



IMPROVED UNDERSTANDING OF INDONESIA'S BORDER SITUATION IN NUSA TENGGARA TIMUR PROVINCE WITH TIMOR LESTE IN OECUSSI DISTRICT

Oleh

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Abstract: *This study and community service activity aims to increase understanding of a topic or problem regarding the situation of the Indonesian Republic Border in the Province of Nusa Tenggara Timur (NTT) and the Democratic Republic of Timor Leste (RDTL) in the Oecussi District. The activity was carried out using a discussion method by meeting related sources in the border area, namely Timor Tengah Utara (TTU), Wini State Border Post (TTU), Napan State Border Post (TTU), and Oecusse Border Post (RDTL). The writing method uses a quantitative descriptive approach using various literature reviews and several data sources as secondary data, apart from the results of various discussions conducted at the activity location. There are ethnic similarities between Indonesia and Timor Leste because they have a common ancestor. Even though they are one tribe/descendant, conflicts often occur between them due to the struggle for land at the border. The governments of the two countries need to carry out dialogue and negotiations to resolve border social conflicts that occur in villages whose land status is still in dispute in the border areas.*

INTRODUCTION

The border area, need to be developed based on development priorities by optimizing the utilization of available development resources in the form of human resources, artificial resources, and social resources and developing the production capacity of various economic activities. The utilization of these development resources needs to be directed at an appropriate model of border area economic development to maximize the community's welfare. (Taena, 2009)

The delimitation of the Indonesia Republic boundaries with Timor-Leste on Timor Island refers to the agreement between the Governments of the Dutch East Indies and the Portuguese in 1904 and the Permanent Court Award (PCA) 1914, as well as the Temporary



Agreement between Indonesia and Timor Leste on April 8, 2005. The land border between Indonesia and Timor Leste has a length of 268.8 km, crossing four districts in Nusa Tenggara Timur (NTT) Province, namely Belu, Malaka, Timor Tengah Utara (TTU), and Kupang Regency. "Indonesia's land border with Timor Leste is divided into two sectors: (1) the East Sector (main sector) in Belu Regency, which is directly adjacent to Covalima District and Bobonaro District in Timor Leste along 149.1 kilometers. Moreover, (2) the West Sector (Kupang Regency and Timor Tengah Utara Regency) is directly adjacent to the Oecusse District, which is an enclave of Timor Leste with a length of 119.7 km. Most of the land borders (99%) of the two countries are natural boundaries in the form of watersheds and thalweg". (DsfIndonesia, 2011)

The Okusi Region (Oecusse), which was the territory of the Democratic Republic of Timor Leste (RDTL) before the referendum, so that it separated from Indonesia, is one of the provinces in Indonesia. Thus, land tenure and ownership may still be mixed between the people in Oecusse and the people in Kupang Regency (Farid et al., 2017). If you look at the people who live around the borders of the Indonesian state, it is unique. We can see this uniqueness from the tribes who inhabit the border area. There are ethnic similarities between East Timor and Indonesia because they have a common ancestor. Even though the people of the border areas are one tribe/descendant, the reality is that conflicts often occur between them due to land grabs (Dewi et al., 2017). The Governor of NTT, Frans Lebu Raya, stated, "The issue of state borders is a matter of state sovereignty so it cannot be underestimated" (Massage, 2016).

The Oecusse area is unique because it is separated from the RDTL, as shown in the map in Figure 1 below. From the picture, it can be seen that the Oecusse region is surrounded by Indonesian territory, so people's daily lives are very dependent on Indonesia. The Oecusse people should respect the Indonesian people by not "excluding" Indonesian territory.

