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RESEARCH SUMMARY
MANAGING CONFLICT THROUGH:
CROSS-BORDER COOPERATION:
A Study at the Indonesia-Timor Leste Border

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Abstract
Since the separation of Timor Leste from Indonesia in 2002, disputes over the border area have existed and have occasionally escalated to be communal conflicts. Due to the involvement of people to people relations, government to government negotiation is not enough to resolve these conflicts. Hence, both countries established cross-border cooperation as an alternative. This research analyzed the role of cross-border cooperation in managing communal conflicts in the border area between the Timor Tengah Utara District of Indonesia and the Oecussi District of Timor Leste. The research was conducted in a qualitative approach, while the data was collected by interview, observation, and literature review. This study showed that cross-border cooperation played a significance role in managing the conflict by reducing violence, building and maintaining social relations, as well as improving the economic development of the local people.

Keywords: Conflict management, Cross-border cooperation, Indonesia-Timor Leste’s border.

INTRODUCTION
In 2002, Timor Leste officially became an independent state. Since then, both countries share a boundary area, including a land border between Timor Tengah Utara (TTU) District of Indonesia and the Oecussi District of Timor Leste. A series of bilateral negotiations has been held to determine border delineation (Provisional Agreement, 2005; Addendum No.1, 2013). Unfortunately, some segments remain in dispute, whether the two governments have not yet agreed on it, or it has been agreed, but local people rejected these agreements.
The dispute then led to tension and conflict between communities of both countries. Residents of TTU, Indonesia were involved in rock throwing actions with the citizens of Oecussi, Timor-Leste. This conflict did not only happen in one place but also spread to other border areas of the district, from the southern border in Biko Nilulat sub district to the northern border in Naibenu subdistrict (Raharjo, 2014).

For Indonesia, this phenomenon is interesting because of the character of the conflict that involves border residents in violence, which has not been found in other Indonesian land border areas such as Malaysia and Papua New Guinea. It can be said that the conflicts at the Indonesia-Timor Leste border do not only involve government to government relations (G to G) but also people-to-people relations (P to P).

The initial assessment conducted through a literature review found that the studies on the Indonesia-Timor Leste border dispute and conflict that has been done focuses on conflict resolution at the intergovernmental level. For example, research conducted by Sitohang et al. (2009) highlighted the completion issue of the delineation of the land and sea borders between two governments. Similarly, research conducted by Wuryandari (2010) found that conflict resolution efforts that had been undertaken solely focused on diplomacy between states.

Nevertheless, both countries still have not agreed on some of their land boundary lines. From 2005 to 2013, the negotiations could only finish one boundary segment in Delomil Memo between Belu (Indonesia) and Bobonaro (Timor Leste) District. Based on the amendment of the land border treaty in June 2013, negotiations at central government level are still deadlocked in delineating some segments. Firstly, the segment in Noelbesi-Citrana between Kupang District, Indonesia and the District of Oecussi, Timor Leste, regarding the paddy fields along the Noelbesi River, where the status of the land is still a neutral zone. Secondly, the segment in Bijael Sunan-Oben between the TTU and the Oecussi District, an area of 142.7 hectares, and 2.6 kilometers long (National Border Management Authority, 2011; Seo, 2012).

Theoretically, there are several alternatives to resolve the problem and overcome the impasse in the negotiations (Fisher, 2011). First, the two countries could involve another country as a third party in the mediation process. However, this alternative is hard to achieve since the border dispute is a matter of sovereignty and both countries tend to be reluctant to involve other nations which have the potential to intervene. Another alternative is arbitration, in which both countries submit the case to the international court to be resolved legally. However, Indonesia has experienced a defeat in the case of Sipadan and Ligitan islands dispute which was decided by the International Court of Justice in 2002 (Hendrapati, 2014). This defeat has led Indonesia to be more careful in taking this option.

