

ROYAL AUSTRALIAN NAVY

# SEA POWER

## SOUNDINGS



Issue 20, 2021

## **A maritime strategy for Timor-Leste**

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## Introduction

Timor-Leste, still commonly referred to as East Timor, is an island nation that gained independence in 2002. It is an island surrounded by a large maritime zone and the maritime environment has been accepted as an integral factor in Timor-Leste's national identity in the post-independence period and a decisive element of national strategy. Timor-Leste as a maritime island nation, and in an integrated manner must consolidate maritime security for sustainable economic growth and national development. History tells us that the ocean is vital for economic development, and both the global shipping and fisheries industries have developed into multi-billion-dollar industries.<sup>1</sup> Similarly, the offshore oil and gas industries have expanded, and are of particular relevance to Timor-Leste.<sup>2</sup> Approximately 96% of Timor-Leste's imports and exports are by sea. Fisheries is a significant industry.

Since the sea is economically significant for Timor-Leste and the need to protect and control the maritime zones, including the Exclusive Economic Zone, is great. It is necessary for the government of Timor-Leste to look forward and plan for the future. However, looking forward does not mean having a maritime strategy based on infallible predictions of the future. Looking forward is about identifying the significant shifts and the potential threats that could impact on political and economic development. Maritime strategy is the comprehensive direction of all aspects of national power to achieve national strategic goals by exercising some degree of control at sea.<sup>3</sup> Maritime strategy is an integral part of national defence, a subset of national strategy. Maritime Strategy is concerns all activities a nation conducts at and from the sea including the sea as a means of transportation, as a resource, as a physical environment and as an area of sovereignty. These elements of strategy are particularly important in this globalised era.<sup>4</sup> There is rising evidence to suggest that Timor-Leste needs a maritime strategy to reflect the significant value of the sea. The development of Timor-Leste since 2002 has come from the Timor Sea budget, which accounts for 90% of government revenues and largely derived from oil.<sup>5</sup> Over 70% of the population depend on agriculture or fishery for their livelihood.<sup>6</sup>

Therefore, as a new maritime state Timor-Leste requires a national maritime strategy framework to ensure its security and prosperity of Timor-Leste. This would also ensure that Timor-Leste



remains a secure and not a fragile state, which could pose a security challenge for Australian Strategy. This paper will focus on the strategic outlook for Timor-Leste based on geographical position, the challenges for Maritime security policy, the strategic impact to Australia and Indonesia, a way ahead through developing integrated maritime governance, the Maritime Security Program, and coordination at a regional and international level.

### **Timor-Leste's geographic position**

Timor-Leste is an island with a coastline of approximately 760 km, territorial waters of approximately 9120 km<sup>2</sup>, and an Exclusive Economic Zone (EEZ) of approximately 7326 km<sup>2</sup>. Timor-Leste is situated at the crossways of southern Asia and the Pacific Islands. Timor-Leste's waters have free navigation routes through the Straits of Ombai and Wetar. Timor-Leste is at the strategic heart of the emerging Indo-Pacific theatre, where the major powers such as the US, China, India, Japan, Australia and Indonesia all value its geography.<sup>7</sup> Internationally, as a small state Timor-Leste foreign policy decision-making faces great constraints in its strategic choices. However, it is important to secure its long-term security and prosperity, a goal that faces significant challenges at every geopolitical level. Four international straits in the region have been identified as essential for passage by U.S. Navy ballistic missile submarines: Malacca, Ombai-Wetar, Lombok, and Sunda.<sup>8</sup>

The Ombai-Wetar Straits are an alternative passage, sometimes used for the largest tankers transiting between the Persian Gulf and Japan, considered the safest route,<sup>9</sup> as well as vessels proceeding between Australia and the Java Sea and to East Asia.<sup>10</sup> Both straits are considered strategically significant by the US and China. The Ombai Wetar Straits are deep-water straits that are used by US submarines, something not lost on Beijing.<sup>11</sup> China has already recognised the geostrategic value of the Straits, with Beijing requesting in 2008 to build a radar array along Timor-Leste's north coast.<sup>12</sup> According to Jun Suzuki-San: 'Timor-Leste sits at a geopolitically strategic point, between the Pacific and Indian oceans, and neighbours fear China will boost its presence in the country not only economically but also militarily.'<sup>13</sup> In January 2016 Chinese Navy Task Force 152, comprised of a destroyer, a frigate, and a supply ship, visited Timor-Leste for five days. The task force commander, Commodore Wang Jianxun, said that the visit would



improve the bilateral friendship, especially the cooperation between the navies of the two countries.<sup>14</sup> In 2017 the Chinese hospital ship *Peace Ark* visited Timor-Leste in order provide humanitarian medical services.<sup>15</sup> China continues to provide other aid offerings such as soft loans to obtain the Timorese cooperation for the passage of PLAN ships in the Straits of Ombai and Wetar.<sup>16</sup> As Damien Kingsbury, Professor of International Politics at Deakin University, has said: ‘Timor-Leste’s foreign policy since 2002, is to have many international friends; to balance them against the others. Thus China is an advantageous strategic balance.’ The Timor-Leste government has been wary about China, and while it has accepted aid, it has also refused some of its advances, such as off-shore oil rights and radar arrays ostensibly to counter illegal fishing.<sup>17</sup> Both allow US nuclear-powered submarines to travel otherwise undetected between the Indian and Pacific Oceans,<sup>18</sup> and both straits are less congested by commercial traffic.<sup>19</sup>

The United States has also been active in Timor-Leste, conducting series of naval visits to Timor-Leste of hospital ship and aircraft carriers and conduct a yearly exercise of military cooperation in the area of humanitarian assistance disaster relief (HADR) in the Timor Sea, as a way of helping Timor-Leste in asserting control over its territory.<sup>20</sup> These initiatives are a direct response to the growing Chinese presence in Timor-Leste.