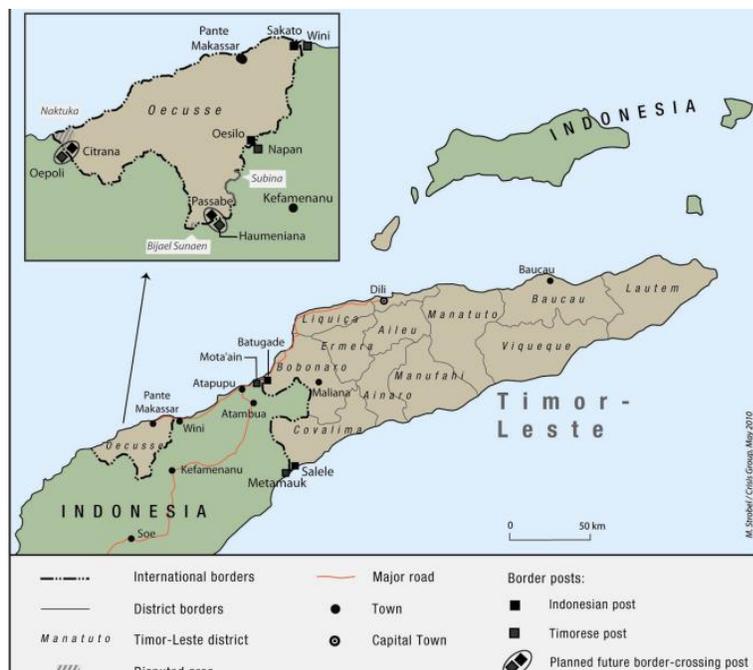


Figure 1. Indonesia-RDTL Border Map (crisisgroup.org, 2010)



The separation of Timor Leste from the territory of the Unitary State of the Republic of Indonesia (NKRI) in 1999 caused the Timor Tengah Utara Regency (TTU). The borders directly with the Oecusse region of Timor Leste impact both the social and cultural fields and the economic field, even though TTU Regency itself has limited resources. Therefore, the model for developing the border area economy needs to be based on the leading sector in TTU Regency. Therefore, development in these border areas needs to be well planned so that there is no large regional disparity between border areas and other countries and other regions in Indonesia. (Taena, 2009)

Based on the explanation above, the author and the team are interested in exploring this border issue by taking the theme of deepening the problem of conflict at the Indonesian border by visiting the locations of the Indonesian (RI) directly - Timor Leste (RDTL) border in Timor Tengah Utara (TTU) Regency as a form of study and community service.

METHOD

This study and community service activity aims to find out problems in border areas, namely the potential conflicts that occur between the countries of Indonesia and Timor Leste, especially in the regions of Timor Tengah Utara (NTT) and Oecusse (RDTL). This activity was carried out using a discussion method by meeting relevant sources directly in the border area of Timor Tengah Utara (TTU). The areas visited were: Timor Tengah Utara Regency (TTU), Wini State Border Post (PLBN) (TTU), Napan State Border Post (TTU), and Oecusse Border Post in Timor Leste State (RDTL). The writing method uses a quantitative descriptive approach using various literature reviews and several data sources as secondary data, apart from the results of various discussions conducted at the activity location. The implementation can be done directly at the location because it was carried out right before the COVID-19 Pandemic.

The output target of this activity is to increase understanding of a topic or a problem. Implementation begins with a planning meeting, preparation, and implementation and ends with an evaluation. This activity is based on research in border areas that we are currently doing on the role of defense and security in improving the welfare of people in border areas (Kennedy, 2019).



Figure 2. Discussion with the Regional Border Agency of Nusa Tenggara Timur Province

RESULT AND DISCUSSION

Indonesia-Timor Leste land border

The border between Indonesia and Timor Leste, especially on land, can be classified as a unique issue. It is because the two countries' land border consists of two parts "(Djalal,



2022):

1. The border around the Oecussi enclave (RDTL-Parlement, 2013) is an enclave area that is part of the sovereign territory of Timor Leste located in West Timor (which is part of the territory of the Unitary State of the Republic of Indonesia (NKRI) in Nusa Tenggara Timur Province/ NTT). It is about 60 kilometers apart from its parent area (Wain, 2009). Enclave or enclave is a country/part of a country surrounded by another country's territory. The word enclave comes from the French word, the lingua franca of diplomacy, originally from the Latin word *inclavatus*, which means confined, locked (Cambridge, 2013).
2. The 149.9 km long border that divides the island of Timor into West Timor in the west and Timor Leste in the east, until now both countries are still faced with problems involving land borders both from the aspect of socio-economic development and defense-security (Madu, 2010)."

To date, demarcation has been done by installing 42 boundary pillars in the eastern sector and eight boundary pillars in the western sector. The length of the line that has been completed (delineated) is about 95% of the total length of the boundary. In addition, CBDRF activities and joint mapping along the boundary line have been carried out. The problem with the RI-Timor Leste boundary is that there is a discrepancy between the agreement stated in the Legal Basis (Tact 1904 and PCA 1914) and the reality on the ground and what is known to the local community at this time. (DsfIndonesia, 2011)

Indonesians give explanations, and East Timorese sometimes contradict each other. "There are still groups of people who have different views. They have traditionally had "borders" recognized for generations by the tribes residing in the two countries, different from those contained in the two legal bases mentioned above. On the other hand, no evidence was found to support the community's "claim," so the negotiators could not bring this "claim" to the meetings of the two countries. This problem is felt in the western sector, especially in the Manusasi area. The handling of the RI-Timor Leste national borders has been handled by 2 (two) institutions. Namely the RI-RDTL Joint Border Committee (JBC), which the Ministry of Home Affairs coordinates, and the RI-RDTL Border Demarcation and Regulation Technical Sub-Commission, which is coordinated by the Ministry of Defense and Bakosurtanal." (DsfIndonesia, 2011)



