



INDONESIA-TIMOR LESTE BORDER ISSUES IN NUSA TENGGARA TIMUR PROVINCE

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Abstract

This paper aims to look at various strategic issues which are problems that exist in the Indonesia-Timor Leste border region in East Nusa Tenggara Province, both in the determination and affirmation of border areas, as well as economic, natural resource and environmental issues, conditions infrastructure, and population, social and cultural conditions. This paper uses qualitative methods, through documentation and literature tracing, with the primary source of National Border Management Regulation No. 1/2011 on the Design of State Border Management No. 1/2015 on the 2015-2019 State Border Management Master Plan. Strategic issues in managing border areas are mainly in the aspects of setting and affirming national boundaries and perspectives of enhancing defense and security and law enforcement. While the strategic issues concerning the land border area of Indonesia-Timor Leste in the Province of East Nusa Tenggara mainly regard economic conditions, natural resources and the environment, infrastructure conditions, and population, social and cultural conditions.

Keywords: Border Area, Land Border, East Nusa Tenggara, Timor Leste

1. Introduction

The Unitary State of the Republic of Indonesia, as an archipelago nation characterized by the archipelago, has sovereignty over its territory. It has sovereign rights outside its sovereign territory and certain other authorities to be managed and utilized as much as possible for the welfare and prosperity of the Indonesian people as mandated in the Republic of Indonesia Constitution. Indonesia in 1945. In Article 25A of the 1945 Constitution, it has also been stressed that "the Unitary State of the Republic of Indonesia is an archipelagic country characterized by the archipelago with territories whose rights and rights are determined by law." Further regulation on the territory of the country which includes land area, inland waters, archipelagic waters, and territorial sea along with the seabed, and the land beneath it, and the air space above it, including all sources of wealth contained therein, has been affirmed in Law Number 43 2008 concerning State Territory. (BNPP, 2011a)

Indonesia, as an archipelago with thousands of islands spread over vast territorial waters and a long coastline, illustrates that two-thirds of Indonesia's territory is sea, with all the consequences and implications for managing the country's borders. Clear implications of this condition, there are only three land borders, and the rest is sea borders. The land area, Indonesia, is directly bordered by three countries, namely Malaysia, Papua New Guinea, and Timor Leste, with the overall land borderline being 2914.1 km. While Indonesia's sea area is bordered by ten countries, namely: Malaysia, Singapore, the Philippines, India, Vietnam, Thailand, the Republic of Palau, Australia, Timor Leste, and Papua New Guinea. (BNPP, 2011a)

Border management in Indonesia, until now, is still confronted with several strategic issues with a variety of prominent problems in it, namely: management of State borders and development of border areas. The State Border Area is a region that geographically borders directly with neighboring countries, on land, at sea, and in the air, the boundaries of which are determined by

the functions of national defense and security, economic growth, and community welfare, and environmental preservation. (NTT Provincial Government)

The current condition of the border regions, in general, has not received proportional attention. The lack can see this of available infrastructure in the border region. This has caused many problems, such as changes in territorial boundaries, smuggling of goods and services, and transnational crimes. The general economic conditions in the border region include a relatively isolated (remote) location with a low level of accessibility, low levels of education and public health, low levels of socioeconomic welfare of the border area communities (the number of poor and disadvantaged villages), and scarcity of information about government and community development in the border area. The potential of natural resources in the NTT border region is not too large. The condition of the community is generally poor with low welfare and living in disadvantaged and isolated areas. The main livelihood is dryland agriculture. (NTT Provincial Government)

The state border region in the Province of NTT covers the sub-district and district/city areas, which are geographically and demographically bordered by the countries of Timor Leste and Australia. These areas include the Regencies of Kupang, Alor, Belu and North Central Timor with Timor Leste, and the Rote Ndao District, which borders Australia. Land and sea transportation facilities and infrastructure to the East Timor border are good enough so that the access of both parties is relatively easy and fast. However, the completion and confirmation of several segments of the country's borders with neighboring countries has not yet been completed, often causing the emergence of problems related to boundary disputes that have the potential to threaten the sovereignty of the Republic of Indonesia. (NTT Provincial Government)

Based on the explanation above, this paper aims to look at various strategic issues which are the problems that exist in the Indonesia-Timor Leste border region in the Province of East Nusa Tenggara, both in the determination and affirmation of border areas, as well as economic, natural resource issues and the environment, infrastructure conditions, and population, social and cultural conditions.

