of each Party. The Commission also commented on the 12 month reporting deadline prescribed by Article 8 of Annex V. The

Commission had already established in its decision on competence that in a case where a Party contested the competence of the Commission, the 12 months did not begun to run until the Commission had resolved that issue. In this Report the Commission noted that the Parties had agreed to extend its tenure [146] but also observed that the Parties would not have been able to reach an agreement on delimitation had the 12 month reporting deadline been observed. More generally, the Commission offered that; [68]

... the 12-month period set out in Annex V should be understood not as the timeframe in which a successful conciliation can likely be concluded, but rather as a safeguard to ensure that an unproductive conciliation is not unduly prolonged. Therefore, notwithstanding the salutary effect of deadlines to focus parties' consideration of acceptable outcomes, parties to a conciliation that appears to be making progress should anticipate that at least some extension by agreement beyond the 12-month period may likely be necessary.

Later in its Report, and in the context of the extension of its tenure [146 and 184], the Commission inferentially emphasised that the principal task of a Commission is to facilitate the Parties in reaching an agreement; the duty to prepare a report should not be allowed to detract from the primacy of that task.

The Commission also chose to comment on the question of the extent to which it should engage with the Parties on questions of international law. The Commission was clear that in the context of a conciliation under Article 298(1) of the LOSC with respect to delimiting maritime boundaries under Articles 74 and 83 and with a duty to file a report (Annex V, Article 7) with its “conclusions on all questions of fact or law” it cannot [69] “be inappropriate for a conciliation commission to engage with the parties’ legal views regarding the delimitation of maritime boundaries.” However, the role of a conciliation commission also requires some modesty or diffidence on these matters. It should not [70] “pronounce for its own sake on questions of international law” but rather should engage on questions of law only “to the extent that so doing will likely facilitate the achievement of an amicable settlement.”

Part V offers the Commission’s detailed description (pp. 28 – 63) of the course of the conciliation proceedings. **Part VII** contains the Commission’s Reflections on the Proceedings, and accordingly it seems useful to deal with these two parts of the Report together. What follows is necessarily selective. These two Parts merit reading carefully and their entirety. This summary does not do justice to the Commission’s careful and insightful account.

A key early step for the Commission was to build trust between the Parties and to create an environment in which it was possible to compromise, especially following the [287] “unavoidably adversarial character” of the competence proceedings. In order to do this the Commission sought to understand not just the legal positions of the parties but also [90 and 290] their interest and objectives in relation to maritime boundaries. The Commission also proposed that the Parties adopt certain confidence building measures. These included [95] the termination of CMATs, the termination of the two outstanding arbitral proceedings, and the withdrawal of an ongoing oil and gas offering by Australia within an area claimed by Timor-Leste. In doing so [288] “The Commission sought to mark a clear break from the competence proceedings by

meeting with the Parties principally bilaterally, away from The Hague, and in as informal a setting as possible.” In Part VII the Commission emphasised [289] that:

While remaining balanced and closely aligned in both timing and substance, the various steps were not strictly reciprocal, tit-for-tat concessions. They envisaged independent actions which sought to demonstrate to the other Party a genuine commitment to the success of the conciliation process. Inasmuch as the Rules of Procedure sought to enable the Parties to engage without prejudice to their respective legal positions, the Commission’s confidence-building measures required the opposite: i.e., that the Parties abandon certain stances which constituted an obstacle to moving forward with the conciliation and were intended to preserve leverage against the other for the possibility that the conciliation might fail to produce an agreed outcome. The Parties were thus required each to demonstrate through independent measures a sincere and substantial commitment to a successful conciliation.

The Parties agreed in large measure with these proposals and ultimately, along with the Commission, issued a Trilateral Joint Statement on 9 January 2017 published on the website of the Permanent Court of Arbitration [here](#) and as [Appendix 16](#) to this Report. Importantly, the Joint Statement included the shared understanding of both Parties with respect to the legal implications of the termination of CMATs for the ongoing operation of the Timor Sea Treaty. This was significant since it provided a measure of comfort to commercial operators within the disputed area. The Joint Statement also contained [103] the mutual commitments of the Parties “to negotiate permanent maritime boundaries under the auspices of the Commission ...”.

