

REASONS FOR REJECTION TO THE RESULTS OF INDONESIA AND TIMOR LESTE LAND BOUNDARY AGREEMENT IN UN-RESOLVED SEGMENT

(A CASE STUDY IN BIDJAELE SUNAN-OBEN)

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**Shaping Indonesia's Future: Empowering Human Resources to Create
Quality Public Policies and Welcoming All Parties**

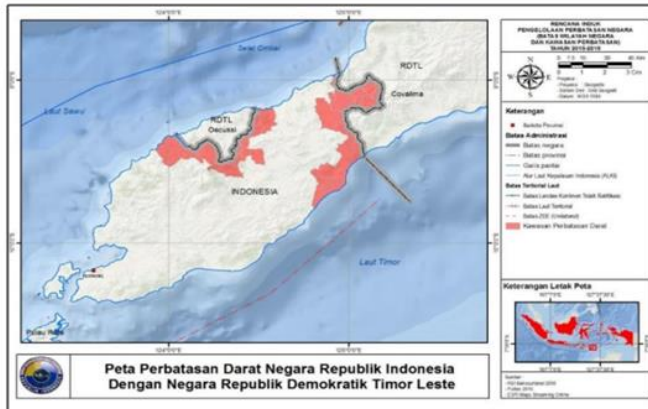
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Abstrak

The land boundary dispute between Indonesia and Timor Leste at the Un-Resolved Segment point has reached its final stage with the signing of the document "Agreed Principles on The Final Settlement of Land Boundary between the Republic of Indonesia and The Democratic Republic of Timor Leste" by Wiranto and Xanana Gusmao in Jakarta on July 22, 2019. One of the contents of the agreement stated that the Bijaele Sunan-Oben point/Oelnasi area which spanned an area of 147.2 ha with a length of 2.6 KM was completed by referring to the 1904 Treaty between the Netherlands and Portugal. The agreement between the governments of the two countries was then met with resistance from non-state actors, especially the traditional leaders of the Manusasi village community, West Miomaffo sub-district, North Central Timor district. Using a constructivist perspective, the author argues that the reaction of rejection by the traditional leaders of the Manusasi village community was based on the fact that the results of the agreement were very contrary to the 1963 customary agreement between the Manusasi and Ambenu people as part of the Atoni Meto tribe.

Keywords: Land boundary, Un-Resolved Segment, Constructivism, Bijaele Sunan, Indonesia-Timor Leste

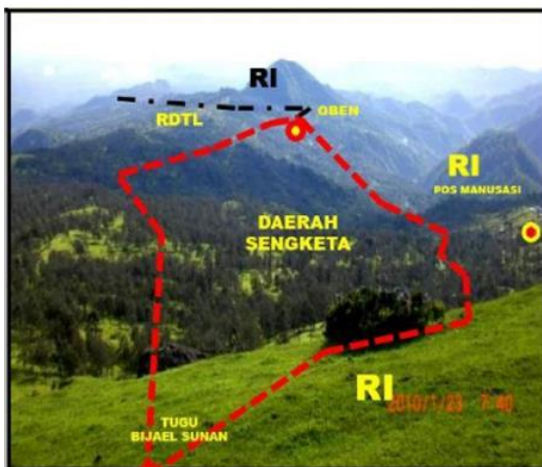
BACKGROUND



Indonesia and Timor Leste have 268 KM land boundary: 149,9 KM in the east sector, and 118,1 KM in west.

Naktuka Citrana and Bidjaele Sunan-Oben are two points of Un-Resolved Segment in west sector of land boundary that have been disputed between the Governments of Indonesia and Timor Leste.

On July 22, 2020, Indonesian Coordinating Minister for Political, Legal and Security Affairs, Wiranto, and Head of the Indonesia-Timor Leste Border Negotiations, Xanana Gusmao, signed the final land border agreement between these two countries.



- ☐ Concerning the point of Bidjaele Sunan-Oben, the agreement stated that the settlement referred to the 1904 Treaty.
- ☐ The disputed land at this point is 2.6 KM long with an area of 142.7 HA.
- ☐ From the Indonesian side, the Manusasi Village Community is the community most affected by the dispute.
- ☐ The question is will the Manusasi community, who live and have direct connection with Bidjaele Sunan-Oben, reject the agreement? For what reasons?

