

IMPLEMENTATION OF TECHNICAL SUB COMMITTEE BORDER DEMARCATION AND REGULATION (TSC-BDR) AGREEMENT BETWEEN INDONESIA - TIMOR LESTE IN THE RESOLUTION OF THE LAND BORDER DISPUTE

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Abstract

The unclear and strict land border between Indonesia and Timor Leste in some segments has caused a number of problems in bilateral relations between the two countries. Unclear demarcation (limitation of one country to another bordering on land) is one of the potential factors that can trigger conflicts between the citizens of the two countries living in the border region. The existence of repeated security disturbances at the borders of the two countries further reinforces the belief that in reality unclear land boundaries between Indonesia and Timor Leste, it can easily erupt in disputes, disputes and conflicts, both between communities, or between communities and security forces. The aim of this study is to analyze the Implementation of Technical Sub Committee Border Demarcation and Regulation (TSC-BDR) Between Indonesia - Timor Leste in Completion of The Border Dispute Disorders. To answer the legal issue this study using normative legal research. Result of this study is the Border Demarcation and Regulation (TSC - BDR) Technical Sub Committee forum was established independently under the coordination of JBC Indonesia - Timor Leste which specifically discussed the technical aspects of the Indonesia - Timor Leste border. It is hoped that the formation of the TSC-BDR can help Indonesia and Timor Leste solve the land border problems of the two countries.

Keywords: *border; Technical Sub-Committee Border Demarcation and Regulation; agreement*

INTRODUCTION

International law respects the important role of the national territory as reflected in the principle of respect for the integrity and sovereignty of a national territory (territorial integrity and sovereignty) contained in various international legal products. Recognition of the sovereignty and territorial integrity of a country is indicated by, among others, the prohibition to intervene in a country's internal problems. Changes in the territorial status of a country have an impact on state sovereignty over the region, especially the juridical impact on state sovereignty, including the issue of citizenship of residents residing in the region.¹

Thus it appears that the firmness and clarity of national boundaries serve as legal guidelines for upholding the integrity and sovereignty of a country. Certainty and clarity of a country's sovereignty boundaries is very fundamental, as a necessity for

¹ Altwicker, T. 2018. Transnationalizing Rights: International Human Rights Law in Cross-Border Contexts. *European Journal of International Law*, 29(2), pg. 581-606.

the implementation of the state and people of Indonesia in their activities and relations with other countries, so as to provide guarantees of legal protection and certainty from the state regarding the boundaries of its sovereignty.²

Maintaining sovereignty, security and realizing prosperity for all regions and the people of Indonesia is no exception in the land border area between Indonesia and Timor Leste in essence an integral part in the main effort to realize national goals. This goal is clearly mandated in paragraph IV of the Preamble of the 1945 Constitution, namely that the government protects the entire nation and all of Indonesia's bloodstream to advance public welfare, educate the nation's life and participate in carrying out world order. The border region has a very strategic meaning as a front yard for the creation of security in the border region which will make a positive contribution to the conditions of national and regional security and defense. The region determines the enforcement of the country's sovereignty over society and the enactment of a certain government. Therefore, territorial borders are very important because territorial borders are the initial markers of the validity and termination of the sovereignty function of a country, as well as the initial markers of validity and the end of the sovereignty functions of other countries, thus regulation in the border region must exist and proceed well if it will not can cause a problem.³

Relations between international legal subjects are very vulnerable to a dispute. Disputes can arise from a variety of potential sources, such as borders, natural resources, environmental damage, trade, human rights, terrorism and others. When the dispute arises, international law plays a significant role in its resolution.⁴ At first the state always resolved disputes by means of war, this is because war is still considered a powerful diplomacy tool. But often the international community's awareness arises that wars only cause misery, then positive legal provisions are made which state that the use of violence in interstate relations is prohibited,⁵ Such awareness fosters the belief of the international community that any dispute must be resolved amicably.⁶

The problem of management and defense in the border region is very closely related to the basic conception of the state as an entity that has sovereignty, population and territory as well as interpretation or perception of the threats faced, thus the management and defense of the border region and concluded as all efforts to realize the existence of a country which is marked by the protection of sovereignty, population and territory from various types of threats. The threat discourse in the border region has so far tended to be dominated by issues and problems in the border areas, especially on land borders such

² Owsiak, A. P., Cuttner, A. K., & Buck, B. 2018. The international border agreements dataset. *Conflict Management and Peace Science*, 35(5), pg. 559-576.