By March 2017 the Commission felt that it understood the position of each Party but reasoned [119] that “further engagement in this respect was likely to further entrench their positions on issues where the two Parties were diametrically opposed and already strongly committed.” Accordingly, the Commission sought instead [119] to move the Parties “away from seeking to reinforce their legal positions and towards a search for a potential settlement.” The Commission did this by providing the Parties with a Commission Non-Paper ([reproduced at Annex 19](#)). In doing so [293] the Commission understood that its Non-Paper “was likely to encounter strong resistance” but still it reflected that “a change in dynamic to a problem solving approach was vital to obtaining the necessary flexibility from the Parties over the course of the various sessions that followed, so as to create a platform for creative thinking and eventually generate the space for mutually acceptable outcomes.”

The Commission, in the form of its chair, followed up the Non-Paper with informal consultations (April and May 2017) at the political level. Further measures during June and July involved each of the Parties providing the Commission on a confidential basis with a series of non-papers dealing with issues that included [139] + [140]: (a) elements of a Greater Sunrise special regime, (b) the development plan for Greater Sunrise and its relationship to a comprehensive agreement, (c) the location of the eastern seabed boundary, (d) the status of the area within a special regime, legal durability, and political sustainability, and (e) elements to be considered with respect to revenue from Greater Sunrise.

At this time (July 2017) [144] the Parties also authorized the Commission to approach the Greater Sunrise Joint Venture (JV) to ask it to provide the governments and the Commission with a comparative analysis of tying in the development to each of Darwin and Timor-Leste. This appeared to be the beginning of the Parties authorizing an expansion of the jurisdiction of the Commission as it strove to understand the real interests and motivation of the Parties as well as what might be technically and economically feasible.

Subsequent meetings at the political level [147] – [153] with each of the Parties during July seem to have been instrumental in moving things forward and ultimately allowed the Parties to agree to a Comprehensive Package at the end of August 2017 as well as an Action Plan for engagement with the Joint Venture. The agreement of August 30 is included as [Annex 21](#) to the Report. The Comprehensive Package comprises a “heads of agreement” text accompanied by two Annexes. The first is a map, the second, Annex B, is “An approach to the Greater Sunrise Development Concept”. Annex B provided a road map for the Parties to engage “with a view to a timely and informed decision on the development concept for Greater Sunrise.” It defined the scope of the development concept, the criteria for assessing proposals to address the concept as well as an accompanying “Action Plan”. The Annex also contained what was subsequently referred to [202] as the “fall-back” provision. This was a provision in the Action Plan to the effect that “If the Parties are unable to agree to the Development Concept in accordance with the Criteria ahead of 15 December 2017, the Commission shall engage with the Parties with a view to facilitating agreement on the Development Concept by no later than 1 February 2018.”

The heads of agreement of the Comprehensive Package served as the basis for the preparation of a Consolidated Draft Treaty prepared by the Parties by 25 September which led in turn [183] to an initialled text on October 13. The fall-back provision was, as described below, eventually triggered when the Parties proved unable to agree on a development plan. The difficulties in reaching agreement became evident to the Commission by the time of an October meeting between the Commission and the Parties. That meeting revealed a significant difference between the Parties with respect to the development of Greater Sunrise and hence therefore with respect to a timetable for signing a final treaty.

November 2017 saw significant engagement between the Parties and the Sunrise JV with respect to the Darwin and Timor LNG options. The Commission was not involved [192] in these initial trilateral meetings but did meet separately with the Parties and then with the JV [195] as part of a stock-taking session on 18 November 2018.