2. Methodology

This paper uses a qualitative method, which looks at phenomena in the development of border regions. Data collection techniques used are reviewing several documents and literature and Focus Group Discussion (FGD). Data is obtained from various sources, such as the results of studies on borders and regulations. The main source of this paper is Regulation of the National Agency for Border Management (BNPP) No.1/2011 concerning the Great Design of the Management of State Border Areas and Border Areas in 2011-2014, No.2/2011 concerning the Master Plans for the Management of State Border Areas and Border Areas in 2011-2014, and No.1 / 2015 concerning the 2015-2019 State Border Management Master Plan.

3. Discussion

3.1 Strategic Issues Regarding the Management of the Indonesia-Timor Leste Land Boundary in the Nusa Tenggara Timur Province¹

Nusa Tenggara Timur Province (NTT) is an island province with a capital city in Kupang. The province has 566 islands with a land area of approximately 47,396 km² and seas of 200,000 km². The region is located between 8 ° -12 ° S and 118 ° -125 ° East. In the north, NTT province borders Maluku Province and Timor Leste; in the south, it borders the Indian Ocean and in the west with Nusa Tenggara Barat Province (NTB).

NTT Province's border with Timor Leste on land as a whole has a length of 268.8 km. Administratively, the land border area covers 4 (four) districts and is in 2 (two) sectors, including:

¹ Peraturan Badan Nasional Pengelola Perbatasan Nomor 1 Tahun 2015 tentang Rencana Induk Pengelolaan Perbatasan Negara Tahun 2015-2019.

- The eastern segment (Belu District which has been expanded to add one Regency, namely Malacca Regency, which is directly adjacent to Covalina District in Timor Leste) along 149.9 km from Mota Ain in the north to Mota Masin in the south,
- The western sector (Kupang Regency and North Central Timor (TTU) directly adjacent to the Oecussi District, which is an enclave) is 15.2 km and 114.9 km long.

The entire land borderlines in Belu, Malacca, TTU, and Kupang Regency are 268.8 Km. Boundary Determination and Settlement Conditions.

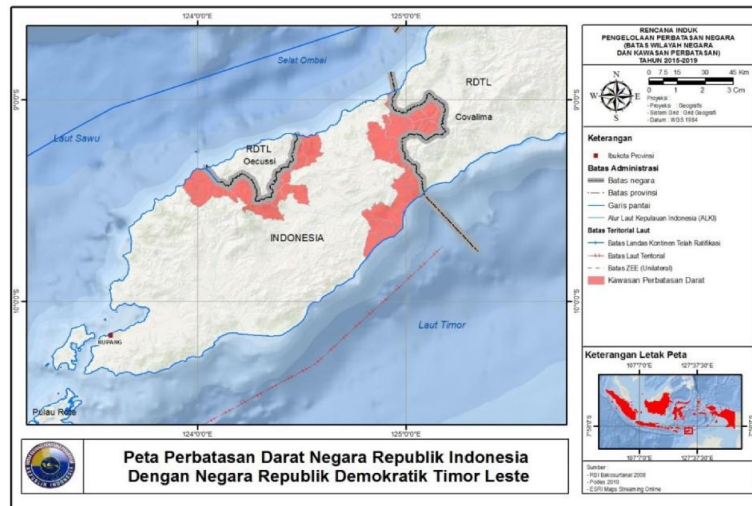


Figure 1. Map of the Indonesia-Timor Leste Land Border (BNPP, 2015)