Furthermore, Timor-Leste’s strategic environment, explained in *Forsa 2020*, assesses that geo-strategically the country is between the two great regional powers: Indonesia and Australia. Indonesia, to the north and the west, has great human potential and accounts for the main share of Timor-Leste’s maritime and land borders. Geographically, the position of Timor-Leste is a factor of crucial interest to Indonesia and its other neighbours. Indonesia is also concerned with matter such as its political and security situation, the process of democratisation, and its economic development.

The other main regional power, Australia, is also focused on its security and geography.<sup>21</sup> Most of Australia’s future national security challenges will come from beyond its borders.<sup>22</sup> Australia’s *Defence White Paper 2016* stated that ‘the geography of the archipelago to Australia’s immediate north will always have particular significance to our security.’<sup>23</sup> As a close neighbour, Timor-Leste factors into Australia’s strategic calculations.



Both Australia and Indonesia need to pay attention to Timor-Leste's situation. By maintaining maritime security and prosperity Timor-Leste will be a great strategic asset to Australia and Indonesia. Apart from the maritime security challenges presented by major powers, Timor-Leste's strategic location also makes it highly vulnerable to the threat of maritime crimes, such as human rights abuses, illegal trade, drug trafficking, and piracy.<sup>24</sup> Maritime crimes are facilitated by weak border security because of poor relations between national and interstate agencies, among other factors. For example, According to Belu district police chief, Daniel Yudo Ruhoro, smugglers import drugs by boat from Malaysia, Thailand, China and Vietnam through East Nusa Tenggara and Timor-Leste and on to Bali and Jakarta.<sup>25</sup> Moreover, the inter-island border close to Timor-Leste at the west end of Flores has become a central point of access for drug smuggling.<sup>26</sup> According to the Bureau of International Narcotics and Law Enforcement Affairs, drug couriers are taking advantage of Timor-Leste's porous maritime borders and weak law enforcement to transport illegal narcotics through Timor-Leste's waters to customers in Indonesia.<sup>27</sup> Thus the maritime security of Timor-Leste has a direct impact on law and order issues in Indonesia.

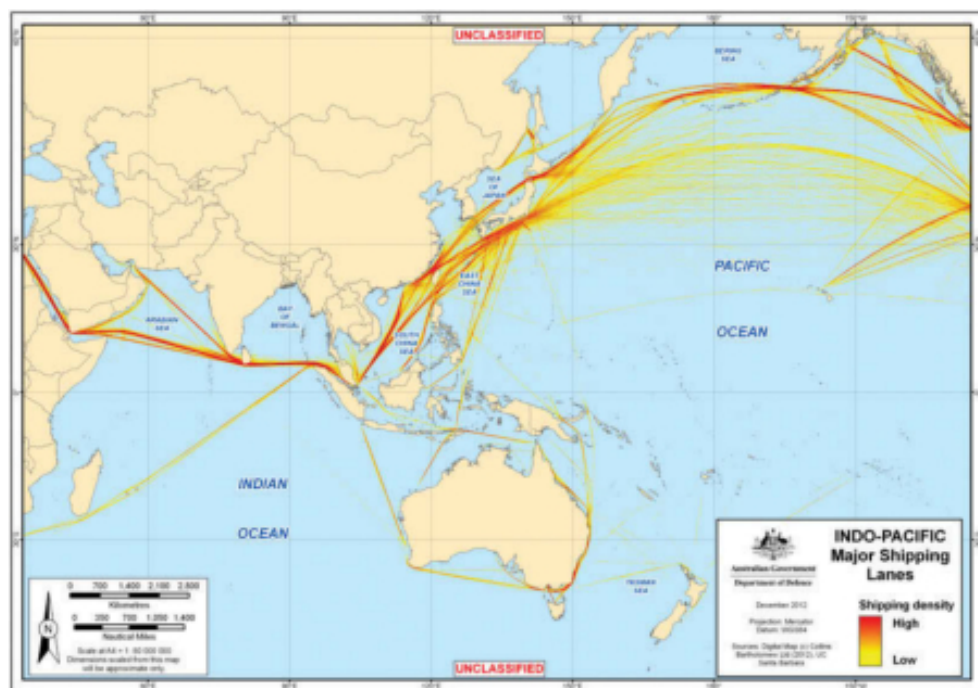


Figure 2. Indo-Pacific Major Shipping Lanes





## **The Challenges for maritime security policy**

### **Government Policy**

The international recognition of the Democratic Republic of Timor-Leste in 2002 gave the new state control over its essential elements: territory, sovereignty, and political power. Article 6 of the constitutions of the Democratic Republic of Timor-Leste lists as a state objective ‘To defend and ensure the sovereignty of the country.’<sup>28</sup> Crucial to this is developing a strong and prosperous economy, ensuring the security of Timor-Leste’s maritime zones, and ensuring peaceful and effective relations with neighbouring countries.<sup>29</sup>

Timor-Leste’s strategic concept is based on the geographic characteristics of the country: half of an island with abundant natural resources and with a large maritime area within its jurisdiction. According to the United Nations Law of the Sea Convention (UNCLOS), this maritime area is approximately seven times larger than its land area.<sup>30</sup> This geographical reality can and should be well exploited in its diverse potential, a potential that could bring great value to the country. Timor-Leste must have a maritime guidance policy that includes all aspects of the strategic environment and with due concern for the great size of the maritime domain within its jurisdiction, as well as the great diversity of the maritime economy.