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**Figure 1. The Location and Date of the Communal Conflict Incidents**

- **Miomaffo-Passabe**
  - September - October 2005
  - Seizing the agricultural land in the disputed land
  - Throwing stones, shooting gunfire with air rifle, and burning huts

- **Haumeni Ana-Cruz**
  - October 2009
  - UPF (special border police) post construction on the disputed land
  - Deprivation of building material, ready to attack each other

- **TCIQ (Custom, Immigration, and Quarantine) office construction on the disputed land**
  - Throwing stone, machetes, slingshots and wooden sticks

- **Sunsea-Costa**
  - October 2013
  - Road construction on the disputed land that caused the destruction of the graves of Nellu citizens

- **Haumeni Ana-Passabe**
  - July 2012
  - UPF (special border police) post construction on the disputed land
  - Deprivation of building material, ready to attack each other

- **Road construction on the disputed land that caused the destruction of the graves of Nellu citizens**
  - Throwing stone, machetes, shooting gunfire, civilians and 1 police officer injured
  - Burning 3 Timor Leste residents’ houses and destruction of water tanks
The next alternative is the cooperation in border region management and development (cross-border cooperation). Unlike negotiation, mediation, and arbitration that try to resolve the roots of the conflict, cross-border cooperation is more a method of conflict management, instead of conflict resolution. Conflict management is an alternative concept that arises within the discussion of conflict resolution. According to Miller (2005), conflict management is interventionist efforts towards preventing the escalation and adverse effects, especially violent ones, of ongoing conflicts. Conflict management does not resolve the dispute, but rather reduces, downgrades, or contains the level of conflict. Meanwhile, according to Swanström (2002), conflict management does not stop there, but it must also involve an element of changes in the mode of interaction that is destructive to the constructive.

Cross-border cooperation is one of the methods used to manage the border conflict. Lee and Forss (2011) stated that to build a genuine peace in border disputes and conflict, a peace agreement obtained through bilateral negotiations, third-party intervention, or arbitration and jurisdiction is not enough. In addition to the above measures of conflict resolution, it also needs the creation of certain conditions that facilitate cross-border cooperation, which can eliminate the physical and psychological barriers that reinforce socio-economic welfare of local communities living in the border region toward regional integration.

In the discourse of border cooperation’s roles in conflict management, Lee and Forss (2011) said that border cooperation could contribute to eliminating physical and psychological barriers that strengthen the socio-economic welfare of local communities toward regional integration. From this explanation, a number of potential roles of border cooperation can be identified. The first is eliminating physical and psychological barriers between residents of the border. Cross-border cooperation will facilitate the relationship between residents of the two countries to meet each other and work together. Thus, social relations are expected to be built and maintained. The second is strengthening the socio-economic welfare of border residents. For example, the cross-border trade will improve the economy of the people, thus further strengthening them to be economically more resistant to being mobilized for the purpose of conflict. Thirdly, regarding to the original concept of conflict management as a method to limit or reduce the negative impact of the conflict especially violence, cross-border cooperation may restrict or lessen the violence in the conflict.

This study analyzes the role of cross-border cooperation in managing the conflict in the border area between the TTU District of Indonesia and the Oecussi District of Timor Leste. This research focuses on cross-border cooperation based on local community involvement.

**METHODS**

This is a qualitative research study which has tried to get a comprehensive picture by digging and analyzing detailed information from the key players and other relevant parties (Berg, 2001). The research method is descriptive and focuses on the implementation of the cross-border cooperation in the Indonesia-Timor Leste’s border areas and its roles in managing the communal conflict.

There are three techniques used to collect data in this study. Firstly, face to face interviews, secondly, observation techniques were used to observe objects existing in the field of research, and thirdly, a literature review was used to collect secondary data in the form of government documents, books, research reports, journals, and internet articles.

The research was conducted in Jakarta and East Nusa Tenggara. Research in Jakarta dug up information on government policies, both from Indonesian side via the National Border Management Authority and from Timor Leste’s side via the Embassy of the Democratic Republic of Timor Leste in Jakarta. Meanwhile, research in East Nusa Tenggara took place in Kupang City and TTU District, including the border area with Oecussi, Timor Leste. The study was conducted from August 2014 until March 2015.
FINDINGS

This study noted that from 2002 until 2014, there were 52 bilateral agreements signed by the government of the Republic of Indonesia and the government of the Democratic Republic of Timor Leste (Ministry of Foreign Affairs of the Republic of Indonesia, 2014). Among those agreements, three documents are related to the cross-border cooperation that involves local communities and/other local stakeholders. The three documents imply at least four forms of cross-border cooperation.