Delimitation of the Indonesian border with Timor Leste on the island of Timor refers to the agreement between the Government of the Netherlands East Indies and the Portuguese in 1904 and the Permanent Court Award (PCA) 1914, and a temporary contract between Indonesia and Timor Leste on 8 April 2005. Border negotiations between Indonesia and Timor East Timor began in 2001 with the first meeting of the RI-UNTAET (United Nations Transitional Administration for East Timor) Technical Sub-Committee on Border Demarcation and Regulation (TSCBDR). The national boundary between Indonesia and Timor Leste totaling 907 coordinate points was established in the Provisional Agreement, which was signed by the Indonesian Foreign Minister and the Timor Leste Foreign Minister on 8 June 2005 in Dili. However, there are still unsolved and unresolved segments. They are surveyed by the Survey Team of the two countries. Specifically, the border in the One enclave, which is in accordance with the agreement between the Dutch colonial government and the Portuguese October 1, 1904 stairs regarding the border between Oune-Ambeno, has a length of 119.7 km starting from the mouth of Noel Besi to the mouth of the river (Thaleug).



Figure 2. Boundary Conditions at the RI-RDTL Border
Source: Results of Lokpri's Renduk Compilation Survey in BNPP (2015)

The following are strategic issues in managing the Indonesia-Timor Leste land boundary.

a. Conditions for the Designation and Confirmation of State Borders

To date, demarcation has been carried out in the form of the installation of 42 boundary pillars in the eastern sector and eight boundary pillars in the western area. Whereas the length of the completed line is delineated around 95% of the total length of the boundary. Also, CBDRF activities and joint mapping have been carried out along the boundary line. The problem of the Indonesia-Timor Leste boundary is that there is a mismatch between the agreements contained in the Legal Basis (Treaty 1904 and PCA 1914) with the reality on the ground and what is known by the surrounding community at this time.

Explanations made by Indonesians and East Timorese sometimes conflict with one another. Also, there are still groups of people who have different views. They traditionally have a "boundary" that is recognized for generations by tribes in two different countries, as stated in the two legal grounds mentioned above. On the other hand, there is no evidence to support the community's "claims," so negotiators cannot bring these "claims" to meetings between the two countries.

This problem is very much felt in the western sector, specifically the Manusasi region. The handling of the borders between Indonesia and Timor Leste has so far been handled by 2 (two) institutions, namely the Indonesia-RDTL Joint Border Committee (JBC) coordinated by the Ministry of Home Affairs, and the RI-RDTL Border Demarcation and Regulation Technical Sub-Commission which is organized by the Ministry of Defense and Bakosurtanal (now BIG).

The settlement process and boundary agreements with neighboring countries have not yet been completed in several segments. Some landline segments have not been fully agreed upon by countries bordering Indonesia. The problem that often arises at land borders is the removal of boundary stakes whose implications are causing economic and environmental losses for the country. But in general, the coordinates of land borders have generally been agreed upon. One example of a region where there is still no boundary agreement is the Indonesia-RDTL border. The main issues at the RI-Timor Leste land border are very crucial disputes covering 3 (three) points, namely in Noel Besi / Citrana (Kupang and District Oecusse Districts), Sunan-Oben / Manusasi Bijael (North Timor Tengah District and Oecusse District) and Delomil / Memo (Belu Regency and Bobonaro District).