The sea is very important for Timor-Leste’s economic development and the process of national reconstruction. The maritime area is rich in natural resources including fish, sea cucumber, oil and gas, much of it on the bottom of the Timor Sea. More than 95 per cent of Timor-Leste’s government revenue is generated by oil and gas, which is consigned to a Petroleum Fund with assets of \$16 billion as of mid-2016.<sup>31</sup> The joint petroleum development area (JPDA) contains almost 12 trillion cubic feet of gas and 900 million barrels of oil. These resources, through the sharing arrangement under the Timor Sea Treaty, will support Timor-Leste economic development for the foreseeable future. They are therefore vital to the country’s survival and development, especially as it recovers from political instability, rehabilitates livelihoods, and strengthens the national economy.<sup>32</sup>

It is necessary to analyse the importance of trade as it relates to the ports of Timor-Leste. The Asia-Pacific is the most economically dynamic in the region in the world and is the driver for



global economic growth and development, based predominantly on seaborne trade.<sup>33</sup> Reflecting Asia's position as the main source of world shipping demand and the influence of China, port volumes handled at Asian ports increased by 7.2 per cent in 2017, up from 1.9 percent in 2016.<sup>34</sup> Singapore remained the world's top bunkering port in 2016. The total volume of bunkers sold in the Port of Singapore grew 7.7 per cent to 48.6 million tonnes, compared to 45.2 million tonnes in 2015 and consolidating Singapore's position as one of the top 10 ship registries in the world.<sup>35</sup> The Wetar and Ombai straits near Timor are an alternative shipping route to the primary maritime highway of the Straits of Malacca and Singapore.<sup>36</sup> In the event of any disruption of shipping traffic in the Malacca Strait, the straits of Wetar and Ombai would play a critical role in the flow of the world's shipping, particularly the Asia-Pacific region. These straits are critical for Timor-Leste, in terms of the maritime transport and port services and the commercial values of taxes, and the internal transit of tourism and the transport sector.<sup>37</sup> If Timor-Leste intends to assert itself as a maritime state, it must possess maritime transport, both for the transport of passengers from Dili to Atauro Island and Enclave Oecusse, and the transport of goods for commercial exchange. This aspect should be integral to developing maritime policy.

Timor-Leste realises that the sea as an economic resource is vital to its future prosperity. Thus, the government must provide surveillance and patrol capability in order to protect fish stocks and oil and gas-related offshore installations. However, Timor-Leste has inadequate capability to make a significant contribution to joint air and surface surveillance efforts with Australia. Timor-Leste will begin to establish an Air Force in the next few years, based on the Strategic Development Plan. This includes: a combat attack helicopter unit to support land forces; a helicopter unit to support the naval fleet; C-130 for logistics support; a light aircraft (Cessna) for air surveillance; and an air control unit.<sup>38</sup> Presently there is only one civilian-donated helicopter being operated by the Army. As for the fleet, all existing naval vessels are undergoing maintenance and are unsuitable for open ocean operations. Therefore, the Timor-Leste Navy requires new capability, especially ships capable of high seas patrols, in order to protect these vulnerable vital resources and facilities.

Timor-Leste's National Development Plan (NDP) focuses on the reduction of poverty in all sectors and identifies food security as a key issue, with fisheries as a priority sector.<sup>39</sup> Over 70 percent of





the population depends on subsistence agriculture or fisheries for their livelihoods and food requirements.<sup>40</sup> Currently there are 5,265 fishermen in 1,034 groups around the country who are engaged in fishing activities.<sup>41</sup> The fisheries area is considered a significant pillar of the rural economy, together with agriculture (crops and livestock) providing employment to around 78% of the population.<sup>42</sup> With a coastline of over 700 km and claimed EEZ of 200 nautical miles, Timor-Leste is well endowed with marine fisheries resources. However, weaknesses in policy and limited capacity to manage, monitor, and protect these resources from IUU fishing threaten to deplete fish stocks.<sup>43</sup> The Maritime Police Unit Commander, Lino Saldanha has said:

Timor-Leste has vast marine resources and their potential in it, the government should own a national marine policy (National Ocean Policy) which are coordinated and controlled by an institution that has full authority for security and law enforcement at sea of national jurisdiction, and is recognised by the formal legality national law and international law. Furthermore, he adds that: National legal frameworks should empower National Maritime Authorities to take adequate enforcement action against vessels involved in IUU fishing.<sup>44</sup>

Thus, Timor-Leste should develop an integrated maritime security policy which complies with international maritime obligations and empowers maritime authorities to defend national strategic interests and protect the national maritime economy. This would involve preservation of the marine environment, shipping, ports, maritime transport, the exploitation and conservation of living and non-living resources, scientific research and development of new technologies applied to the sea. These steps could help to minimise the external strategic influences which sometimes could escalate diplomatic disputes and possibly cause military conflict.

Moreover, Timor-Leste needs the support of international treaties and the drafting of relevant national legislation that sets clear maritime security objectives, as well as enabling the integrated management of maritime and coastal areas. Timor-Leste ratified the U.N. Convention on the Law of the sea as 165<sup>th</sup> member on 27 December 2012 and ratified this treaty on 8 January 2013. However, Timor-Leste's government should also consider the other international conventions such as the Safety of Life at Sea (SOLAS), Maritime Pollution (MARPOL), Standards of Training, Certification and Watchkeeping for Seafarers (STCW) and others that have not yet been ratified. The key to success for Timor-Leste's maritime security policy is that it should be based on a strong legislative foundation that would ensure its legitimacy.



Timor-Leste can draw on the experience of other small nations in the establishment of their maritime security policies and the progressive implementation of these policies. The lessons learned by our partner countries within the South Pacific will be useful in forming credible deterrence through a small yet competent response capability, and a legal system involving financial disincentive for illegal activities. It is therefore necessary to design a national maritime security policy that places the sea at the heart of the operationalisation of the great national strategy, particularly the international strategy for security and development.