The Parties continued to meet trilaterally with the JV during December on the development concept for Greater Sunrise. By mid-December when it became clear that the Parties had been unable to agree on the development plan for Greater Sunrise the Parties [202] triggered the fall-back provision and agreed that “the Commission should engage directly with the Parties and the Joint Venture ‘with a view to facilitating agreement on the Development Concept.’” To that end, the Commission adopted a Supplemental Action Plan ([Annex 26](#)) pursuant to which the Commission would retain an independent expert to advise it and the Parties on the Development Concept with a view [202] to having the Parties reach a decision on a development concept by 1 March 2018. The Terms of Reference for the expert were as follows:

3.1. The Expert shall assist the Conciliation Commission in relation to its consideration of the information provided by the Governments of Timor-Leste and Australia and the Joint Venture regarding the development of the Sunrise and Troubadour gas fields (“Greater Sunrise”) and, in particular, in:

3.1.1. examining and analysing the data and materials relating to the development concept for Greater Sunrise;

3.1.2. assessing whether the informational basis exists to evaluate and compare the Darwin-LNG and Timor-LNG concepts in accordance with international best oilfield practice and the agreed development concept decision criteria;

3.1.3. identifying any gaps in the available information necessary for the comparison of the Darwin-LNG and Timor-LNG concepts and for an informed high-level decision between concepts in accordance with international best oilfield practice and the agreed development concept decision criteria;

3.1.4. assessing the comparative economics and economic viability of the Darwin LNG and Timor-LNG concepts and the economic implications of each concept for Australia, Timor-Leste, the Joint Venture, and any other relevant actors;

3.1.5. assessing the suitability for investment of the Darwin-LNG and Timor-LNG concepts in accordance with international best oilfield practice and the agreed development concept decision criteria;

3.1.6. consideration of any such other matters as the Commission or Expert may determine to be relevant during the course of the reference.

Ultimately however, and despite continuing consultations by the Commission with both Parties and with the JV, Timor-Leste informed the Commission on 28 February 2018 [217] that it was not in a position to take a decision on the development concept for Greater Sunrise but wished to continue discussions with Australia on the issue. Nevertheless, both Parties informed the Commission on 6 March 2018 that they were willing to proceed with the signature of the [Treaty on Maritime Boundaries](#). The Treaty was indeed signed on that same day at the United Nations in New York: for Australia by The Honourable Julie Bishop MP, Minister for Foreign Affairs, and for Timor-Leste by H.E. Hermenegildo Augusto Cabral Pereira, Minister in the Office of the Prime Minister for the Delimitation of Borders and the Agent in the Conciliation. The signing of the Treaty was witnessed by the Secretary-General of the United Nations H.E. António Manuel de Oliveira Guterres and by the Chairman, in the presence of the other members of the Conciliation Commission. The coincidence of this timing suggests that, notwithstanding all the planning that must have gone into organizing the signing ceremony, there must have been doubts until the last moment that the Parties would proceed to take this next step.

The Treaty itself is properly the subject of another post or a more extended comment. Suffice it to say for present purposes that the Treaty will (Article 13) “enter into force on the day on which Timor-Leste and Australia have notified each other in writing through diplomatic channels that

their respective requirements for entry into force of this Treaty have been fulfilled.” Annex B to the Treaty is the Greater Sunrise Special Regime. Article 2 of this Annex addresses revenue sharing between the two Parties on the alternative premises that petroleum is landed in either Australia or in Timor-Leste:

The Parties shall share upstream revenue, meaning revenue derived directly from the upstream exploitation of Petroleum produced in the Greater Sunrise Fields:

- (a) in the ratio of 70 per cent to Timor-Leste and 30 per cent to Australia in the event that the Greater Sunrise Fields are developed by means of a Pipeline to Timor-Leste; or
- (b) in the ratio of 80 per cent to Timor-Leste and 20 per cent to Australia in the event that the Greater Sunrise Fields are developed by means of a Pipeline to Australia.

Thus, while there is no agreement on the selection of a development concept for Greater Sunrise there is agreement on the governance regime and the revenue sharing regime for Greater Sunrise. In **Part VI** of the Report the Commission identifies [220] what seemed to it to be the principal issues separating the Parties and the steps taken by the Commission to facilitate an amicable settlement. The first issue, not surprisingly, related to delimitation matters. I have covered much of this ground above but there is considerable useful detail in this section of the Report. Perhaps particularly useful are the points that the Commission emphasized with respect to the location of the eastern seabed boundary in the vicinity of the Greater Sunrise field (see map at the end of the post). The Commission emphasized five main points [240]:

- (a) that it was not convinced either Party’s opening legal position was entirely correct;
- (b) that Timor-Leste’s maritime entitlements could not be constrained by the boundaries of the JPDA or the 1972 Seabed Treaty boundary between Australia and Indonesia;
- (c) that the Commission considered that there were relevant circumstances that would require the median line to be adjusted to achieve an equitable result;
- (d) that the Commission would not exclude that an adjustment of the eastern portion of the median line could lead to a seabed boundary running through Greater Sunrise; and
- (e) that the Commission did not see that such a seabed boundary dividing Greater Sunrise would be inequitable or inconsistent with the Convention.