³ Vidmar, J. 2012. Territorial integrity and the law of statehood. *Geo. Wash. Int'l L. Rev.*, pg. 44, 697.

⁴ Huala Adolf, 2006, *Hukum Penyelesaian Sengketa Internasional*, Sinar Grafika, Jakarta, pg. 1

⁵ Boer Mauna, 2005, *Hukum Internasional : Pengertian, Peranan dan Fungsi Dalam Era Dinamika Global*, PT. Alumni, Bandung, pg. 193

⁶ Hilton Tarnama Putra & Eka An Aqimuddin, 2011, *Mekanisme Penyelesaian Sengketa di ASEAN Lembaga dan Proses*, Graha Ilmu, Yogyakarta, pg. 1

as national borders, shifting of border markers, economic activities, illegal crossing and smuggling, and theft which are still problems in border areas. The problem of borders has a complex dimension, there are a number of crucial factors involved in it such as jurisdiction and sovereignty of the state, political, social, economic, and defense and security.⁷

For Indonesia, which has both sea and land borders with ten countries, border issues are also a serious matter which until now has not been completely resolved. The border issue between Indonesia and Timor Leste, especially on land, can be classified as a very unique problem,⁸ this is because the land border of the two countries consists of two parts. First, the border around the Oecussi enclave⁹ namely an enclave which is part of the territory of sovereignty of Timor Leste located in West Timor (which is part of the Unitary State of the Republic of Indonesia (NKRI) in the Province of East Nusa Tenggara / NTT) and is separated by about 60 kilometers from its parent area.¹⁰ Second, the 149.9 km border which divides the island of Timor into West Timor in the west and East Timor in the east, until now the two countries are still faced with problems relating to land borders from both the socio-economic and defense-security aspects.

In terms of national borders so far progress has been made between Indonesia and Timor Leste the two countries have signed a Provisional Agreement between the Government of the Republic of Indonesia and the Government of the Democratic Republic of East Timor on the land boundary) on the border, signed by The Indonesian Minister of Foreign Affairs Hasan Wirayuda and the Minister of Foreign Affairs of Timor Leste Ramos Horta in Dili on 8 April 2005. But until now, the final and overall opportunity regarding the border covering land areas has not been achieved. This is because the interim agreement only succeeded in agreeing 907 coordinates of the border points, or about 96 % of the total length of the land boundary line, while the maritime boundary which also involved the third country, namely Australia, had not even begun the process of political negotiations between the three countries.¹¹

Indonesia and Timor Leste still leave 4 % of the land border which has not been agreed by the two countries according to the National Border Management Agency (BNPP), the two countries are still concerned about 3 (three) boundary segments namely (a) segments in Noel Besi-Citrana, North Netemnanu Village, East Amfoang, Kupang Regency, with the Oecussi enclave, East Timor, concerns paddy fields along the Noel Besi River, whose land status is still a neutral zone. (b) segments in Bidjael Sunan,

⁷ El Ouali, A. 2006. Territorial integrity: Rethinking the territorial sovereign right of the existence of the states. *Geopolitics*, 11(4), pg. 630-650.

⁸ Hasjim Djalal, 2002, "Indonesian-Australia-East Timor Maritime Boundaries and Border Issue : Indonesian Perspective", *The Indonesian Quarterly*, Vol. XXX, No. 4, 4th Quarter, pg. 344

⁹ Neil Deeley, Internasional Boundaries Research Unit, Boundary&Territory Briefing Volume 3 Number 5, 2001.

¹⁰ Barry Wain, *Latent Danger : Boundary Dispute and Border Issues in Southeast Asia*, Southeast Asian Affairs, Southeast Asian Affairs 2012, Institute of Southeast Asian Studies (ISEAS), pg. 40

¹¹ *Provisional Agreement between the Government of the Republic Indonesia and the Government of the Democratic of Timor Leste on the land boundary* pada tanggal 8 April 2005.