Table 1 Type of Cross-Border Cooperation between Indonesia and Timor Leste

<table>
<thead>
<tr>
<th>No</th>
<th>Cross Border Cooperation</th>
<th>Key Players</th>
<th>Procedures</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Traditional Border Crossing</td>
<td>• Nationals of the two respective Border Areas holding Border Crossing Pass</td>
<td>• Only for traditional and customary purposes: social contacts and ceremonies including marriage, gardening, and another land utilization, fishing and other usage of waters, customary border trade, sports and cultural activities. &lt;br&gt;• Exit/entry though Designated Crossing Points: Haumeni Ana-Passabe, Napan-Bobometo, and Haumusu C/Wini-Wini</td>
<td>• the rules are not enforced rigidly, residents with clear purposes can cross border despite having no legal documents &lt;br&gt;• People far from designated crossing points prefer use illegal shortcut lines (due to limited number of crossing points)</td>
</tr>
<tr>
<td>2</td>
<td>Traditional Trade and Regulated Markets</td>
<td>• Nationals of the two respective Border Areas holding Border Crossing Pass</td>
<td>• The commodities are limited to agricultural products, goods produced in the border area, village gardening tools, village building tools and material, village lighting, village household items, village cooking utensils, clothing for personal purpose, and other goods required for daily use or consumption. &lt;br&gt;• The total value of tax-free goods per person per day should not exceed US$ 50 &lt;br&gt;• The agreed regulated markets will be built on Indonesia and Timor Leste sides.</td>
<td>• Border markets only run on Indonesian side &lt;br&gt;• The border market takes place weekly and rotating: Monday at Wini, Wednesday at Apal, Thursday at Manusasi, Friday at Napan, and Saturday at Haumeni Ana. &lt;br&gt;• Indonesian rupiah and US dollar are accepted.</td>
</tr>
<tr>
<td>3</td>
<td>Prevention and Eradication of Transnational Crimes</td>
<td>• Indonesian National Police and the National Police of the Democratic Republic of Timor-Leste</td>
<td>• Kind of transnational crimes covered: terrorism; illicit trafficking in narcotic drugs and psychotropic substances as well as precursors; crimes against state property; illicit trafficking in weapons, ammunition and explosives; economic crimes including money laundering; forgery of notes, documents and securities; human trafficking and other types of crimes</td>
<td>• Supported by border security task force from the Indonesian army</td>
</tr>
<tr>
<td>4</td>
<td>Joint Border Patrol</td>
<td>• Border Security Task Force of Indonesian army and the Timor Leste Border Police (UPF)</td>
<td>• Conduct maintenance on the border markers</td>
<td>• Joint patrol is also used to socialize the legal border line to their respective border residents</td>
</tr>
</tbody>
</table>
The implementation of the four types of cross-border cooperation above have had some impact on the efforts in managing communal conflict between TTU and Oecussi border residents.

**Limiting and Reducing Violence**

The use of violence against the opponent should be avoided in the conflicts. It can cause injuries/death as well as damage to private and public property. Cross-border cooperation is not a step that can instantly stop the violence, but it can play a role to prevent the use of excessive force continuously.

At the level of the security forces, cross-border cooperation contributes to limiting the use of violence. In the case of the Miomaffo-Passabe conflict in 2005, for example, coordination between the Indonesian army and the UPF set the disputed territory as a neutral zone and conducted joint patrols. This generally reduced the level of violence. Before the implementation, communal violence existed in the conflict. After the implementation only small clashes between individuals took place because of good coordination between the two forces through joint patrols. This positive role was also recognized by the officials of Timor Leste Embassy, stating that the joint patrol cooperation has managed to eliminate tensions.

At the level of border communities, the contribution of cross-border cooperation in limiting the violence can be seen from the implementation of traditional border crossings and regulated border markets in Haumeni Ana, a border area where open conflicts take place frequently. However, the interesting fact about the conflicts at Haumeni Ana in 2005, 2009 and 2012 is there was never any life lost on either side. This is in contrast to the case of Nelu, which only clashed once, but directly caused injuries to civilians and border police. This data is also supported by a confession from an Indonesian border security task force officer in Haumeni Ana, stating that traditional cultural events facilitated through cross-border cooperation helped to defuse tension.

The difference in the level of the violence in the two disputed border areas may be influenced by the presence of official Crossing Point in Haumeni Ana. Through this crossing point, the citizens of both countries can perform cross-border activities easily, such as the ‘bakar lilin’ ritual (pilgrimage to the grave), funeral ceremonies and family gatherings. Even if they do not have legal documents, officials of both countries still grant permission, with supervision, for the sake of humanitarian reasons.

