

Annex 13:
Joint letter from the Parties to the Commission of 21 October 2016

Mr Garth Schofield
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21 October 2016

By email: gschofield@pca-cpa.org

Dear Sir,

PCA Case No. 2016-10 – Conciliation between The Democratic Republic of Timor-Leste and the Commonwealth of Australia

We refer to the Commission's Proposal on Confidence-Building Measures provided to the Parties following the conclusion of the recent *ex parte* meetings held in Singapore from 10-13 October 2016.

In accordance with the Commission's Proposal, please find attached correspondence from the Parties to the respective Arbitral Tribunals in the *Timor Sea Treaty Arbitration* and the *Article 8(b) Arbitration*, requesting the suspension of those proceedings from 21 October 2016 until 20 January 2016.

The Parties would be grateful if you would communicate this letter and the attached correspondence to the Commission.

Yours faithfully,



Ms Elizabeth Exposto
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21 October 2016

By email: gschofield@pca-cpa.org

Dear Sir,

PCA Case No. 2013-16 – Arbitration under the Timor Sea Treaty – Timor-Leste v Australia

We are under joint instructions to notify the Tribunal that the Parties have decided to suspend these proceedings from today's date until 20 January 2017. This suspension implements one important element of recent proposals put forward by the Commission in the conciliation proceedings initiated under Article 298 and Annex V of the *UN Convention on the Law of the Sea*.

During the period of suspension, neither Party will make any submission or application to the Tribunal or seek orders from the Tribunal designed to advance these proceedings.

The Parties also wish to place on record that the above suspension is without prejudice to the position of either of them in respect of the dispute underlying the arbitration or in respect of their procedural or substantive rights when the period of suspension comes to an end.

The Parties would be grateful if you would communicate this letter to the Tribunal.

Yours faithfully,



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21 October 2016

By email: gschofield@pca-cpa.org

Dear Sir,

PCA Case No. 2015-42 – Arbitration under the Timor Sea Treaty – Timor-Leste v Australia

We are writing to notify the Tribunal in the abovementioned proceedings that the Parties have decided to suspend these proceedings as of 21 October 2016 until 20 January 2017. This suspension implements one important element of the proposals put forward by the Commission in the conciliation proceedings initiated under Article 298 and Annex V of the *UN Convention on the Law of the Sea*.

We note that in accordance with the Parties correspondence to the Tribunal of 23 September 2016, Australia submitted its Application for the Production of Documents from the ConocoPhillips Arbitration on 14 October 2016. Timor-Leste is due to submit its response on 28 October 2016. Given, however, that this agreed suspension is effective as of 21 October 2016, Timor-Leste now has insufficient time to complete its responsive submission. Accordingly, the Parties agree that Timor-Leste will make its responsive submission within seven days of the lifting of the suspension.

During the period of suspension, neither Party will make any submission or application to the Tribunal or seek orders from the Tribunal, nor engage in any action designed to advance these proceedings.

The Parties would be grateful if you would communicate this letter to the Tribunal.

Yours faithfully,



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