Figure 3. Discussion with the Regional Government of Timor Tengah Utara (TTU NTT)

Some Past Border Issues

Communal Conflict (Hakim, 2015)

Border areas often lead to conflicts between border residents that take many lives. An example of the conflict that occurred on July 31, July 31, 2012, the conflict occurred on the



border of the North Middle East-Oecusse. Haumeni Ana village, North Bikomi District, North Central Timor Regency, NTT, were involved in clashes with Pasabbe, Oecussi District, and Timor Leste residents. This clash was triggered by the construction of the Timor Leste Customs, Immigration, and Quarantine Service (CQI) in the neutral zone, which is still disputed, and even accused of having crossed the line and entered Indonesian territory far as 20 m. The East Timorese side completely cut down the plants and trees on the land. After being involved in mocking each other, residents of the two countries then threw stones and sharp objects before being dispersed by the border guards and the Timor Leste army. Six points have the potential for conflict: Subina in Inbate Village, Pistana in Nainaban Village and Sunkaen Village, Tububanat in Nilulat Village, Oben in Tubu Village, Nefonunpo and Faotben in Haumeni Ana Village. (Hakim, 2015)

Border conflicts that often arise seem to be more communal between residents. For example, as in the example above, namely between residents of Pasabbe, Oecussi District, Timor Leste, and Haumeni Ana village, North Bikomi District, North Central Timor Regency, NTT. However, these two villagers from different countries have caused the conflict issue and its escalation to become a matter for two countries, namely Indonesia and Timor Leste. There is no need for intervention from outside parties to prevent this conflict from developing. If there is intervention from outside parties, especially Australia, the conflict could turn into a conflict. it will be more complicated and easy to politicize, given the strong interests of Australia in Timor Leste. (Hakim, 2015)

Border Territory Violation (Hakim, 2015)

Several border areas between Indonesia and Timor Leste have not been agreed upon and are still a claim between the two countries. The governments of Indonesia and Timor Leste are still questioning the border issue between the two countries on an area of 1,211.7 hectares located at two boundary points which have not been resolved. Two boundary points are still disputed between the two countries, namely the area in Oepoli Village, Kupang Regency, which borders the Oecusse district, Timor Leste, with 1,069 hectares. The other problematic boundary is located in Bijai Suna, Oben Village, Timor Tengah Utara Regency (TTU), which also borders the district of Oecusse, Timor Leste, covering an area of 142.7 ha". (Hakim, 2015)

As described, these problems lead to conflicts, "This border area often causes conflicts between border residents, resulting in many casualties. In 2005 the governments of Indonesia and Timor Leste met in Bali to discuss the issue of the borders of the two countries. However, along with developing political and economic issues between the two countries, the border area still leaves problems. In October 2013, the Democratic Republic of Timor Leste government built a road near the Indonesia-Timor Leste border. According to residents of Timor Tengah Utara, the road has crossed the territory of the Republic of Indonesia for 500 m and uses a free zone of 50 m. Based on the memorandum of understanding between the two countries in 2005, this free zone should not be controlled unilaterally, either by Indonesia or Timor Leste. In addition, the construction of the road by Timor Leste damaged the pillars of the border, damaged the gate of the generator set at the border guard post belonging to Indonesia, and damaged the graves of nine parents of Nelu residents, Naibenu District, Timor Tengah Utara Regency. The construction of the new road then triggered a conflict between the Nelu people, Indonesia and the people of Leolbatan, Timor Leste on Monday, October 14, 2013". (Hakim, 2015)



In another example of conflict in 2016, Indonesia and RDTL have not yet agreed on a border area in the Noelbesi-Citrana area, North Netamnanu Village, East Amfoang District, Kupang Regency. The state boundary line to the west of the small river and the land status is still a sterile area that the two countries cannot manage. Facts on the ground, Timor Leste has permanently built agricultural offices, meeting halls, dolog warehouses, rice mills, construction of irrigation canals, and paved roads. Fifty-three families live in the sterile area in Naktuka Hamlet, North Netamnanu Village, East Amfoang District. They have Timor Leste ID cards. The presence of 53 heads of families from Timor Leste sparked residents' anger. The citizen of the former Portuguese colony built on the border area, which is still disputed by the two countries, so it is strictly forbidden to occupy or build public facilities from certain parties. According to the 2003 agreement, the area is included in the free zone. Because it is still being disputed between Indonesia and Timor Leste. (Andalan, 2016).