Other evidence that cross-border cooperation can limit violence, although not directly, can be seen in the implementation of the border market in Haumeni Ana. According to the Border Management Authority, when a conflict occurs, the border market will be temporarily closed but will soon be open again. In fact, when the conflict occurred in 2012, a prominent citizen at Haumeni Ana said ‘He (Timor Leste’s resident) is not allowed to step into Indonesia again. If he steps, I will cut his head’. However in reality, they can still go shopping to the market after the border conflict. Different conditions occurred in the case of Nelu. There is neither an official crossing point nor a border market there. In the conflict of October 2013, the violence was far more severe than in the case of Haumeni Ana. It was the first communal conflict incident in Nelu. At least four people were seriously injured, three houses were burnt down, and water reservoirs were destroyed. The comparison between the Haumeni Ana and Nelu cases above show us that in the border areas where cross-border cooperation is implemented, the level of violence during the conflict is less than those areas that do not run it.

**Building and Maintaining Social Relationships**

TTU-Oecussi border communities have common features in terms of ethnicity and culture. In ethnicity, they are from the same tribe, namely the Atoni, also known as the Dawan tribe. However, the close social relationships are momentarily threatened by the conflict over disputed border territory. Maintained social relations are good capital to resolve the conflict through diplomacy, as stated by a high official at
the Indonesian National Border Management Authority. Therefore, the cultural and kinship-based social relations need to be grown back.

At the level of the security forces, social relationships are built and maintained through cooperation and coordination of joint patrols. In practice, the commander of the Border Security Task Force at Haumeni Ana said that the joint patrol is usually coordinated with the UPF. They also jointly secure the implementation of the border market every Saturday. The UPF members usually help in preventing prohibited goods smuggling and the purchasing of goods in excessive amounts by the East Timorese in the border markets. This is important since the Indonesian task force members do not understand the local language of border residents. Meanwhile, members of the UPF are usually natives of Timor Leste who understand the physical characteristics and the local language, so that they can differentiate between Indonesian and East Timorese.

Social relationships are not only built through formal meetings but also through informal activities. Indonesian task force members frequently visit the UPF post and vice versa. At the time of field research conducted in Haumeni Ana, some UPF officers were visiting the Indonesian task force post. Similar to the Haumeni Ana case, in Napan a researcher was facilitated by Indonesian task force members to visit and talk with members of the UPF in Timor Leste territory. They already know each other and look familiar. They also sometimes have lunch together. This intensified good interaction has led to closer relations between the border forces of the two states.

At the community level, social relationships are built and maintained through cooperation across traditional boundaries. Based on data from the Statistics Directorate of Timor Leste (2013), there was an increasing trend in the number of border crossers via Crossing Points. In the Napan-Bobometo post, the number of foreigners leaving Timor Leste increased from 133 in February to 363 in October. This trend can also be seen in the Sacato-Wini post which rose from 680 in February to 1135 in October. This data does not include the immeasurable number of people who cross borders and traditional boundaries via illegal shortcuts.

Social relationships are also built and maintained through border markets. Residents of Timor Leste not only utilize border markets for shopping, but also for gathering with their families in Indonesia. So it is not surprising that the number of border crossers usually jumped from only about 5-15 people on a typical day to about 100 people on market days, as stated by an immigration officer there.

**Improving Border Residents’ Economy**

The poverty rate at TTU-Oecussi border area is high. Approximately 40% of TTU border residents classified as poor (Border Management Authority of TTU, 2012), while at the Oecussi, the condition is more concerning since the daily spending of 61% of its citizens is less than one dollar (NSD-Timor Leste, 2011). High levels of poverty are a structural factor that can make the community prone to be easily mobilized into conflict. Therefore, the border residents’ economic levels need to be improved through cross-border cooperation.

One example of cooperation which served to increase the economy of the community is the border market. Until 2014, the border markets only operated on the Indonesian side. From the side of Indonesian citizens, they use the market to obtain goods of daily needs more easily, so that they do not need to go shopping in Kefamenanu, the district capital. They also take advantage of the market by becoming a seller of goods. These benefits are great because many East Timorese use US dollars in the transaction, which at the current exchange rate is higher than the rupiah.

Meanwhile, for the East Timorese, they use the market to get items of daily needs at a closer distance and lower prices. According to a counselor at the Timor Leste Embassy in Jakarta, Timor-Leste is still relying on imports from other countries to meet its needs, in which 70-80% of these commodities come from Indonesia, originating from Surabaya and Makassar ports. Consequently, the price is high because of the additional import duty and other costs.
Also, the stock of goods is limited. However, if they buy at the border market, goods are not taxed, as long as the value is not more than US$ 50. Therefore, Timor Leste border residents prefer to shop in border markets. Thus, it can be said that the border markets benefit both sides. The third role is becoming increasingly important because it helps resolve the structural factors of the conflict, namely the high rate of poverty that stimulates them to compete with each other over limited natural resources in the disputed areas.