CONSTRUCTIVISM PERSPECTIVE

- ❑ Beside the state actors, international relations actors who also have a significant contribution are non-state actors.
- ❑ Social reality is intersubjective construction (as the common construction).
- ❑ International structure is determined more by ideational than material elements.

METHOD

This Qualitative research, using Case Study method, was conducted in Manusasi Village, West Miomaffo District, North Central Timor Regency, East Nusa Tenggara, on Mei – June 2022. Data collection using interview, observation, and literature review. Data are categorized into primary data (interviews with traditional leaders, community leaders, Head of the Regional Border Management Agency, of North Central Timor Regency), and secondary data (observations and literature studies).

FINDING AND DISCUSSION

BRIEF HISTORY OF THE DISPUTED LAND

- Local Kingdom Era: The marriage of King of Ambenu's (*Tua Amu*) son and King of Miomaffo's (*Usi Kono*) daughter followed by the granting of arable land by King of Miomaffo to the new family.
- West Colonialism Era: 1904 Treaty between the Dutch and Portuguese Colonial Governments, which ignores the history of land ownership according to the historical version of the local community.
- Post Referendum of Timor Leste: the Bidjaele Sunan-Oben point was determined as unresolved segment as a result of mutual claims and refusals from the people of the two countries for the delimitation efforts made by the governments of Indonesia and Timor Leste, because it was not suitable with the true history of disputed land ownership.

THE 1963 CUSTOMARY AGREEMENT

- On May 22, 1963, Sufa Soni from Passabe/Oekusi stole a cow belonging to the Manusasi people. Fuka Anunut (from Manusasi) who chased was eventually killed by Sufa Soni (from Passabe). As a sign of apology and to prevent future conflicts between these two communities, King of Ambenu (*Tua Amu*) gave back Oelnasi area to the Manusasi community, accompanied by a 2.5 Gulden note to King of Miomaffo (*Usi Kono*) as a sign of binding.
- Oelnasi area was the old village of Manusasi community. The evidence of this historical statement is there are hundreds graves of the families of the Manusasi community in Oelnasi area. There are too many bamboo plants, candlenut, mango, etc, that widely known is owned hereditary by Manusasi community.

THE 2022 STATE AGREEMENT

- Until now, the Manusasi Village community do not know that there has been a final agreement between Indonesia and Timor Leste Government.
 - If the agreement stated that the point is settled by referring to the 1904 Treaty, then the Manusasi Village community still reject, because it was not suitable with the customary agreement of the Manusasi Village Community (North Central Timor Regency) with the Malelat Tribe (Oekusi District) in 1963.
 - The wishes of the Manusasi community were: (1) To explore the ridge according to the 1963 agreement; (2) Zone 2 in the Oelnasi must be divided equally into two parts.
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- ❑ There was a widely accepted history of the process of land ownership by indigenous peoples in the land border area between Indonesia and Timor Leste. This history was another version of the agreements made by state actors in resolving conflicts in the land border area between Indonesia and Timor Leste.
 - ❑ The 1963 customary agreement is the way the communities construct reality in accordance with historical truths that are known and lived together by the people of the Manusasi village and the people of the Passabe (Oekusi district).
 - ❑ The process of land ownership at the Bidjael Sunan - Oben point has a historical background that is thick with local values and wisdom in the marriage of indigenous peoples on the island of Timor.

CONCLUSION

- ❑ The RI-RDTL land boundary dispute was resolved by state actors (Wiranto and Xanana Gusmao) on July 22, 2020. Concerning the Bijaele Sunan point, the agreement was referred to the 1904 Treaty (across the Miomaffo River). But until now, the agreement the agreement has not been disseminated to Manusasi village community.
 - ❑ Manusasi village community rejected this result because it was not suitable to the customary agreement between Manusasi village community (North Central Timor Regency) and the Malelat tribal community (Oekusi District) in 1963.
 - ❑ The wishes of the Manusasi community were: (1) To explore the ridge according to the 1963 agreement; (2) Zone 2 in the Oelnasi must be divided equally into two parts.
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RECOMMENDATIONS

- ❑ The Indonesian government needs to immediately disseminate the results of the agreement widely, especially to the Manusasi village community.
- ❑ The Indonesian government needs to prepare a resolution strategy if the agreement actually creates new conflicts between the people of the two countries.
- ❑ Further research needs to explore the diplomatic strategies used by the Indonesian government in resolving border disputes at Un-Resolved Segment points.