### **Illegal, Unreported, and Unregulated Fishing (IUU)**

Illegal fishing according to the document Understanding the International Plan of action-Food and Agriculture Organisation of the United Nations (FAO-IPOA),<sup>45</sup> includes the following activities:

Illegal fishing refers to activities: 1) conducted by state or unknown vessels in waters under the jurisdiction of a State, without the approval of that State, or in contravention of its laws and regulations; 2) conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organisation but manipulated in contravention of the conservation and management measures adopted by that organisation and by which the States are obliged, or relevant provisions of the applicable international law; or 3) in contravention of national laws or international obligations, including those engaged by supporting States to a relevant regional fisheries management organisation. (Paragraph 3.1 of IPOA-IUU Fishing)

Unreported fishing is defined as:

1) which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or 2) undertaken in the area of competence of a relevant regional fisheries management organisation which have not been reported or have been misreported, in contravention of the reporting procedures of that organisation. (Paragraph 3.2 of the IPOA-IUU Fishing)

Unregulated fishing is defined as:

1) in the area of application of a relevant regional fisheries management organisation that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organisation, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organisation; or 2) in areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law. (Paragraph 3.3 of the IPOA-IUU Fishing)



Broadly speaking, IUU fishing includes activities that do not comply with national, regional, or global fisheries conservation and management measures.<sup>46</sup> Fisheries are not the mainstay of the country's economy, as growing coffee and agriculture production are the main economic activities for export. However, there are calculated to be some 20,000 artisanal fishers and fish is important for food security.<sup>47</sup> Conservation International reports that The Timor Sea is rich with aquatic wildlife that could bolster the economy in the future.<sup>48</sup> Securing Timor-Leste's fertile fish stocks from IUU fishing will ensure the survival of several communities around Timor-Leste's coastline to whom fishing is a way of life. This will also jointly contribute to a sustainable source of food and trade for the future. Fishing can be a renewable resource, but it must be regulated in such a way that the exploitation of such sources is carried out in compliance with the principle rules of preservation and management.<sup>49</sup>

Regarding Government Decree-Law No. 6/2004 of 21 April 2004 Democratic Republic of Timor-Leste general bases of the legal regime for the management and regulation of fisheries and aquaculture:

*Article 7 (Exploitation of Fishing Resources: 1) Fishing actions in national maritime waters and hydrographical basins of the country shall comply with and conform to the purposes, restraints, conditions, and methods provided for in the fisheries management plan. 2) Until such a time as the fisheries management plan is adopted, the licensing of fishing vessels shall be guided by the principle of precaution and by applicable regulations, which shall define the criteria to be followed to this end.*<sup>50</sup>

Despite the fact that Timor-Leste has fisheries laws and regulations, there is still a gap between domestic implementation and international obligation. The failure to combat IUU is a failure of Timor-Leste to participate as a member of regional fisheries management organisations (RFMO).

As a result, according to the survey of the Timorese Fisheries department, the frequent presence of illegal fishing boats along the south coast has reduced the number of fish and led to environmental harm and the destruction of coral reef. The World Resources Institute (WRI) also released a report indicating that if IUU fishing in Timor-Leste is not curbed, coral in the area will be destroyed by the year 2030.<sup>51</sup> Consequently, Timor-Leste loses USD 200,000 worth of fish annually due to illegal, unreported and unregulated activity.<sup>52</sup> This paper argues that the current framework is inadequate and needs to be improved and made consistent with best-practice



international management of fisheries resources. This has direct national economic benefit as the nation finds itself in an era of growing exploitation of fish stocks and subsequent stress on these stocks in both coastal and oceanic waters. This means that overfishing may cause large changes to communities, and those changes could cause stock reductions in significant marketable species. Further to this, IUU fishing has the potential to damage the ecosystem in other ways, such as through the introduction of marine pests and diseases.

The government of Timor-Leste must recognise the full implications of IUU fishing and establish laws that target not only the act of fishing but also the processing, possession, transshipment at sea, import, export, and sale of fish products. Such measures have been stated in Paragraph 4 of Article 62 in UNCLOS which requires coastal states authorising fishing by foreign fleets to take actions including: ‘...determining the species which may be caught, and fixing quotas of catch, whether in relation to particular stocks or groups of stocks or catch per vessel over a period of time or to the catch by nationals of any State during a specified period; regulating seasons and areas of fishing, the types, sizes and amount of gear, and the types, sizes and number of fishing vessels that may be used.’<sup>53</sup>

The problem of IUU fishing is a complex and sensitive one. Increasing demand for fish in growing economies such as Hong Kong and Taiwan has caused damaging fishing techniques to be utilized in the Philippines, Indonesia, and Timor-Leste. IUU fishing in the Timor Sea is mostly perpetrated by non-Timorese fishermen.<sup>54</sup> Boats often come from China, Thailand, Taiwan, Vietnam, Cambodia, and Indonesia. In Timor-Leste, IUU fishing vessels are often apprehended and released later due to diplomatic pressure from government authorities. For example, in 2011 the Navy arrested an IUU fishing vessel from Thailand (KM. Jaya Samudra) that included 36 crewmen from Cambodia and Indonesia. As a demonstration of the complexities involved, the vessel was had Thai ownership, was registered in Indonesia with an Indonesian master, and was sending fish to be processed ashore in Cambodia.<sup>55</sup> The vessel was later released without sanction. There was further evidence of illegal fishing on a very-large scale in 2017. In a dawn raid, Australian and Timor-Leste national police arrested fifteen Chinese fishing boats with thousands of dead sharks. The 10,000-15,000 sharks per vessel included the leopard shark and the endangered hammerhead shark, protected under the CITES convention in Timor-Leste waters.<sup>56</sup> These vessels were run by