The Bijael-Sunan / Manusasi dispute area covers an area of ± 142.7 Ha, due to differences in the perception of treaties / Treaty also due to adat issues. Before 1893 this area was controlled by the people of West Timor, but between 1893-1966 this area was controlled by the people of East Timor (Portuguese). In 1966, the boundary line along the Noel Miomafo River was shifted north following the mountain/hill peak (watershed) starting from the top of Sunan Bijael to northwest of Oben, which was marked by the Ampu Panalak pillar. Then the Noel Besi / Citrana dispute area, located in Kupang Regency, with an area of + 1,069 Ha, began with a land dispute. When East Timor joined the Unitary Republic of Indonesia, the Noel Besi / Citrana area was the border area of the Kupang Regency (NTT) and Ambeno Regency (Timor Leste region). This area is fed by the Noel Besi River, which empties into the Ombai Strait, where, since the Portuguese era, the river flowed to the left of the disputed area. Due to climate change throughout the year / natural changes, causing the river flow to shift to the right of the disputed territory, which is fertile agricultural land and the land is a genetic legacy with the current Noel Besi river boundary.

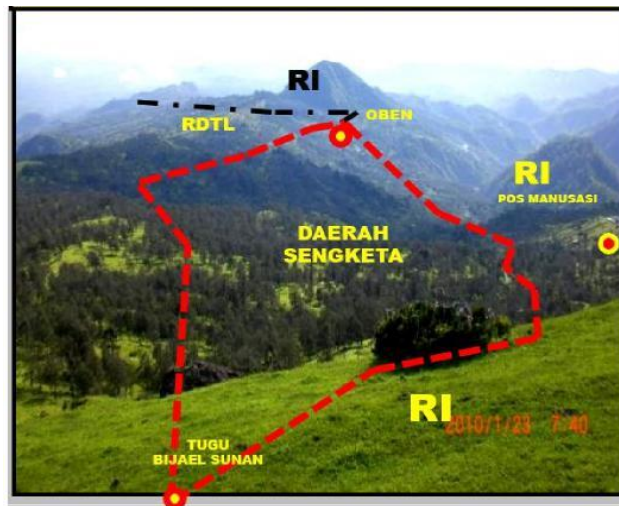


Figure 3. Unresolved Segment Area in Bijael-Sunan, NTT
Source: Book of West Miomaffo Renduk, in BNPP (2015)

b. Conditions of Maintaining State Boundaries

Along the RI-RDRTL borderline, there is a post of duty that is occupied by members of the TNI. Some Pamtas Posts are only barracks, but there are no members on duty yet. One of them is in Naibenu Lokpri. Each year the Pamtas reports on boundary stakes and cross-border security along with social activities with the local community. Generally, boundary patrols are carried out once a month, and every few months conduct patrol activities together with RDRTL (UPF) security officers. The first patrol is to supervise and inventory the existing boundary markers. Especially at the boundaries which are natural formations, such as rivers. That is because the rivers at the border have started to change their meanders, so the existing boundary stakes must be controlled. Because so far, the boundary paradigm in natural formations such as rivers is only located in the river channel, so that if the change in the flow (meander) towards RI can cause a reduction in the territory of the Republic of Indonesia.

In the task of securing the RI-RDRTL border several things will be carried out by the Task Force, namely to ensure that there are no violations on national boundaries, stopping smuggling, black markets, and protecting border areas, including maintaining existing border markers so as not to move. There are currently around 650 troops stationed at the border post. Of the 38 border security posts, 25 in Belu and Malacca Regencies, and the rest are in the TTU and Kupang districts, which are directly bordered by the Oecusie District of Timor Leste.

c. Defense, Security and Law Enforcement Conditions

Until now, there are still around 4% of the entire land boundary line, which still leaves problems because there is no mutual agreement between RI-RDRTL on some boundary line segments. There are two main things that cause the problem of determining the country's borders on land between RI and Timor Leste which is still protracted, namely technical factors (different interpretations or interpretations of the rules that are used as references for determining boundaries) and non-technical (the existence of local community rejection of the boundary lines land as determined and the seizure of natural resources by local communities around the border areas caused by their claims to several border areas for historical, economic and socio-cultural reasons).