Oben, in North Central Timor District (TTU) with the Oecussi enclave area, which covers an area of 489 parcels of 2.6 km or 142.7 ha. The land is sterilized so as not to cause problems because Indonesia-Timor Leste claims to be its property. (c) segment in Dilumil-Memo, Belu Regency bordering the Bobonaro District, namely the difference in identification of the Mota Malibaka Median in the river flow along 2, 2 km or in an area of 41.9 ha.¹²

The unclear and strict land border between Indonesia and Timor Leste in some segments has caused a number of problems in bilateral relations between the two countries. Unclear demarcation (limitation of one country to another bordering on land) is one of the potential factors that can trigger conflicts between the citizens of the two countries living in the border region. The existence of repeated security disturbances at the borders of the two countries further reinforces the belief that in reality unclear land boundaries between Indonesia and Timor Leste, it can easily erupt in disputes, disputes and conflicts, both between communities, or between communities and security forces .

The development of the border issue between Indonesia and Timor Leste slowly began to find a clear path, this is evidenced by the success of the two countries to agree on a demarcation line between the two countries (demarcation) in Dilumil-Memo, where this was conveyed by the Minister of Foreign Affairs of the Republic of Indonesia. The agreement is contained in Addendum No. 1 In the Provisional Agreement Between the Government of the Republic of Indonesia and the Government of Timor Leste regarding Land Border on 21 June 2013. In the Provisional Agreement contained in Article 1, the parties (Indonesia and Timor Leste) agree to complete the unresolved segments in Dilumil-Memo and include the results of border delineation works (activities to indicate the exact or actual position where the boundary line is located, delineation is also interpreted as an interpretation of the agreement and a boundary map to determine where the actual boundary position is) and the demarcation process since the entry into force of the Provisional Agreement on Land Border of 2005, namely: additional delineation points; establishment of demarcation boundary pillars; coordinates for the Dilumil-Memo segment.¹³

Based on the description above, then in this writing the author can formulate the problem as follows: How the Implementation Of Technical Sub Committee Border Demarcation And Regulation (TSC-BDR) Between Indonesia - Timor Leste In Completion Of The Border Dispute Disorders?.

The type of research is normative legal research; the data collection method used is library research. The data used includes primary legal material (binding materials), secondary legal material (legal material that provides an explanation of primary legal

¹² Ganewati Wuryandari, *et al.*, 2009, *Keamanan Di Perbatasan Indonesia – Timor Leste, Sumber Ancaman Dan Kebijakan Pengelolaannya*, P2P-LIPI & Pustaka Pelajar, Yogyakarta. pg. 10

¹³ Addendum No. 1 Pada Persetujuan Sementara Antara Pemerintah Republik Indonesia dan Pemerintah Timor Leste mengenai Perbatasan Darat pada tanggal 21 Juni 2013

material).¹⁴ To achieve the research objectives, the approach in this study is carried out carefully through the provisions of legislation and various doctrines (opinions of legal experts) relating to the problem of borders between Indonesia and Timor Leste. The materials that have been collected are then analyzed by analytical descriptive method, so that the picture is related to the existing problems.

DISCUSSION

Problems in Establishing National Boundaries and Settlement of Land Border Disputes between Indonesia and Timor Leste.

There are several factors that are generally related to differences in interpretations or interpretations of the rules that are used as reference material for Indonesia and Timor Leste in arrangements regarding the borders of the two countries. Indonesia and Timor Leste have agreed the basic principles used in determining the boundaries of the two countries, namely what is known in international law as a possidetic juris. With reference to these principles, when Indonesia proclaimed itself as an independent state in 1945, this new nation's territory automatically covered the entire Dutch colony. In the case of Timor Leste, as a former Portuguese colony (1701-1975) and as a part of Indonesian territory (1976-1999), Timor Leste also inherited the entire territory of the former colonies of these countries, particularly the Portuguese.

The independence achieved by the Indonesian people in 1945 caused Indonesia not only to inherit the entire territory of The Netherlands Dutch East Indies, but also to inherit all border agreements signed by the Netherlands relating to the Dutch East Indies with other countries, including with the Portuguese in the Timor Islands. . In this case, the Netherlands and the Portuguese signed two border agreements, the first being A Convention for the Demarcation of Portuguese and Dutch Dominions on the Island of Timor on 1 October (Treaty 1904), the second treaty was PCA 1914.