Figure 4. Discussion at the Oecusse Border, Democratic Republic of Timor Leste (RDTL)
Indonesia-Timor Leste Border Conflict (Nino, 2018)

There are two categories of border conflict between Indonesia and the Democratic Republic of Timor Leste, namely the “Unresolved segment and the Unresolved segment” (Nino, 2018). “The area included in the unresolved segment category in Timor Tengah Utara Regency is Manusasi Village, precisely in Bijaelsunan, East Miomaffo District. The status of the land is sterile and cannot be controlled by both the Indonesian people and the people of Timor Leste, and this land has not been measured jointly. The community is still questioning the land area of 489 parcels, which is 2.7 km long, or an area of 142.7 hectares in the area. The Indonesian side (the Manusasi community) wants the national boundary to start from the Bijaelsunan Monument, following the mountain ridge to Oben. In contrast, the Timor Leste (the Oecusse community) wants the border to start from the Bijaelsunan Monument, following the Miomaffo River Valley, up to Oben (Kolne, 2017). This opinion difference is based on customary agreements between the two parties in the past. So the problem has not been resolved with certainty and clarity.” (Nino, 2018)

Meanwhile, the areas included in the unsurveyed segment category are the Subina to Oben segment. “It covers an area of ± 14 km, which is actually for the Indonesian border community. This land is the customary rights of the border community of Timor Tengah Utara Regency, Bikomi Nilulat District which includes six villages namely: Inbate, Sunkaen, Nainaban, Haumeniana, Nilulat, and Tubu (Kolne, 2017).” The community claimed that the Government of Timor Leste took over their arable area if they used the division of the border area based on the Dutch and Portuguese colonial treaties. (Nino, 2018)

Until now, the problem of social conflict on the border between Indonesia and the Democratic Republic of Timor Leste, especially in Timor Tengah Utara Regency and Oecusse District, there are six points of which are “(Nino, 2018):



1. Bijaelsunan/Oelnasi/Crus, part of Manusasi Village, West Miomaffo District, has the status of Unresolved segment because the land status in this area is still sterile and cannot be controlled by either Indonesia or the Democratic Republic of Timor Leste.
2. Tubu Banat/Oben, which is located in Nilulat and Tubu Villages, Bikomi Nilulat District.
3. Nefo Nunpo is located in Haumeniana Village, Bikomi Nilulat District.
4. Pistana located in Inbate and Nainaban Village, which is located in Bikomi Nilulat District.
5. Subina is located in Inbate and Nainaban Villages. The boundary problem in Bikomi Nilulat Sub-district is included in the Unsurveyed segment category. Because the Indonesian people living in Bikomi Nilulat consider that this land is customary land, which was unilaterally taken by Timor Leste (Oecusse District), the area in question is ± 14 km, which if the application of national boundaries is based on the 1904 treaty between the Portuguese and Dutch colonials. The community claims this area because they have customary agreements that occurred in the period before the Dutch and Portuguese Colonials colonized the island of Timor.”

“Social conflicts that occur in border areas are varied, such as the sale of fuel oil because the price offered in Oecusse is very high. There are illegal border crossings, but the most prominent of all forms of social conflict that exists is the establishment of boundaries between both countries, which could impact other social problems. The main cause of the conflict is the establishment of rules regarding the boundaries between the two countries, namely Indonesia and the RDTL (Nino, 2018).”

By using conflict theory from Ralf Dahrendorf and Lewis Coser about conflict, several basic conclusions can be drawn, namely “(Nino, 2018):

- The conflict that occurred on Timor Tengah Utara Regency and Oecusse District border is a functional, structural conflict because the determination of border-related policies is very detrimental to the local community. The Government's Government's policy is to determine the division of state boundaries based on the legacy of the Portuguese and Dutch colonials when they colonized the island of Timor.
- The people of Timor Tengah Utara Regency are guided by customary law (unwritten law) where there was an agreement between King Miomaffo (one of the great kings in Central Timor Regency and King Amu, who is from Oecusse, when there was a marriage in ± 1700).
- Coordination and discussion with border communities, especially those in Timor Tengah Utara Regency, regarding borders to obtain input from the community before making a bilateral agreement between the two countries.”