Pingtan Marine enterprise and permitted by the Timorese government to fish in the Timor Sea for the modest fee of just US\$ 312,450.<sup>57</sup> Pingtan was banned from Indonesian waters in 2015 and threatened with court action for the alleged theft of fish.<sup>58</sup>

The former Minister for agriculture and fisheries, Estanislau da Silva, has told reporters that there was no evidence that the Chinese fishing boats had violated Timorese law and that the court should release them. Gary Stokes, the Sea Shepherd director for Asia, disagreed and said the decision ‘reeks’ and raised questions about China's pervasive influence over Timor-Leste.<sup>59</sup> It appears evident that the Chinese broke Timor-Leste law in various ways, not least by violating the terms of the fishing license, which was for tuna, not shark. Furthermore, Daniel Flitton said: ‘It's the latest example of the modern war on the high seas that is fast intruding into Australia's neighbourhood.’<sup>60</sup> Timor-Leste's former Prime Minister/President and Nobel Peace Winner, Dr José Ramos-Horta, said: ‘Unscrupulous foreign commercial fishing activities must be stopped in Timor-Leste. We must protect our natural resources; it is an outrage.’<sup>61</sup>

The ASEAN foreign minister's meeting in Manila on 5 August 2017 issued a joint communique in which ASEAN foreign ministers noted that the challenges of IUU fishing remained and had become even more complex in the region and they were therefore committed to expanding regional cooperation to address this issue, including through supporting the effective implementation of relevant international law.<sup>62</sup> An example of actions taken and future plans for combating IUU fishing are found below.<sup>63</sup>

### **Capacity reduction and control of IUU Fishing**



Country	Action taken towards IUU fishing
<b>Australia</b>	Australia outlined the following requirements for well-run fisheries: data gathering, if necessary supported by regulations; rules and regulations for managing fisheries; and enforcement of rules and regulations.
<b>China</b>	China emphasised that capacity reduction and IUU fishing policies must have support from the whole community, not just fishers, and therefore needed to include extensive and widespread education.
<b>Cambodia</b>	Actions taken to manage fishing capacity include licensing, MCS, artificial reefs, increasing awareness, strengthening fisheries law. Future plans include implementing a NPOA on capacity, including participation by fishing communities and education/extension activities.
<b>Indonesia</b>	Assessment of fish stocks, improvement of DCS, regional cooperation, increased surveillance and development of community-based surveillance systems. The number of surveillance vessels has increased substantially and has had a demonstrable impact. Future actions include NPOA implementation on capacity and IUU fishing and actions under RPOA on responsible fishing.
<b>Malaysia</b>	Drafting of NPOA on IUU fishing, increased surveillance, establishing community-based management approaches, formulating specific laws to deal with foreign IUU landings, installing VMS on large-scale commercial vessels and implementing an exit plan program for trawlers using a buy-back scheme.
<b>Philippines</b>	Future plans include strengthening fisheries policy, introducing VMS and improving MCS capabilities, establishing catch quotas and ensuring adequate funding for these initiatives.





In the Timor-Leste context, combating IUU fishing could involve formulating specific laws to deal with foreign IUU fishing, introducing VMS, fishing community education, and implementing action under RPOA.

### **The weakness of Government institutions**

The illegal Fishing activities occurring in the Timor Sea hinder national economic development and create a negative image of Timor-Leste in international forums. People are led to believe that the Timorese are not able to guarantee the security of their waters, as mandated by international law (UNCLOS). Where Australia has the *Maritime Security Act* (2012, Cth), Timor-Leste presently has no such unifying or coordinating legislation. Rather, Timorese security agencies operate as disconnected and independent agencies, under the auspices of discrete legislative instruments. Thus, any inspection undertaken by Timorese authorities is *ad hoc* or often not executed in any logical manner. The current challenge often relates to weak national institutions.

Timor-Leste has extensive legislation defining the different responsibility of several government agencies with regards to maritime security, but there should be an overarching law that describes the roles, responsibilities, and relationships of all relevant agencies and how they will operate together as part of an integrated system of maritime security. Timor-Leste should also build institutional bonds with regional partners, particularly the members of ASEAN and Pacific nations, with an emphasis on establishing an information sharing arrangement. There have been issues over the last few years within the Naval Component that have been strongly influenced by the institutional environment of Timor-Leste, such as the release of apprehended fishing vessels, as discussed above.

However, a recent shift in the enforcement of standards has led to a change within these institutions. A Thai fishing vessel was captured off the southern coast of Timor-Leste in 2011. It was discovered that several members of various Timor-Leste institutions attempted to affect the course of justice. These actions were brought to light in an internal investigation, and this has subsequently led to a shift to formal operating structures within the organisations involved.

The Government has always sought to respond to emerging requirements, and to date continues to rely on international law since there is still no domestic law regulating the maritime authority



and the right to pursue vessels that violate the waters subject to Timor-Leste's jurisdiction. There is no legal authority defined by the government to stop, enter, board, inspect, detain any vessel, and search any place, structure, vessel and to ensure compliance with the legal regime for the Management and Regulation of Fisheries and Aquaculture Decree Law, or other maritime laws as promulgated by the Government of the Democratic Republic of Timor-Leste. Current regulations may be unworkable and need to be revised. According to Philipp Fluri and Andres B. Johnson:

National security is uncovering about the government's approach to security and how security is achieved expected. National security policy involves important decisions concerning the security sector that affect the internal and external security of the State and society.<sup>64</sup>

The problem is that, while legislation and capability exist, there is no clear delineation of jurisdiction and responsibility between Naval Component and Maritime Police. Currently there are many areas of duplication as well as a blurring of responsibilities. The Government should define in legislation clear lines of jurisdiction. For instance, Maritime Police as responsible for Territorial Waters (measured from the inward limits of the coastal waterways from the fairway buoy), Ports, and Harbors. Its jurisdiction may extend beyond those limits in cases of hot pursuit to ensure the safety of life and for the enforcement of national laws. The Naval Component would have jurisdiction beyond Territorial Waters into the EEZ, in accordance with UNCLOS. The Naval Component could also operate inshore and on land based on inter-agency agreements, such as participation in a Joint Task Force (JTF). However, the Naval Component should not take over any law enforcement from the Maritime Police. Such roles and responsibilities must be enshrined in legislation. Apart from their functions the government should also define the capabilities of these two institutions, such as equipment, vessel numbers etc., to avoid duplication of capability and ensure cost effectiveness.

