

**IN THE MATTER OF THE ARBITRATION UNDER
THE TIMOR SEA TREATY OF 20 MAY 2002**

- between -

THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE

- and -

THE COMMONWEALTH OF AUSTRALIA

PROCEDURAL ORDER N° 4

(Adjournment of Hearing Dates)

ARBITRAL TRIBUNAL:

**Professor Tullio Treves (Chairman)
Professor W. Michael Reisman
Lord Collins of Mapesbury PC, FBA**

REGISTRY:

The Permanent Court of Arbitration

3 September 2014

WHEREAS on 23 April 2013, the Republic of Timor-Leste (“**Timor-Leste**”) initiated these proceedings by way of a Notice of Arbitration served upon the Commonwealth of Australia (“**Australia**”) pursuant to the Timor Sea Treaty between the Government of East Timor and the Government of Australia of 20 May 2002;

WHEREAS on 5 December 2013, the Arbitral Tribunal held a procedural meeting with the Parties at the Peace Palace in The Hague, the Netherlands;

WHEREAS on 6 December 2013, the Arbitral Tribunal issued Procedural Order N° 1, adopting the Rules of Procedure for these proceedings and reserving dates from the afternoon of 27 September through 2 October 2014 for a hearing;

WHEREAS on 31 January 2014, Australia applied for an Order Disallowing the Giving of Potential Evidence by one of Timor-Leste’s witnesses (“**Witness K**”), and on 29 March 2014, the Tribunal held a hearing in London, United Kingdom in respect of Australia’s application;

WHEREAS on 18 April 2014, the Tribunal issued Procedural Order N° 3, provisionally admitting the evidence of Witness K, deferring the final disposition of Australia’s application until the Tribunal’s final award, and noting that “the Tribunal expects both Parties to facilitate as necessary the appearance of Witness K at the hearing in September”;

WHEREAS on 1 September 2014, the Parties wrote jointly to the Arbitral Tribunal as follows:

We write to notify the PCA and the Tribunal that the Parties have agreed to request the Tribunal to adjourn the hearing set for 27 September 2014, in order to enable the Parties to pursue negotiations on a procedure leading towards an amicable settlement of the case.

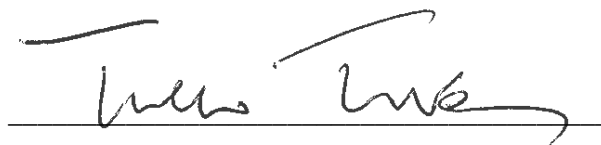
The adjournment would be without prejudice to the right of either party to reapply for a rescheduling of the hearing at a future date.

THE ARBITRAL TRIBUNAL HEREBY ISSUES THE FOLLOWING PROCEDURAL ORDER:

1. The hearing scheduled to take place from 27 September through 2 October 2014 is adjourned *sine die*, without prejudice to the right of either Party to apply for the rescheduling of the hearing at a future date.
2. The Parties are requested to inform the Tribunal in due course regarding the disposition of these proceedings.

Dated: 3 September 2014

ON BEHALF OF THE ARBITRAL TRIBUNAL



Professor Tullio Treves
Chairman