

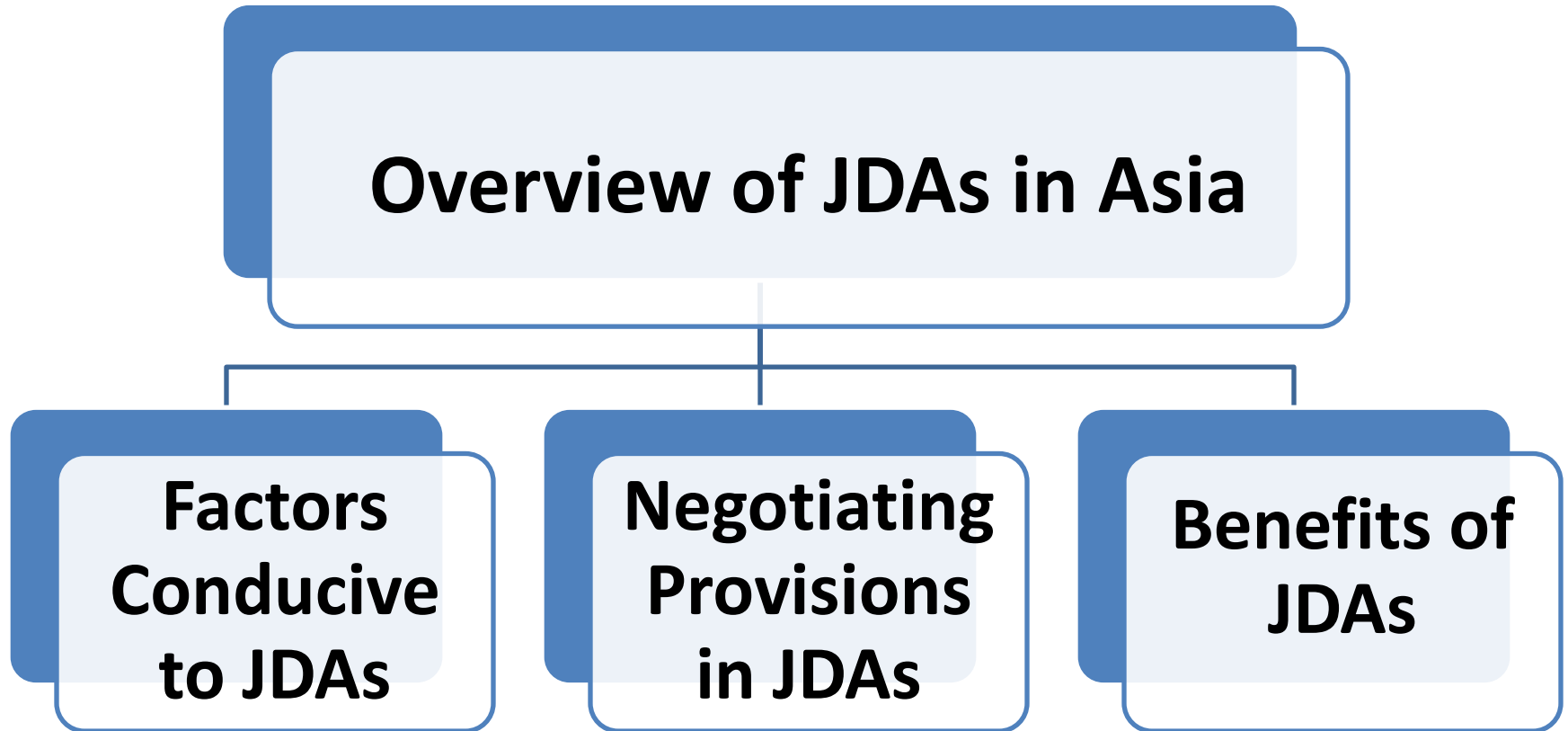
# Joint Development in Asia: Some Valuable Lessons Learned

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Tara Davenport,  
Research Associate,  
Centre for International Law, NUS

