

**UPAYA PENEGAKAN HUKUM DI WILAYAH PERBATASAN YANG  
DELIMITASI MARITIMNYA BELUM DITETAPKAN  
(Studi Kasus Timor Leste - Indonesia)**

*Oleh :*

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**INTISARI**

Timor Leste merupakan negara pantai yang memiliki dua pulau kecil dan satu Wilayah daratan di Distrik Oekusi-Ambenu yang masuk di wilayah Indonesia. Wilayah perbatasan Timor Leste dan Indonesia tidak terlepas dari sejarah terbentuknya perbatasan antara Belanda dan Portugis yang ditetapkan dalam suatu klausul traktat pada tahun 1904. Pada tahun 2015, penyelesaian perbatasan darat masih menyisakan dua *unresolved segments* artinya tinggal 2% yang belum diselesaikan yaitu Segmen, Bidjael Sunan/Oben dan Noel Besi/Citrana, dimana kedua belah pihak melakukan serangkaian perundingan untuk menentukan batas-batas wilayah negara masing-masing, berdasarkan konvensi perbatasan pada zaman kolonial.

Penelitian hukum yang dilakukan dengan cara meneliti bahan pustaka atau data sekunder yang dapat dinamakan penelitian hukum normatif atau penelitian hukum kepustakaan, disamping adanya penelitian hukum sosiologis atau empiris yang terutama meneliti data primer. Penelitian hukum normatif atau kepustakaan tersebut mencakup penelitian terhadap asas-asas hukum, sistematika hukum, taraf sinkronisasi vertikal dan horizontal, perbandingan hukum dan sejarah hukum

Permasalahan perbatasan antara Timor Leste dan Indonesia yang belum selesai sesungguhnya menjelaskan bahwa hal itu merupakan sumber ancaman bagi kedua negara. Mengingat kondisi riil dilapangan baik yang terkait dengan perbatasan laut maupun perbatasan darat yang belum selesai sehingga akan mengganggu pertahanan dan keamanan.

Hasil penelitian ini disimpulkan bahwa penegakan hukum serta kebijakan dan regulasi yang ada wilayah perbatasan maritim yang berhubungan dengan

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dibentuknya lembaga-lembaga dalam penegakan hukum diantaranya adalah pembentukan Polisi *Maritim Unidade Policia Maritima* (UPM), Polisi perbatasan *Unidade Policia Frontera* (UPF) dan angkatan Laut *Forças de Defesa de Timor Leste NAVAL* (F-FDTL) untuk menjaga wilayah perairan Timor Leste, termasuk di dua pulau terpencil.

Timor Leste dan Indonesia dalam mengimplemantasikan kebijakan maka melalui hubungan diplomasi politik, untuk menjalin hubungan kerjasama perbatasan antara Timor Leste dan Indonesia sebagai awal hubungan kerjasama dalam pembentukan wadah kerjasama perbatasan *Joint Border Committee* (JBC).

**Kata kunci :** *Upaya, Penegakan Hukum, Delimitasi, Batas Maritim.*

**LAW ENFORCEMENT EFFORTS IN BORDER AREAS WHICH THE  
MARITIME DELIMITATION HAS NOT BEEN DETERMINE YET  
(Study Case Timor Leste - Indonesia)**

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**ABSTRACT**

*Timor Leste is a coastal country, which has two small islands and one mainland area in the District of Oecusse-Ambeno, which is located in Indonesia's territory. The border area of Timor Leste and Indonesia is inseparable from the history of the formation of the border between the Netherlands and the Portuguese government, which was stipulated in a treaty clause in 1904. In 2015, the settlement of land borders still left two unresolved segments, meaning that only 2%, remaining unsolved, which are Segment Bidjael Sunan/ Oben and Noel Besi/ Citrana, where the two sides conducted a series of negotiations to determine the boundaries of their respective countries, based on border conventions during the colonial period.*

*Legal research is carried out by examining library materials or secondary data which can be called normative legal research or literature law research, in addition to the existence of sociological or empirical legal research that primarily examines primary data. The normative or literary legal research includes research on legal principles, legal systematics, levels of vertical and horizontal synchronization, legal comparisons, and legal history.*

*The unfinished problem of the border between Timor Leste and Indonesia explains that this is a source of threat to the two countries. Given the real conditions in the field, both those related to maritime borders and land borders, which have not been resolved, so it will disturb defense and security.*

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*The results of this study concluded that law enforcement, as well as policies and regulations in maritime border areas related to the formation of institutions in law enforcement, include the formation of the Maritime Police Unidade Policia Maritima (UPM), the Border Police Unidade Policia Frontera (UPF) and the Navy Forças de Defesa de Timor Leste NAVAL (F-FDTL) to protect the territorial waters of Timor Leste, including two remote islands.*

*Timor Leste and Indonesia in implementing the policy through political diplomacy, to establish a border cooperation relationship between Timor Leste and Indonesia as the beginning of a cooperative relationship in the formation of the Joint Border Committee (JBC) border cooperation forum.*

**Keywords:** *Efforts, Law Enforcement, Delimitation, Maritime Boundaries.*