

## After talks stall, a call to push on Timor spill

Talks between Indonesia and foreign company over an oil spill in the Timor Sea are at an impasse. Environmental activists say the government must take radical action to get compensation for damages. Activists agreed that Indonesia could take legal action against Thai-based oil rig operator PTTEP.

Rhino Subagyo, executive director of the Indonesian Center for Environmental Law (ICEL), and Riza Damanik, the secretary-general of the People's Coalition for Equal Fisheries (Kiara) said that the government should make alternative plans if it wanted get reparations.

"There must be radical measures taken, otherwise the negotiations will only be a waste of time," Rhino told The Jakarta Post on Wednesday. Rhino said that the government should not confine negotiations to PTTEP, saying it was crucial to ask the Australian government to pressure the company for a favorable settlement. PTTEP operated under Australian law during the spill. Rhino said that President Susilo Bambang Yudhoyono could take a page from US President Barack Obama's book in responding to BP's oil spill in the Gulf of Mexico and use diplomacy to reach out to Australian Prime Minister Julia Girard.

The government needed to set a deadline to resolve the case and ask the Australian government to step up pressure and jump start the talks, he said. Negotiators from Indonesia and PTTEP met for a fifth time last week in Singapore without concrete results: PTTEP agreed to pay the Indonesian government's survey and travel expenses.

"PTTEP still needs to conduct surveys to verify data in the field based on the claims from Indonesia," Indonesian negotiator Masnellyarti Hilman told the Post.

The survey was expected to be held in the first week of February. "We want the result of this survey to be discussed in late February," she said. Before the last set of talks, Indonesia was optimistic on reaching an interim agreement that would have provided for an initial compensation payment to help fishermen in the Timor Sea affected by the spill.

Indonesia proposed a US\$100 million initial compensation payment, as previously reported. Transportation Minister Freddy Numberi earlier said that Indonesia claimed financial losses of Rp 22 trillion (US\$2.44 billion) due to the spill. PTTEP said Indonesia's claims were not supported by strong scientific data. PTTEP Australasia's oil platform in the Montara field off Australia's north coast exploded in August 2009. Negotiations on reparations began in July 2010.

Riza said that Kiara had repeatedly proposed three scenarios to the government on negotiations. "The three [options] are legal actions against PTTEP and Australian government as well as imposing administrative sanctions on PTTEP," he said. Australia was a party to the UN Convention on the Law of the Sea and was negligent in not acting against the polluting company, he said.

On sanctions, Riza said the government needed to review the concessions given to PTTEP to operate in Indonesian territory.

"The negotiations are proceeding to slowly as if they're buying time. The longer the delays are, the greater the chance that the ecological footprint of oil spill will disappear," he said.