With reference to the principle of possession of the juris above, the two agreements concerning the border between the Netherlands and the Portuguese in Timor, subsequently by Indonesia and Timor Leste were agreed as a legal basis for demarcating the boundaries of the two countries. The agreement to use the agreement in determining the boundaries of the borders of Indonesia and Timor Leste was signed by the two countries on 2 February 2002. During the meeting, the two countries clearly agreed on the basis for setting the boundary between Indonesia and Timor Leste, according to the boundary agreed by the Dutch and Portuguese.¹⁵

¹⁴ Soerjono Soekanto dan Sri Mamudji, 2001, *Penelitian Hukum Normatif*, Raja Grafindo, Jakarta, pg. 12.

¹⁵ Paulus, C. A., Pellokila, M. R., Sobang, Y. U., & Azmanajaya, E. 2019. The alternative livelihood development strategy in order to improve local fishermen revenue in the border region of Indonesia and Timor Leste. *Aquaculture, Aquarium, Conservation & Legislation*, 12(1), pg. 269-279.

The agreement reached well in the memorandum of understanding above, apparently in various implementations resulted in various obstacles faced by the two countries. Problems arise with differences in the interpretation of some of the major provisions stipulated in the 1904 Treaty and the 1914 Permanent Arbitral Awards, with their current or real conditions on the ground. In the opinion of Sobar Sutisna, Head of the Boundary Mapping Center - Bakosurtanal (now BIG / Geospatial Information Agency), this problem arises among other things because there have been differences in geographic interpretation between toponymy (naming) during the 1904 Treaty and the toponymy that existed at this time, with geometric data in the Treaty.¹⁶

The potential for this difference is very likely to occur, because the provisions contained in the Treaty of 1904 governing the state boundaries between the Netherlands and the Portuguese on the island of Timor, in general, are more based on their land borders on nature, namely the rivers that divide Western Timor and East. Within a period of more than a decade, since the Treaty was signed in 1904 until 2004 there would have been a variety of dynamic changes to the rivers. Natural activities, such as rain and natural disasters, for example have potentially caused various changes in the shape of river flows. In addition, the change of generations of residents living in the border area, potentially also influences the way they are mentioned or named the rivers, which may be very different from those listed in Treaty 1904.

One of the problems related to the difference in the mention of the name of the river in the Treaty and the reality on the ground is that it was revealed in Treaty 1904, for example referring to the name of the river as the land boundary between West Timor (the Netherlands) and the east (Portuguese). However, when the survey was carried out, the name of the river as stated in the Treaty 1904 above in the present reality had undergone various versions of the name. One interesting example for that case is the mention of the name of a river located in Belu District which is very varied, namely Mota Bico, Ribeira Motabico, and Mota Halimeak, whereas on the other hand the original text in Treaty 1904 Article V paragraph 1 only uses one designation of the name the river that is Mota Biku.

Differences in interpretation between the contents of the treaty with reality on the ground, can also be found in the case of the Iron Noel segment. The segment that is still disputed between Indonesia and Timor Leste, is precisely located in North Netemnanu Village, East Amfoang District, Kupang Regency. This sub-district is a relatively new sub-district formed as a result of the division of North Amfoang District in 2002. In addition, East Amfoang is one of nine sub-districts in NTT Province which has

¹⁶ Mangku, D. G. S., Triatmodjo, M., & Purwanto, H. 2018. *Pengelolaan Perbatasan Darat Antara Indonesia Dan Timor Leste Di Wilayah Enclave Oecussi* (Doctoral dissertation, Doctoral dissertation, Universitas Gadjah Mada).

direct land boundaries with Timor Leste, especially with the Oecussi enclave by Local communities around the border area are better known as the Ambenu District.¹⁷

The difference in views between Indonesia and Timor Leste in terms of land boundaries in the Iron Noel segment departs from differences in perceptions about the foundation used in determining the boundary line between Indonesia and Timor Leste. The Indonesian side believes that the boundaries of Indonesia and Timor Leste are Iron Noel (which in local language, Noel means big river), not Noemnea (small trench) as demanded by Timor Leste.