Supporting a Conducive Condition for the Conflict Resolution Process

Conflict resolution efforts through first track diplomacy have not yet completed the two disputed segments of the boundary, one of which is the TTU-Oecussi border. As stated by a high official of the Indonesian Border Management Authority, inter-governmental diplomacy takes a long time. Therefore, it should be supported by conflict resolution efforts at the community level (second track diplomacy).

Efforts on local community-based conflict resolution have been accommodated in the Provisional Agreement between the Government of the Republic of Indonesia and the Government of the Democratic Republic of Timor-Leste on the Land Boundary 2005. Article 6 (b) of the agreement stated that ‘each party shall take into account the considerations of local communities in the process of amicable negotiation moreover, inform them on the legal and technical aspects of the delineation process’.

To run community-based conflict resolution efforts, certain conducive conditions need to be created through cross-border cooperation. Before meetings are held, violence in the conflict should be limited, reduced, or terminated. Also, the necessary bonds of solidarity that bind the two parties, namely in the form of cultural and kinship ties should be strong. Cross-border cooperation itself has been instrumental in helping maintain the family-based social relations through traditional border crossings and border market facilitation.

With the provision of the above conditions, the process of local community-based conflict resolution has already been held several times. On 10 November 2012, both communities had meetings and dialogue based on Dawan tribe unity to resolve the border dispute. The meeting took place at the Oecussi District Office and was attended by traditional community leaders from Kupang, TTU, and Oecussi. During the meeting, an agreement was reached between the Meko tribe from Oecussi and the Meko tribe in TTU about the borders from Banuru estuary in Humusu C village to the Nit Kolenat in Sunsea village. They also agreed to jointly use the road built by the East Timorese in Nelu, the construction of which previously triggered open clashes (Border Management Authority of TTU, 2012). Another meeting was held on the 16th of December, 2012 in Kefamenanu, the capital of TTU District but agreed on nothing. The next session was held on the 22nd of November 2013, where both communities expressed their concern on the need for local government and community leaders in the border delineation negotiation process (Government of TTU District, 2013).

This explanation illustrates that cross-border cooperation has played a role in creating conducive conditions to the process of community-based conflict resolution, in the form of cultural and custom dialog. However, the implementation of this cultural and custom dialog has still not achieved optimal results due to some obstacles.

Firstly, the lack of political will from the central government in providing and facilitating cultural and custom dialogue. A high official of the Timor Leste government said that they are reluctant to facilitate traditional meetings and dialogue because Indonesia’s and Timor-Leste’s border residents have a different version of the borderline. Therefore, it is useless to make any community-based negotiation and should go back to the first track diplomacy based on a legal treaty.

The second obstacle relates to the issue of institutionalism. There are community-based meetings facilitated through the establishment of the Border Liaison Committee (BLC) and
chaired by the deputy governor of the province (local government). However, Indonesian border officials face difficulties in processing exit permits to the Oecussi. They have to ask permission from the command headquarters of the Indonesian border security task force in Atambua-Belu District at least a week before the event. However, sometimes invitations were only received less than one week before the event. On the other side, the immigration post at the Timor Leste is more cooperative. With an official letter signed by the head of the district, Indonesians can easily enter Timor Leste’s territory. This is understandable because of the dependent border relationship of Timor Leste toward Indonesia regarding the supply of goods. Indonesia consequently is more concerned with security and preventing any illegal activities, while their counterparts from Timor Leste operate a more tolerable border post. Those obstacles should be tackled so that community-based conflict management and resolution efforts can be more efficient and effective.

CONCLUSION

This study shows that cross-border cooperation has played some role in conflict management. Firstly, in the limitation and reduction of violence, in which the level of violence is lesser in the conflict area that has an official Border Crossing Point and a border market than in the area that is not equipped with such facilities. Secondly, by building and maintaining a social relationship, both among the official forces and among the communities. Thirdly, improving the economy of border residents, especially by supplying daily goods and becoming a source of income.

That role of cross-border cooperation in managing the conflict also contributes to creating conducive conditions for the local community-based conflict resolution process through traditional meetings and dialogue on border negotiations. This second track diplomacy complements the steps of conflict resolution that have been carried out previously at the national level. However, obstacles such as the lack of political will and no optimal border management institutionalism remain a challenge that must be addressed, and the solutions should be explored through further research.

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