The Naval Component and the Maritime Police are two different organisations with different characters and thus there is the need for a maritime doctrine to govern their relationship, a doctrine that clearly highlights the main roles of both institutions in their primary missions. The Maritime Police should complement the Naval Component's capability rather than duplicate it, optimising the use of scarce national resources. The selection of vessels by the Maritime Police should be in consultation with the Naval Component in order to facilitate interoperability and standardisation



for logistic support. Moreover, Naval Component and Maritime Police capability alone will not solve maritime security challenges, and there must be a collective and coordinated effort across multiple sectors and organisations.

National interest is the ‘wellspring’ from which national objective and grand strategy flow. National interest consist of the most important needs of a nation.<sup>65</sup> National security is an effort that must be made by the government of Timor-Leste with neighbouring countries, through coordination of multinational assets and regional partners can maximise surveillance and response capabilities to common threats. Moreover, national security only makes sense within the context of an actual internal policy that is well defined, synchronised and coordinated. We all move according to the principal of ‘wanting to do what Timor-Leste wants, rather than what others want.’<sup>66</sup>

Timor-Leste should develop a genuinely maritime security policy that follows general principles truly appropriate for the unique circumstances faced by Timor-Leste. Security is understood not only as part of the military sector, but also politically through reference to existential threats. In maintaining Timor-Leste sovereignty, the government should empower maritime authorities to share information and permit seamless cooperation with neighbours like Indonesia and Australia, and regional bodies such as Asia-Pacific Fisheries Commission (APFIC), in conducting maritime security operations. Quite simply, interoperability with regional partners is a force multiplier for Timor-Leste. It will be a necessity until Timor-Leste can support adequate maritime security forces of its own.

Lack of national political cohesion and governmental instability generate stagnation and imbalance which are at the heart of the uneven socio-economic development of the country. In the dynamic of the state building process, Timor-Leste’s national interest must be shaped and implemented in accordance with a national policy that inspires the unity of all Timorese in the unwavering defence of their natural resources, in order to safeguard the sustainable survival of future generations.

### **Problems faced by the Naval Component in Combating IUU Fishing**

David Dias Ximenes Mandate, has said:



We fought for the Independence because we want to assure our wealth and in order to have economic development and guarantee the welfare of the people, it is necessary to assure this wealth to make possible the development of the country. Timor-Leste government shall have deep thought about the issue of maritime security as source of sea control, threats to the natural resources, human traffic, illegal drug, illegal fishing and of course protection of the nation against weaponry threats has not yet existed, but threats that are conventional such as illegal fishing truly exist, but Timor-Leste as sovereignty nation must be vigilant to prepare itself against any threats and to enforce Timor-Leste's jurisdiction at sea.<sup>67</sup>

As representatives of the people who carry the aspirations of the people in the country, David Dias Ximenes expressly appealed to the government to maintain the sovereignty of the national territory of Timor-Leste water's. IUU fishing is also a security threat that includes issues of other illegal activities such as human trafficking.

In order to protect Timor-Leste's waters from IUU fishing, the government has committed itself to increasing maritime security by improving Navy's capability in the last ten years. This includes the purchase of two patrol boat from China, and ships donated by South Korea and Portugal.

### *Current capabilities*

No	Name	Length	Class Type	Notes
1	NRTL <i>Jaco</i> (P212)	45.43 m	Type 062-class gunboat	Purchased from China, 2010
2	NRTTL <i>Betanu</i> (P215)	45.43 m	Type 062-class gunboat	Purchased from China, 2010
3	NRTL <i>Kamanasa</i> (P17)	37 m	<i>Chamsuri</i> 211-Class	Donated South Korea, 2011
4	NRTL <i>Oecusse</i> (P101)	21.88 m	<i>Albatroz</i> Class	Donated Portugal, 2002
5	NRTL <i>Atauro</i>	21.88 m	<i>Albatroz</i> Class	Donated Portugal, 2002
6	NRTL <i>Dili</i>	12.7 m	<i>Chamsuri</i> -class patrol boat	Donated South Korea, 2011
7	NRTI <i>Hera</i>	12.7 m	<i>Chamsuri</i> -class patrol boat	Donated South Korea, 2011
8	LVR <i>Prasaa</i>	12.1 m	Type 966Y patrol boat	Donated China, 2014
9	LVR <i>Lifau</i>	12.1 m	Type 966Y patrol boat	Donated China, 2014
10	LAR 01	10.4 m	North Sea boats, X-10 RIB	Purchased from Indonesia, 2013
11	LAR 02	10.4 m	North Sea boats, X-10 RIB	Purchased from Indonesia, 2013



Current fleet planning has each boat at sea for 72 hours per week, on a regular rotation for patrol duties and training exercises. The Naval Component Fleet recorded 47 apprehensions for IUU fishing in the period 2010 to 2014. At the same time, fleet presence successfully prevented other illegal activities in northern waters. However, ongoing logistical support difficulties continue to have a significant impact on operational availability and only four ships are currently still operating. The Naval Component presently lacks effective maintenance facilities and has several issues of concern, including: lack of a local docking facility; lack of a mooring capacity; parts obsolescence; and limited integrated logistic support. There is an immediate danger of ongoing siltation at the current berthing location of Hera Naval base. The vessels are berthed inside the Hera Basin which has silted to a very shallow depth, resulting in warships resting on the bottom (in mud) at low tide. Consequently Naval Component vessels may not be able to sail safely at low tide in order to conduct monitoring and controlling of illegal fishing activities. The government should build a multi-use dry dock for maintenance, repair, and overhauling services that can be used for both naval vessels and commercial vessels. Thus, the most pressing issue for maintaining Naval Component effectiveness in its current activities and future progress, is infrastructure.