The emergence of differences in interpretation of Indonesia and Timor Leste above, is likely very closely related to the existence of river toponymity errors on the Treaty map and the reality on the ground. Article III paragraph 1 of Treaty 1904 which regulates the boundary line at Noel Besi which is currently being disputed by Indonesia and Timor Leste, states as follows: “*Proceeding from the mouth of the Noel (river) Besi, from where the summit of Pulu (Island) Batek can be sighted, on a 3047NW astronomical azimuth, following the thalweg of the Neol Besi, that of the Noel Niema and the Bidjael Sunan, up to its source*”.

With reference to the provisions of the article, it is clear that the Noel Besi river mouth is the beginning of the determination of the boundary line. However, the Noel Besi estuary (in Indonesian view actually lies east) is not reflected in the map attached to the 1904 Treaty and is only written as Noel Sutrana (Noel Barnabi). As a result of this difference has led to differences in interpretation by Timor Leste, for example arguing that by referring to Article III above, the determination of the boundary should be drawn from the Iron Noel depicted in a small trench (west) and up to the branching of the river welcoming the Iron Noel the big one.

The Treaty of 1904, which became the legal basis for determining the land boundaries of Indonesia and Timor Leste, was a treaty memorandum which contained very short terms. This treaty only consists of fifteen articles. When the Netherlands and the Portuguese signed the agreement, the two countries generally used the river as a reference in determining the land boundary lines in the eastern sector (West Timor and East Timor) and the western sector (West Timor and Oecussi enclaves).¹⁸

Under the current conditions, the river flow which became the main foundation in the 1904 Treaty has changed greatly by natural and human activities. Some of the major rivers that were used by the Dutch and the Portuguese as the limits of their colonial power in Timor have undergone physical changes, namely among others in the river

¹⁷ Fernandes, R. M. S., Fahrurrazi, D., Matos, J., & Handoyo, S. 2005. The Common Border Datum Reference Frame (CBDRF) between Indonesia and Timor-Leste: Implementation and Processing. In *Cartografia E Geodesia. Actas da IV Conferência Nacional de Cartografia e Geodesia, Coordenação: João Casaca & João Matos, Lisboa*.

¹⁸ Sutisna, S., & Handoyo, S. 2006, November. Delineation and demarcation surveys of the land border in Timor: Indonesian perspective. In *The International Symposium on Land and River Boundaries Demarcation and Maintenance in Support of Borderland Development. Bangkok*.

delta a kind of permanent and semi-permanent islands emerged. The emergence of these islands has in turn created new problems, especially with regard to the issue of ownership of the islands. The issue of ownership of this island can be a potential source for the emergence of conflicts between communities at the border. The same concern was raised by Deeley, as follows: "Several of the major rivers, which have been utilized for the boundary containing permanent and semi-permanent island features within their banks. The sovereignty of these islands is a cause for potential dispute, especially where the course of the thalweg does not fall clearly to one side of the island concerned. Much of the existing mapping that portray river island shows the boundary line leaving some islands to one party, while other islands have been divided and the status of others has been left uncertain due to the intermittent boundary symbology used".

One example of a dispute over territorial conflicts between Indonesia and Timor Leste as a result of the natural factors above, can be found in the Memo segment (Mota Malibaka) located in Belu District. Based on the agreement between the Netherlands and the Portuguese that had been agreed, the land border between the two countries located in the eastern sector, that is, which divides Timor in the west (the Netherlands) and the East (Portuguese) is to use natural boundaries. The natural boundary agreed between the two countries is the Malibaka river. This is as stated in Article 5 paragraph (3) of Treaty 1904, that: "*Following the thalweg of the Telau as far as the river Malibaka, via thalweg of this river and those of the mautilu and Pepies, as far as the Bulu Hulu Maountain.*"

Indonesia and Timor Leste in dealing with the problems that are being faced, especially the border, prioritize peaceful ways of resolution because this is because Timor Leste was once a part of the Unitary Republic of Indonesia. Indonesian people who live in border areas such as Belu Regency, TTU Regency and Kupang Regency which border with Oecussi District also have close family relations, language, and the same cultural background. The most effective method for resolving international disputes between Indonesia and Timor Leste in resolving cases of land boundaries that still exist today is by way of negotiations without resorting to violence. Where efforts to resolve land area disputes through peaceful negotiations conducted by Indonesia and Timor Leste use agreements and the results of a joint mapping survey as the basis for dispute resolution.