Figure 5. Discussion at the Napan Border, Timor Tengah Utara Regency NTT Indonesia with Oecusse (Democratic Republic of Timor Leste)

Development of the Border Situation (crisisgroup.org, 2010)



Indonesia and Timor Leste have done much to normalize relations between the two. However, the improvement in these relations has not been accompanied by full cooperation at the border. The two countries' negotiators have not succeeded in agreeing on several border lines between Oecusse and Indonesian territory so that it can trigger small disputes that can be politicized, and their escalation may escalate into a bigger conflict. Without a final agreement on border lines, steps to improve border management will stagnate. Initiatives that can help this enclave area from isolation become difficult to implement. When relations between the two countries are getting better, they should prioritize resolving this matter. Leaving this issue unresolved will only encourage crime, corruption, and possible conflict.

The security threat to Okusi and its 67,000 inhabitants has declined sharply since Timor-Leste's independence. Although there has been no violence in recent years, the unresolved issues of several border areas can still be a catalyst for tensions between the two countries. The resolution of this border issue requires a response at the local and national levels. Both governments must work with renewed urgency to resolve the still-disputed part. However, the final agreement on the border will not satisfy everyone. It is necessary to regulate cross-border activities to reduce this dissatisfaction. Without such flexibility, long-standing local disputes will fester and escalate into active conflict.

“Apart from security threats, both countries face various border management challenges to the movement of people and goods. Even though the enclave has been politically separated for several hundred years, kinship ties remain strong between families separated by national boundaries. They often cross the border for weddings or funerals. Some of them even cultivate in the territory of other countries. Okusi, isolated from much of Timor-Leste, its people depend on cheap goods from Indonesia (crisisgroup.org, 2010).”

Although no system regulates traffic between countries, informal arrangements have succeeded in facilitating the movement of goods and people. However, this traffic of goods and people is often halted when tensions at the border escalated, adding to Oecusse's vulnerability. Both countries are currently establishing a civil border management agency that may be able to help accommodate local interests in the medium term. However, there is no certainty when this management body will be running. The unresolved issues of accountability for the violence surrounding the 1999 referendum that resulted in massive displacement across national borders create more politically oriented challenges than security. Resolving these problems is a prerequisite for long-term stability in the enclave's territory.

Investment from the central Government has increased, demonstrating Dili's commitment to the enclave. Although it was well-received by the residents, such efforts were only starting from the lower levels. Infrastructure remains poor, access to information is still limited, and the ability to deliver government services is still low. Decentralization throughout Timor-Leste was intended to give the district autonomy to determine some of its cross-border affairs, but the process has stalled at the national level. Timor Leste's leadership should consider separating Oecusse's regional development from the wider process and seek ways to provide the means and funds to promote direct cross-border cooperation.

While Indonesia and Timor-Leste are trying to be good neighbors, they should focus on concrete actions that improve people's lives and reduce conflict on both sides of the border. Reducing the number of TNI (Indonesian National Armed Forces) troops at the border is difficult shortly. However, demilitarization must remain a long-term agenda that



will truly reflect normal relations. Immediate steps to be taken include “(crisisgroup.org, 2010):

- Finishing the borderline is a priority;
- Formalize arrangements for efficient communication between government and security forces on both sides and at all levels, thereby creating the possibility to reduce future incidents rapidly;
- Enhance cooperation between military and police institutions of the two countries, including attache training and exchange;
- Introducing the long-discussed cross-border pass system for citizens of both countries and implementing common market initiatives that will facilitate commercial and social exchanges;
- Provide training, and improve equipment and facilities for Timor-Leste border patrol officers.”



Figure 6. Discussion at the Wini Border, Timor Tengah Utara Regency NTT Indonesia with Oecusse (Democratic Republic of Timor Leste)

CONCLUSION

The Indonesian Government needs to negotiate with the Republic Democratic of Timor Leste (RDTL) government. “They must resolve social border conflicts in villages in Timor Tengah Utara Regency, whose land status is still in dispute. It is necessary to carry out dialogue to listen to input and suggestions from the community at the village level so that the resolution of social conflicts at the border between the two countries is right on target, taking into account local wisdom or unwritten agreements that have occurred between border communities. The development of facilities and infrastructure in the border areas is necessary because the conditions in the border areas in six villages in the Timor Tengah Utara Regency are currently very worrying. There needs to be budget support from both the central GovernmentGovernment and local governments to develop border areas into national and international gateways. There is a need for improvements to the applicable legal products related to the determination of boundaries. There are no more victims from border communities between the two countries (Nino, 2018)”.

This service study activity can be carried out properly. The implementation team received a good response from the resource persons. Discussions and exchanges of ideas took place with full intimacy in exchanging information and knowledge.

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