In connection with the problems faced by the naval component the Timor-Leste CDF, Major-General Lere Anan highlighted that:

Challenges faced during the last twelve years, both concerning human resources and infrastructure and other issues, particularly in the legal field. The Government has always sought to respond to emerging requirements and date continues to opt for the international law since there is still no law regulating the maritime authority and the right to pursuit vessels that violate the coast of Timor-Leste.<sup>68</sup>

Timor-Leste Vice-CDF, Brigadier Falur, has said that: 'improving and maintaining the Naval Component is challenged by budgetary realities', and: 'We are in a very severe financial situation. In spite of that, we are fighting very much to improve our Naval Component.'<sup>69</sup> The Timor-Leste President Francisco Guterres in his speech stated that:

There is a defined vision for the development of the Naval Component, that will depend on the existence of financial and human resources able to operate the vessels that are necessary to acquire. All economic transformation comes from the sea, and it is important to develop the capacities of the Naval Component.<sup>70</sup>



Human resources, infrastructure, and legal issues, are all factors in the rampant illegal fishing activities in Timor-Leste's waters. In this regard the former secretary of state for defence, Julio Tomas Pinto, also said:

Human resources are a major challenge faced by the F-FDTL at this time. The constitution of the Republic of Timor-Leste does not set clearly the national policy standing goals, to be consigned into the national Defence Law (NDL) this requires political bodies and the armed forces themselves to have a concurrent, updated and effective strategic planning, Meanwhile based on strategic Plan of the highest State Institutions that are listed in the constitution of Timor-Leste is the target of national security in order to avoid internal and external threats.<sup>71</sup>

The Timor Leste Constitution defines in article 146 the main aims of statehood as being defending national sovereignty, defending integrity, national independence and guaranteeing security of citizens. However, the constitution mandates the need for laws supporting these goals. These laws will have implications for the Timor-Leste Navy. Furthermore, Navy Commander, Higino Das Neves has said:

The maritime zone of Timor-Leste is seven times superior to the terrestrial one, and it is important to have a stronger naval force, more efficient and more professional to defend the sea. Moreover, the Naval Component faced Barriers infrastructure problems such as (1) inadequate harbor conditions for nine warships lack protection from wind and safety, (2) The nine warships F-FDTL patrol cannot reach all areas of territorial waters (South Timor Sea), the capacity can only operate in the northern part Taci Feto and (3) the provision of warships from the Korean and the Chinese government, bringing maintenance problems.<sup>72</sup>

Overall, the Naval Component requires investment in infrastructure such as base facilities, logistics support, and a dry dock for maintenance.

As for ship capability, the Government should acquires ships that have the capability to conduct a wide variety of tasks. These tasks include: countering smuggling, terrorism, piracy, protection of the EEZ, Search and Rescue duties and general constabulary duties such as environmental protection. The Navy needs ships with the capability to patrol Timor-Leste's EEZ for periods of time greater than seven days. These ships should be capable of sailing at high speed, the ability to sail in severe weather conditions, fuel efficient at 'patrol speeds' (10-16 knots), fitted with a high-speed tender (e.g. RHIB) for boarding operations, and equipped with excellent navigation and





communication equipment. Ideally this would include vessels such as two Offshore Patrol Vessels (OPV), supporting other patrol boats such as the *Guardian* class, and other existing patrol boats. This would provide much greater effectiveness for defence, surveillance, control and supervision of maritime and port activities under Timor-Leste jurisdiction and to assure the security of the country.

Timor-Leste's Navy requires aerial surveillance capabilities for fisheries surveillance and even a deterrence presence in Timor-Leste's large EEZ. Surveillance aircraft play a key role in detecting maritime security threats such as IUU fishing and transnational crime. Aerial surveillance, working in conjunction with patrol boats, may allow for rapid action to investigate potential illegal activity and provide the context for greater levels of information sharing in the region on maritime security issues.<sup>73</sup>

Modernisation of capabilities is crucial, and this gives rise to human resources implications. Naval personnel must also be equipped with the knowledge and skills required for the operation of shipboard and shore-based systems. Moreover, it can be argued that Timor-Leste will still need support and assistance from neighbouring countries in order to develop a robust and effective naval capability for maritime security operations.

In this paper I would argue that the Navy is currently limited by a lack of proper legal authority, poor infrastructure, and inadequate human resources. This has implications for the ability to carry out its core role in accordance with its constitutional mandate. Priority needs to be given to human resource development, legal clarity, and authority to meet infrastructure needs for the Navy to fully support the national defence.

### **Strategic Implications for Timor-Leste, Indonesia and Australia**

It is important to consider the impact of Timor-Leste security issues on Australia and Indonesia, as well as the potential disruptions to the ability of commercial shipping to use the Timor-sea as an alternative sea route.