Since Timor Leste broke away from the Republic of Indonesia and became an independent country, it has always been committed to reaffirming the relations of cooperation between the two countries through the fabric of diplomatic relations. The transitional government or UNTAET, through political diplomacy relations, established a border cooperation relationship between UNTAET and the Government of Indonesia as the start of a cooperative relationship in the establishment of a Border Committee (JBC) border cooperation forum.

JBC Indonesia and Timor Leste were formed on September 14, 2000 with this meeting as the initial meeting of the two representatives of each country led by the Minister of Foreign Affairs to agree to sign the arrangement which is a bilateral level forum to accommodate all border issues between Indonesia and Timor Leste. Agreements in the process of resolving land borders between the two countries as a policy of the Governments of Indonesia and Timor Leste which are delegated their authority to the border technical commission (TSC-BDR) in accordance with the level of problems discussed at the politician level as well as at the technical level.¹⁹

The TSC-BDR border engineering commission meeting agreed to use the 1904 Treaty between Portuguese and Dutch and the Arbitration Court Decree 1914, as recommended in government regulations or Decreto in the 1915 Mota Talas document²⁰ and the Poly Oil 1915 document as the basis for the determination and confirmation of the land boundaries of the two countries and the agreement was outlined in a “joint communique” signed by Indonesian Foreign Minister Hasan N. Wirayuda and UNTAET Chairperson Sergio Viera de Mello on 2 February 2002 in Denpasar Bali.²¹

Implementation of Technical Sub Committee Border Demarcation And Regulation (TSC-BDR) Agreement Between Indonesia - Timor Leste

The relationship of special cooperation in border techniques or TSC-BDR between the two Governments of Indonesia and the Government of Timor Leste in the settlement of land borders between the two countries during the period 2000 to 2013, these can be explained in the table below:

No.	Implementation Date	The Place	Information
1.	11-12/12/2001	¹ TSC-BDR in Cibinong	A review to use the Treaty of 1904 as a basis for the determination and confirmation of the boundaries of the two countries
2.	02/02/2002	² TSC-BDR in Denpasar	Preliminary survey
3.	18-19/12/2002	³ TSC-BDR in Jakarta	Plan for conducting joint surveys

¹⁹ Tolentino de Araujo, 2010, *Hubungan Kerjasama Bilateral Pemerintah Indonesia dan Pemerintah Timor Leste Dalam Penanganan Perdagangan Ilegal Pada Lintas Batas Darat Kedua Negara*, Tesis, Program Pascasarjana Jurusan Hubungan Internasional, Fakultas Ilmu Sosial, Universitas Gadjah Mada, Yogyakarta, pg. 103

²⁰ Dokumen Mota Talas, 22 April 1915 tentang Menguraikan dan Menjelaskan Pilar-Pilar yang Telah di Pasang di Batas Sektor Timur Sesuai Dengan Kegiatan Survei Dalam Artikel 10 Traktat 1904.

²¹ Djawahir Fachrurozy, et al, 2001, *Kajian Akademik Masalah Batas Daratan Indonesia – Timor Lorosae Dalam Mengoptimalkan Peran dan Fungsi Survei Pemetaan Dalam Pengelolaan Batas Wilayah*, Bakosurtanal Bekerjasama Dengan Depdagri, Forum Komunikasi Dan Koordinasi Teknis Batas Wilayah, Bogor. p. 23