The second issue set related to the Commission’s engagement on resource governance and revenue issues with respect to Greater Sunrise. The principal matter dividing the Parties here

related to the choice of pipeline proposals. Should the project make use of existing infrastructure and send production to Darwin; or should the JV build a new pipeline to Timor-Leste and construct a new LNG facility? Timor-Leste took the position that the JV had never fully considered the Timor-Leste option. Australia for its part claimed to be neutral as to the choice of route and [244] “would ordinarily approve a commercially viable development concept proposed by a licence holder”. That said, on the information available, the Timor-Leste option was likely not in Australia’s view commercially viable. Tied up with Timor-Leste’s concern was the argument that significantly greater economic benefits would accrue to the jurisdiction that hosted the terminus and LNG facilities. In order to address these differences and concerns the Commission took a number of steps including the preparation of a non-paper that identified where the Parties had common ground.

The third issue set (overlapping substantially with the second issue set) was the Commission’s engagement on the Development of Greater Sunrise. The Commission emphasised [268] that at the outset of the conciliation, facilitating agreement on the Greater Sunrise Development was not within its remit. It came within its jurisdiction as a result of the fall-back clause within the 30 August agreement as noted above. Once that had been triggered the Commission described its objective as follows [277]:

- (a) The Commission sought to build up understanding of both the Darwin LNG and Timor LNG concepts, engaging with the Joint Venture and Timor-Leste, respectively, regarding areas in which the Commission considered that their respective concepts could be further developed. In the case of Darwin LNG, the Commission sought more concrete detail on local content that would meaningfully contribute to the economic development of Timor-Leste. In the case of Timor LNG, the Commission sought clarification on the financing and operation of the project.
- (b) The Commission sought to encourage both Timor-Leste and the Joint Venture to step away from their preferred concept and to consider what it would take to make the other approach viable and attractive. At the Commission’s request, both Timor-Leste and the Joint Venture provided the Commission with details in this respect.
- (c) The Commission sought to facilitate agreement on certain issues relating to the development of Greater Sunrise that would need to be determined irrespective of the development concept chosen. This concerned in particular the fiscal regime that would apply to the Greater Sunrise project and how the application of the Parties’ taxation laws would provide the Joint Venture with “conditions equivalent”, as required by Article 22 of the Timor Sea Treaty and Article 27 of the Unitisation Agreement.
- (d) The Commission sought to reach agreement on a framework agreement to provide all parties with the necessary certainty to move forward with the project once the development concept was chosen. Both governments as well as the Joint

Venture provided the Commission with their proposed drafts for a potential agreement.

(e) The Commission sought to ensure that its expert had all of the technical and economic information necessary for him to undertake a comparative analysis of the two development concepts.

To that end, the Commission engaged an independent expert to evaluate the options as noted above. It ultimately provided the Parties [280] with a paper on the comparative benefits of the two concepts and a condensed comparative economic analysis of the two development concepts as well as draft framework agreements covering three scenarios: (a) for a decision on a Timor LNG concept; (b) for a decision on a Darwin LNG concept with operations from Timor-Leste; and (c) for the event that no decision is taken. The first two papers are attached as [Annex 27](#). The framework agreements remain confidential.

As noted above, the Parties were unable to reach agreement on the development concept by 6 March 2018 when the Treaty was signed and the Commission ceased its active engagement with the Parties and turned its attention to finalizing this Report.