The problematic segments are grouped into two, namely:

- First, the Un-Resolved Segment, which covers Belu District in Memo/Delomil, Timor Tengah Utara District in the Sunan-Oben Manusasi Bijael area, Kupang District in the Noel Besi/ Citrana area.
- Second, the Un-Surveyed Segment covers the areas of Subina, Pistana, Tububanat, and Haumeniana.

Security breaches have occurred sporadically and repeatedly in parts of the region. This indicates that the ambiguity of the land borders of the Republic of Indonesia and the RDTL can at any time erupt in disputes, disputes, and conflicts, either between communities or between communities and security forces. Incidents that have occurred include the January 6, 2006 incident that happened on the banks of the Malibaka river. This incident happened when UPF (Unido Patruofomento Fronteira) troops shot dead three former Indonesian refugees who lived in the village of Sikutren in Rote Village, Raihat District, Belu Regency. According to the East Timorese, they were shot because they crossed the border illegally, and they were ex-militiamen, who had frequently infiltrated into East Timor. However, the Republic of Indonesia stated that they were not carrying out political activities by infiltration but were doing fishing activities in the Malibaka river. The government also expressed anger because the shooting occurred without warning, and it turned out they were still within Indonesian territory.

Several cases in 2009-2010 in the disputed areas both in the Un-Resolved Segment and the Un-Survey Segment have so far been resolved between the border security apparatus of the two countries by conducting intensive coordination in the field. The Pamtas Task Force, in addition to coordinating with UPF, also took steps to carry out monitoring of the disputed area with a joint patrol and report any developments in the disputed situation to the Upper Command. This is quite effective in preventing the occurrence of tension and the emergence of conflict between the people of the two countries as well as the appearance of hostile relations between the two countries.

3.2 Strategic Issues Regarding the Indonesia-Timor Leste Land Border Area in Nusa Tenggara Timur Province²

Coverage of Administrative Areas. The land border area between Indonesia and Timor Leste in the Province of East Nusa Tenggara covers districts that border the territory of the State of Timor Leste, administratively covering 4 (four) Regencies and 27 Districts.

Table 1. Administrative Areas of the Indonesia-Timor Leste Land Border Area in the Nusa Tenggara Timur Province

District (Kabupaten)	Sub District (Kecamatan)
Kupang	Amfoang Timur
Timor Tengah Utara	Insana Utara, Bikomi Utara, Bikomi Nilulat, Kefamenanu, Naibenu, Miomaffo Barat, Bikomi Tengah, Mutis, Musi
Belu	Tasifeto Timur, Lamaknen Selatan, Atambua, Lamaknen, Lasiolat, Raihat, Tasifeto Barat, Nanaet Dubesi
Malaka	Kobalima Timur, Malaka Barat, Kobalima, Malaka Tengah, Wewiku, Malaka Timur, Weliman, Rinhat, Botin Leolele

Source: List of Priority Management Locations for 2010-2014 and Additions for 2015-2019 in BNPP (2015)

The RI-RDTL land border region is generally a dry tropical climate with an average temperature of 31.2 - 33.4 ° C and uneven rainfall, coupled with the slope of the land in most of

² Peraturan Badan Nasional Pengelola Perbatasan Nomor 1 Tahun 2015 tentang Rencana Induk Pengelolaan Perbatasan Negara Tahun 2015-2019.

this area, is very influential on the fertility of some agricultural and plantation land. Belu Regency is an area with a plain with slightly hilly topography. Conditions in the districts of Timor Tengah Utara and Kupang are not much different, where these three regions are areas with hilly and mountainous topography and a few lowlands with slopes between 30 ° - 45 °.

The following are strategic issues regarding the Indonesia-Timor Leste land border area in East Nusa Tenggara Province.

a. Economic Conditions, Natural Resources, and the Environment

Dryland agriculture and plantations dominate economic activity in the Indonesia-Timor Leste border region. Some commodities produced include cashew, coconut, hazelnut, betel nut, clove, vanilla, cotton, pepper, and nutmeg. Typical economic activity occurring in the country's border regions is cross-border trade. Most of the cross-border trading activities are trading the needs of household appliances and other food ingredients that are available in the trade area or Atambua, the capital of Belu Regency. Another cross-border activity is family visits between families because many East Timorese refugees still live in the Atambua region, while other Indonesians visiting Timor Leste are in the context of trading food and other commodities needed by the people of Timor Leste.