4.	18-20/03/2003	⁴ TSC-BDR in Dili	Planned installation of reference points to measure “Control Border Demarcation Referencing Framework” (CBDRF)
5.	16-17/04/2003	⁵ TSC-BDR in Jakarta	Discussion on the settlement of boundaries that have not yet reached an agreement between the two countries
6.	05-05/05/2003	⁶ TSC-BDR in Denpasar	“Standard Operating Procedures” (SOP) and CBDRF work plan
7.	03/06/2003	⁷ TSC-BDR in Atambua	Agreement for observing Global Positioning System (GPS) in the field (SOP)
8.	16-20/07/2003 21-23/07/2003	⁸ TSC-BDR in Cibinong dan Yogyakarta	Revised “Standard Operating Procedures” (SOP)
9.	2003	⁹ TSC-BDR in Dili	An agreement in the interim report, to carry out joint technical recommendations regarding and use for survey sites that have not been approved (Citrana, Bidjael Sunan, and Manusasi)
10.	03-03/11/2003	¹⁰ TSC-BDR in Denpasar	CBDRF work report
11.	29-31/12/2003	¹¹ TSC-BDR in Dili	Analysis and evaluation of field data that has been measured
12.	10-11/06/2004	¹² TSC-BDR in Denpasar	Discuss temporary work
13.	22-23/06/2004	¹³ TSC-BDR in Bogor	Agreement for revision of technical procedures for not reaching agreement
14.	31/08-01/09/04	¹⁴ TSC-BDR in Jakarta	Agreement to postpone the main problematic border and switch to the Oecussi (Subina) enclave
15.	29-30/10/2004	¹⁵ TSC-BDR in Yogyakarta	Work plan for the installation of boundaries
16.	22-23/03/2004	¹⁶ TSC-BDR in Denpasar	Preparation for an interim agreement for problem areas: Mota Tiborok, Kalan Fehan, Tahi Fehu, Uas Lulik and Fatu Rokon

17.	28-29/03/2005	¹⁷ TSC-BDR in Bogor	New work plan for the establishment and confirmation of boundaries
18.	14-15/07/2005	¹⁸ TSC-BDR in Dili	The technical agreement for the Memo region, Citrana, reaches 99 % of the boundary defined
19.	02-04/12/2005	¹⁹ TSC-BDR in Surabaya	Work plan for 2 years, regarding the revision of the work procedures of the Government of Indonesia
20.	13-14/02/2008	²⁰ TSC-BDR in Denpasar	Revision of work results
21.	01-02/07/2008	²¹ TSC-BDR in Bandung	Results of work and subsequent work plans for the installation of 60 boundaries along the border
22.	28-29/08/2010	²² TSC-BDR in Bogor	Results of work and subsequent work plans for the installation of 60 boundaries along the border
23.	19-22/09/2011	²³ TSC-BDR in Dili	The work plan for the installation of the boundary pillars is 140
24.	30-31/10/2012	²⁴ TSC-BDR in Yogyakarta	Discuss temporary work

(Sources : Pertemuan Tingkat Teknik “*Tehcnical Sub Committe Border Demarcation and Regulation*” (TSC-BDR) dari tahun 2002 – 2013)

The TSC-BDR Forum was established independently under the coordination of JBC Indonesia-Timor Leste, specifically discussing the technical aspects of the Indonesia-Timor Leste border. The most actual TSC-BDR meeting, the 26th, was held in Dili on 4-5 September 2013. This meeting was a continuation of the 25th TSC-BDR meeting in Yogyakarta at the end of October 2012, and the TSC-BDR Special in Bali in April 2013. The Indonesian delegation was chaired by Khafid as Acting. Head of the Geospatial Information Agency (PPBW BIG) Boundary Mapping Center, with members from the Geospatial Information Agency (BIG), Ministry of Foreign Affairs, BNPP, Directorate of Army Topography (Dittop AD), Ministry of Defense, and the Indonesian Embassy in Timor Leste.²²

This meeting discussed the follow-up of the 2005 Provisional Agreement and work plans related to the borders of the two countries, especially after the signing of the first addendum for the 2005 Provisional Agreement. The addendum was signed by the

²² Badan Informasi Geospasial, *Perundingan Technical Sub Committee Border Demarcation and Regulation (TSC-BDR)*, diakses dari <http://www.bakosurtanal.go.id/berita-surta/show/indonesia-dan-timor-les-te-rundingkan-batas-darat-dalam-pertemuan-yang-ke-27>, pada tanggal 1 Juli 2020

foreign ministers of both countries in June 2013. As a follow-up to the 2005 Provisional Agreement, the parties Indonesia and Timor-Leste agreed to carry out demarcation and delineation survey activities, as well as joint boundary mapping (JBM).