Part VII of the Report provides the Commission's reflections on the proceedings. I have already integrated much of this in the discussion of Part V of the Report (above). This part does contain some interesting reflections on the value of conciliation as opposed to adjudication. Thus, the Commission reflects that [286] conciliation helps the Parties meet each other's essential interest rather than selecting a winner. Furthermore, conciliation [292] affords a Commission "the ability to calibrate the proceedings to address the elements necessary for an amicable settlement, even where those extend beyond purely legal considerations, is a hallmark advantage of conciliation as compared to adjudication."

What stands out?

I will conclude with some brief observations as to what stood out for me in this account of the Commission's activities:

- The engagement by the Commission with the Parties was extensive and intensive.
- The Commission engaged with the negotiating teams appointed by the Parties but also at the most senior political levels.
- The engagement took many different forms: formal and informal meetings both with the Parties individually and collectively, emails, and correspondence. The Commission itself even references the importance of informal social gatherings and [295] late night conversations with members of the delegations.
- In addition to these different forms of engagement, the Commission adopted a number of different techniques to facilitate an amicable settlement including; meeting with each Party separately; Commission non-papers as well as Party non-papers; "shuttle" diplomacy by the Chair and in some instances one member of the Commission (Judge

Koroma)); independent experts retained by the Commission to provide advice to the Commission and to the Parties on the assessment of different development options.

- The Commission took deliberate steps to change the terms of the debate between the Parties and to try to make a clean break with their past engagements. I think that it is really remarkable how quickly the Commission was able to move the Parties from the adversarial legalistic context of the Competence proceedings concluding with the Commission's decision in September 2016 to a more positive engagement resulting in the adoption of the Trilateral Joint Statement on 9 January 2017.
- The Report emphasises throughout concerns for third party interests, particularly those of the Greater Sunrise JV but also the operators of other fields within the disputed area. I have not dwelt on those other issues, but they are reflected in the Report and also in the Treaty (see Annex D, Transitional Provisions). Clearly the Parties themselves must have shared a common concern to assure investors that they would be treated fairly in any treaty arrangement. But these concerns had implications for the Commission itself. Initially this expressed itself in the form of the Commission's need for information in order for it to discharge its responsibilities as between the Parties, but it later extended beyond this as the Parties expanded the jurisdiction of the Commission both temporally and in terms of scope. Within a broader context the Commission's Report also reflects the complexity of the interactions between States as subjects of international law and private entities relying on authorizations issued under domestic law. In the end the Commission was not able to broker a deal on an agreed development plan for Greater Sunrise but one can only assume that the Parties now have a better sense of each other's interests and the costs and benefits associated with the two development proposals.

Finally, in examining the outcome here it is useful to compare an adjudicative approach with the conciliation approach. In an adjudicative setting the only issue that might have been submitted to the adjudicator would have been the interpretation and application of Articles 74 and 83 of the LOSC. The prescription of a joint development zone hardly lends itself to adjudication: it is more like interest-based arbitration. While Timor-Leste's original submission to Conciliation was also similarly and necessarily so confined (although Timor-Leste's Submission – Annex 3 to the Report - does indicate that Timor-Leste “is also prepared to agree upon and establish appropriate transitional arrangements ...”), conciliation is considerably more flexible in its approach than adjudication and does permit the Commission (with the consent of the Parties) to assume jurisdiction in the course of the proceedings over additional matters as a way of securing an overall agreement. In this particular case, the Commission formed a view relatively early in the proceedings (and certainly by the time of its non-paper of 31 March 2017) that, in order to get a “comprehensive agreement” between the Parties it would be necessary to address arrangements for the development of the Sunrise and Troubadour Fields. This proved to be essential in breaking the deadlock between the Parties.

Note: The title to this post draws on the remarks delivered by HE Ambassador Taksøe-Jensen, the Chair of the Conciliation Commission on the occasion of the signing of the Timor-Leste Maritime Boundaries Treaty, March 6, 2018 in New York: see pp. 49 – 50 of the [PCA's Release of March 6, 2018](#).

Thanks to Don Rothwell and Linda Finska for comments on draft of this post.

This post originally appeared on [The JCLOS Blog](#).

To subscribe to ABlawg by email or RSS feed, please go to <http://ablawg.ca>

Follow us on Twitter [@ABlawg](#)