Table 2. Potential Natural Resources in the Indonesia-Timor Leste Land Border Area in the Nusa Tenggara Timur Province

District	Potential of Natural Resources
Kupang	Mango, Grouper, Soybean, Melinjo
Timor Tengah Utara	Beef Cattle, Pepper, Cashew, Cassava, Candlenut
Belu	Beef, Corn, Rice
Malaka	Corn, Rice, Coconut, Cassava, Cocoa

Source: Lokpri's Renduk Book in BNPP (2015)

The attention of the Government in the development of infrastructure to date has not been optimal because:

- Not considered economical, the location is far from the center of growth, and the population is small.
- Inadequate economic infrastructure, such as markets.
- The lack of socio-economic facilities and support, the limited ability of local human resources to manage the potential of natural resources available, and limited access results in low community income.
- Weak aspects of capital and trade.
- Cross-border trade agreements between the Indonesian government and RDTL cannot be implemented yet
- Understanding of cross-border trade provisions is still low.
- Trade supporting infrastructure is still limited.
- Low levels of border welfare can invite vulnerability in the future, given the NTT region is directly adjacent to other countries that have the potential to develop rapidly.

b. Infrastructure Conditions

Land and sea transportation facilities and infrastructure to the East Timor border are good enough so that the access of both parties to visit each other is relatively easy and fast. The road conditions from Atambua, the capital of Belu, to the border gate, are quite good quality so that the journey can be taken within one and a half hours. This is understandable because the two regions

of NTT and Timor Leste were previously two neighboring provinces, while air relations were fulfilled by airlines that have regular flights from Bali to Dili. Cross-border activities that often occur are traditional cross-borders through access points that were once used as ordinary roads when Timor Leste was still one of the Indonesian Provinces, such as those on the border between TTU District (NTT Province) and Oekusi (Timor Leste). To facilitate its citizens in Oekusi visiting other areas of Timor Leste, the Government of Timor Leste proposes permission for Oekusi residents to use road infrastructure from Oekusi to the main area of Timor Leste. However, this proposal has not yet been responded to by the Republic of Indonesia.

c. Population, Social and Cultural Conditions

The inhabitants who inhabit the entire territory of the NTT Province consist of various ethnic groups, including Timor, Rote Ndao, Sabu, Sumba, Helong, Flores, Alor, and others. Each tribe has a unique and unique cultural style, such as dance, language, clothing, and customary rules. When viewed in terms of social culture has diversity in the form of traditional arts, customs/culture, and religion. From the socio-cultural side, there are many cultural similarities between the people of RI and RDTL because, in general, they consist of one family and have the same language, namely Tetum.

The level of community education in the Indonesia-Timor Leste border region is still low. The distribution of educational facilities and infrastructure that cannot reach villages that are located at a distance apart results in educational services in the left behind border area. In terms of health, the culture of the healthy living of people in the border regions is generally not yet developed. This is due to the low level of understanding of health and disease prevention as well as the limited number of health workers.

4. Conclusions

Strategic issues in managing border areas are mainly in the aspects of setting and affirming national boundaries and perspectives of enhancing defense and security and law enforcement. The existing problems include the completion of the border settlement process and agreement with neighboring countries in several segments, the optimal efforts to maintain pegs or pillars, and the lack of optimal aspects of supervision in maintaining boundaries, so that boundary violations are still numerous.

Strategic issues regarding the Indonesia-Timor Leste land border area in the Province of East Nusa Tenggara are mainly about economic conditions, natural resources and the environment, infrastructure conditions, and population, social, and cultural conditions.

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