This demarcation survey aims to install and measure boundary pillars that have not yet been installed. A total of 80 planned pillars will be installed along the boundary starting from Mota Masin to the north. While the delineation survey aims to trace the boundaries agreed by the two countries. It is planned that a delineation survey will be conducted in the Bidjael Sunan (Oecussi) segment. Whereas JBM activities aim to update the maps used in the 2005 Provisional Agreement and its addendum. This update is mainly for land cover and river channel appearance.

Indonesia and Timor Leste again negotiated land boundaries in the 27th meeting. Regional boundaries between countries must be negotiated in order to reach a more detailed and accurate agreement for the sovereignty of a country. Being a country bordering directly on land and at sea, the Republic of Indonesia and the Democratic Republic of East Timor continue to conduct territorial negotiations, as a manifestation of the good faith of the two countries, the two countries regularly hold meetings and cooperate in various aspects to support world peace.

The commission, which was formed in 2001 in Dili, has held regular meetings. On 26-27 February 2014, the 27th TSC-BDR negotiations took place between Indonesia and Timor Leste in Surabaya. The TSC - BDR Forum was established independently under the coordination of JBC Indonesia - Timor Leste which specifically discussed the technical aspects of the Indonesia - Timor Leste border. The Indonesian delegation was chaired by Khafid as Head of the Geospatial Information Agency (PPBW BIG) Border Center, with BIG members, the Ministry of Foreign Affairs, Directorate of Army Topography (Ditop AD), Ministry of Internal Affairs, Ministry of Defense, and BNPP.

The series of events began by discussing the 2013 activity report which had been planned in the previous meeting. As a follow-up to the 2005 Provisional Agreement, Indonesia and Timor Leste agreed to carry out demarcation, delineation, and joint boundary mapping of the JBM along the Indonesia-Timor Leste boundary area. The demarcation survey has been carried out by the two countries, but the delineation survey was nevertheless carried out due to bad weather constraints in the area to be surveyed. The two countries agreed to continue the demarcation survey activity in the eastern part of the Indonesia-Timor Leste border, while the delineation survey activity is planned to be carried out in 2014 back to back with the JBM survey. The JBM activity aims to map the area along the Indonesia - Timor Leste border corridor with a 5 km buffer on a scale of 1: 25,000.²³

²³ Badan Informasi Geospasial, Indonesia dan Timor Leste Rundingkan Batas Darat Dalam Pertemuan yang ke-27, diakses dari <http://www.bakosurtanal.go.id/berita-surta/show/indonesia-dan-timor-leste-rundingkan-batas-darat-dalam-pertemuan-yang-ke-27>, pada tanggal 1 Juni 2020

The meeting went smoothly and Timor-Leste responded to the proposed activities from Indonesia. The demarcation and delineation survey activities were agreed to be carried out in April 2014. While the next TSC-BDR meeting is planned in Timor-Leste. With good faith from both countries, it is expected that the negotiations will run smoothly and the results will be well received by both parties.²⁴

CONCLUSION

The implementation of the TSC-BDR between Indonesia and Timor Leste in the resolution of land border disputes between the two countries is to discuss the technical aspects of the Indonesia-Timor Leste border. The TSC-BDR meeting discussed the follow-up of the 2005 Provisional Agreement and work plans related to the borders of the two countries, especially after the signing of the first addendum for the 2005 Provisional Agreement where Indonesia and Timor-Leste agreed to carry out demarcation and delineation survey activities, and joint boundary mapping (Border Mapping / JBM). This demarcation survey aims to install and measure boundary pillars that have not yet been installed. A total of 80 planned pillars will be installed along the boundary starting from Mota Masin to the north. While the delineation survey aims to trace the boundaries agreed by the two countries. It is planned that a delineation survey will be conducted in the Bidjael Sunan (Oecussi) segment. Whereas JBM activities aim to update the maps used in the 2005 Provisional Agreement and its addendum. This update is mainly for land cover and river channel appearance.

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²⁴ *Ibid.*

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