

TIMOR-LESTE'S MARITIME BOUNDARIES WITH INDONESIA

Timor-Leste and Indonesia enjoy a close relationship and have become a global model for reconciliation and constructive friendship. Timor-Leste and Indonesia are neighbours across both land and sea, to the north, west and east.

Following the successful conclusion of the compulsory conciliation with Australia and the signing of the Maritime Boundary Treaty, which established permanent maritime boundaries in the Timor Sea, Timor-Leste has turned its attention to the delimitation of maritime boundaries with Indonesia.

The 2018 Maritime Boundary Treaty between Timor-Leste and Australia is expressly without prejudice to the negotiations between Timor-Leste and Indonesia; it allows for these bilateral negotiations to continue freely.



Why are maritime boundaries so important to Timor-Leste?

Determining permanent maritime boundaries is a matter of national priority for Timor-Leste, as the final step in establishing its sovereignty as an independent State. For the people of Timor-Leste, securing rights to the nation's maritime territory is a continuation of their long struggle for sovereignty and independence. Maritime boundaries will allow Timor-Leste to better explore and develop petroleum and fisheries resources, encourage business and investment, and add to the resource revenues in the sovereign wealth fund, which is a fund dedicated to building a prosperous future for the people of Timor-Leste.

Has Indonesia settled maritime boundaries with its other neighbours?

Indonesia is the largest archipelagic State in the world, comprising over 17,000 islands. It shares maritime boundaries with ten States. Indonesia has now agreed or partially agreed on maritime boundaries with Malaysia, Australia, Thailand, Singapore, India, Papua New Guinea, Vietnam and the Philippines. Of these, Timor-Leste and Palau are the only countries with whom Indonesia is yet to reach any maritime boundary agreement and it has started discussions with both.

What is the status of maritime boundary negotiations with Indonesia?

The leaders of Timor-Leste and Indonesia agreed in August 2015 to renewed and wider discussions, covering both maritime and land boundaries. Timor-Leste commenced talks with Indonesia to permanently delimit maritime boundaries in September 2015. The small fraction of the land boundary that is unsettled will be finalised shortly.

In the initial consultations on maritime boundaries, Indonesia and Timor-Leste jointly developed a set of principles and guidelines and a work plan for the negotiations. Both States have committed to negotiate a permanent maritime boundary in accordance with international law, particularly UNCLOS.

Preliminary technical meetings between Timor-Leste and Indonesia were held in late 2018 in Bali and in early 2019 in Singapore. However, the COVID-19 global pandemic has made it challenging to hold formal discussions which will now proceed when the situation permits.

Chief Negotiator, H.E. Xanana Gusmão, is leading the negotiations on behalf of Timor-Leste. The technical meetings to date have built a strong foundation of shared principles and joint technical work, in preparation for commencing formal negotiations.

What are the issues needed to resolve?

The issues with Indonesia are in many ways more complicated than with Australia. This is because Timor-Leste has more maritime time areas with Indonesia. They include:

- a) on the South coast there is a need to negotiate a maritime boundary to the west and to the east. These are two difficult segments;
- b) in the North, there is Oe-Cusse which raises special issues because it is surrounded by Indonesia;
- c) there are also seas from Batugade to Atauro Island and through the Wetar straight down to Jaco.

These segments raise difficult and complicated legal issues at international law which Timor-Leste and Indonesia will need to work through to establish permanent maritime boundaries.