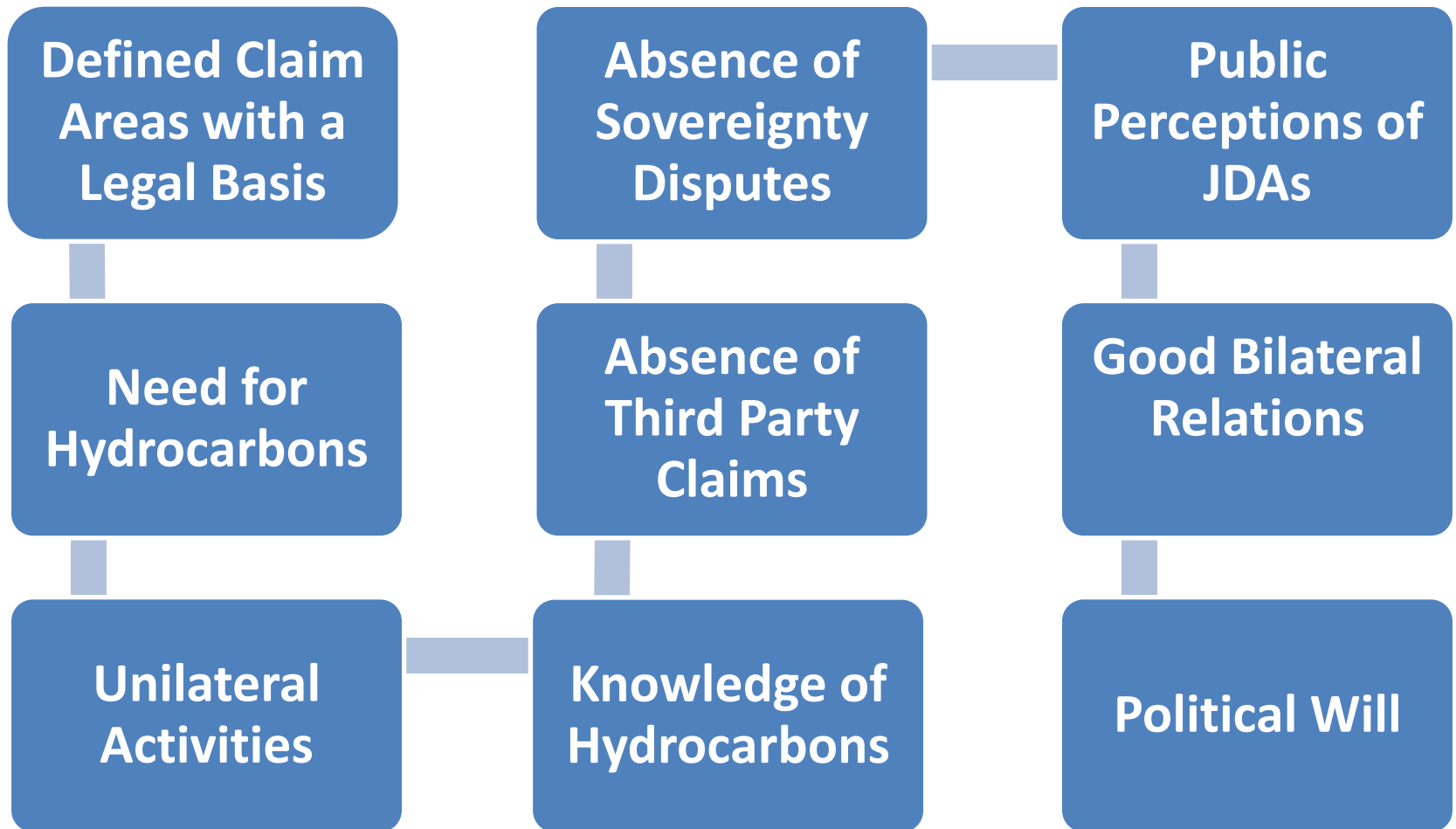


# Overview of Presentation



No.	JDAs in Asia:	Constitutive Agreement (s):
1.	<b>1979/1990 Malaysia-Thailand JDA</b>	<p><i>1979 MOU between Malaysia and Thailand on the Establishment of a Joint Authority for the Exploitation of the Resources of the Sea-Bed in a Defined Area</i></p> <p><i>1990 Agreement between the Government of Malaysia and the Government of the Kingdom of Thailand and Other Matters relating to the Establishment of the Malaysia-Thailand Joint Authority</i></p>
2.	<b>1982 Cambodia-Vietnam JDA</b>	<i>1982 Agreement on Historic Waters of Vietnam and Kampuchea</i>
3.	<b>1992 Malaysia-Vietnam JDA</b>	<i>1992 MOU between Malaysia and the Socialist Republic of Vietnam for the Exploration and Exploitation of Petroleum in a Defined Area of the Continental Shelf involving the Two Countries</i>
4.	<b>1999 Malaysia-Thailand-Vietnam JDA</b>	
5.	<b>2001 Cambodia-Thailand JDA</b>	<i>2001 MOU on the Area of Overlapping Maritime Claims to the Continental Shelf</i>
6.	<b>2009 Malaysia-Brunei JDA</b>	<i>2009 Exchange of Letters between Malaysia and Brunei dated 16 March 2009</i>
7.	<b>1974 Japan-South Korea JDA</b>	<i>1974 Agreement Concerning Joint Development of the Southern Part of the Continental Shelf adjacent to the Two Countries</i>
8.	<b>2008 China-Japan JDA</b>	<i>2008 Principled Consensus on the East China Sea Issue</i>
9.	<b>1989 Australia-Indonesia JDA</b>	<i>1989 Treaty between Australia and Indonesia on the Zone of Cooperation in the Area between the Indonesian Province of East Timor and Northern Australia</i>
10.	<b>2002 Australia-East Timor JDA</b>	<p><i>2002 Timor Sea Treaty between the Government of East Timor and the Government of Australia</i></p> <p><i>2003 Agreement between the Government of Australia and the Government of the Democratic Republic of Timor-Leste Relating to the Unitization of the Sunrise and Troubadour Fields</i></p> <p><i>2006 Treaty between Australia and the Democratic Republic of Timor-Leste on Certain Maritime Arrangements in the Timor Sea</i></p>

# Factors Conducive to JDAs



# Negotiating Provisions in JDAs

## Form and Content of JDA:

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- In Principle JDA vs. More Detailed JDAs?

## Joint Development Zone:

- Whole of Overlapping Claim vs. Part of Overlapping Claim?

## Institutional Arrangements:

- Supranational Joint Authority vs. More Flexible Arrangements ?

## Revenue-Sharing:

- Equal vs. Unequal Sharing of Revenue?

## Downstream Activities:

- To include in JDA or not?

# Benefits of JDAs

## Economic

Technical and Capacity Assistance for Hydrocarbon Development

Secure Investment Framework

Successful Exploration and/or Exploitation of Hydrocarbon Resources

## Political/Security

Conflict Prevention

Fostering of Good Relations

Cooperation in Other Areas

# Some General Conclusions

1. States have been able to overcome serious obstacles including seemingly intractable jurisdictional disputes to agree on a functional regime of co-operation
2. The JDAs in the majority of cases have been successful in the exploration and exploitation of oil and in easing tension between the relevant parties
3. However, joint development should not be seen as a panacea to all problems associated with overlapping maritime claims and much effort needs to be spent in ensuring their continuity and sustainability