Timor-Leste is positioned among two much larger neighbours, Australia and Indonesia. Timor-Leste's maritime security problems will affect Australia and Indonesia's security. Non-state actors



such as criminals and terrorists could use the Timor Sea for the transshipment of goods to Australia and Indonesia so that it will be a major issue for regional maritime security. Poor security in the Timor Sea could potentially see a rise in other illegal activities such as piracy and even more dangerously, maritime terrorism. Reported cases of piracy attacks against ships across the globe numbered 180 incidents in 2017.<sup>74</sup> The waters around Southeast Asia are home to over half of global piracy incidents: 40 per cent of those attacks happened in Indonesian waters.<sup>75</sup>

Terrorist organisations in Southeast Asia such as Jemaah Islamia (JI), the Gerakan Aceh Merdeka (GAM), in Indonesia, and Abu Sayyaf in the Philippines have made threats against the global petroleum industry. The links between these groups and Al-Qaeda continues to demonstrate that maritime terrorism still aims at gaining international attention in order to influence global opinion.<sup>76</sup> There is still the possibility of a terror attack in the Timor Sea. This should be considered a maritime security threat, especially when considering the potential consequences of an attack in an area such as the JPDA and its attendant oil and gas infrastructure.

Poverty within the region creates vulnerabilities and sometimes drives people into undertaking criminal activities. In the Arafura and Timor Seas, the annual economic impact of IUU fishing has been recently estimated at US\$1.2B per year for Indonesia and US\$214M for Timor-Leste, and illegal sightings in northern Australian waters have also increased.<sup>77</sup> In 2005 there was a high volume of illegal fishing in northern Australian waters, but when Australia increased surveillance effort and apprehended several hundred of these fishing vessels, illegal activities had been reduced by 2016. Many of the vessels were identified by the Royal Australian Navy as coming from Indonesia.<sup>78</sup> The governments of Timor-Leste, Indonesia, and Australia should have maritime security cooperation agreements to work more cooperatively in the fight against IUU fishing in the region, as it is an issue that affect all three nations.

An excellent example of such practice can be seen in the multinational approach taken to securing the Malacca Strait from piracy. Indonesia, Malaysia, Singapore and at times India and Thailand actively cooperative in the conduct of regular coordinated patrols, known as Malacca Strait Patrol (MSP). The patrols are enhanced by shared intelligence, robust vessel information databases, synchronized aerial surveillance and routinely coordinated patrol schedules, and as a consequence vessels have been able to respond rapidly to threats. The patrols in the Malacca Strait can be an



example for other countries in the region, especially in demonstrating the effectiveness in maritime security gained through sharing information, expertise, and knowledge as well as establishing personal links among participating nations. These nations have formed a relationship that advances maritime security in this strategically vital waterway. However, such institutional arrangements between Australia, Indonesia, and Timor-Leste are lacking at both the national and regional level.

Currently, Indonesia, Australia, and Timor-Leste do not have a Maritime Domain Awareness (MDA) system or a maritime information sharing center. Such an arrangement would be of great value for the tri-border maritime areas such as the Banda and Arafura Seas, as well as along the Australian and Indonesia maritime boundaries in the Timor Sea. The three governments should formalise security agreements and make a commitment to work together in a way that does not complicate operations. It would be useful to develop a MOU that focuses on sharing patrol duties in border areas, joint operations, port visits, and training for mutual trust and cooperation. Australia has increased the number of warship visits in recent years to Dili and this has included training and sea rider programs as part of the cooperation. However, it would be of great benefit to include Indonesia in these activities, especially in conducting joint patrols.

Consequently, the lack of useful maritime security capabilities for Timor-Leste not only impacts on the nation's security but will also affect the safety of shipping in and around Indonesian and Australian waters. The combination of weak border security and the high volume of maritime traffic in the region could see a rise in illegal activities such as piracy, maritime terrorism, human trafficking, organised crime, and other non-traditional security threats that have been on the rise in the Twenty-First century. All of these pose a challenge to the flow of global seaborne goods and personnel as well as to sea lines of communication. The rise of non-state actors in security affairs has complicated the mission of modern maritime security forces and has increased the need for cooperation among states to combat these threats.

Timor-Leste, as young nation, has to contend with jurisdictional weakness, a lack of a contemporary maritime tradition, and sparse government policy regarding the maritime realm. All of these issues create vulnerabilities for illegal actors to exploit. Timor-Leste's situation could provide an opportunity for terrorists or pirates to conduct attacks at sea in an area that could have a profound effect on both Australia and Indonesia, and indeed even the global shipping



community. While to date there has not been a recorded incident of piracy or terrorism in the Timor Sea, the fact remains that as it currently stands the area is vulnerable to the actions of such forces and there is ample opportunity for pirate or terrorist attacks to occur. A failure to effectively combat other maritime security issues such as IUU fishing may highlight the above systemic weakness to pirate and terrorist actors.

It is imperative that Timor-Leste build an effective maritime security presence in its sovereign waters that will be a help rather than a vulnerability to the region. Maritime issues are an extensive strategic, economic and environmental dimension that require consideration of all these threats of which would benefit from common security interest. However, to achieve those objectives the policymakers of these three countries should implement effective countermeasures, in cooperation and with other states.

Concerning cooperation between the three regional countries, some would argue that the Indonesian strategy-policy mismatch with Timor-Leste's history and Australia's actions in the region create difficulties for trilateral engagement in the region. These issues should not be allowed to interfere with operational cooperation, and Australia should continue to sustain a positive relationship and continuous engagement with Indonesia as a high priority in order to prevent instability in the maritime domain. Moreover, Australia should help Timor-Leste in building maritime capabilities. An increase in trilateral cooperation would greatly strengthen the security of all three nations and help remove strategic uncertainty around the state of the maritime domain in the region.

## **Ways Ahead**

### **Developing Integrated Maritime Governance**

This paper argues that it is time to re-think Timor-Leste's approach towards the maritime domain at all levels of government. Many countries have used the model of the integrated maritime government system in order to attain best practice, gaining efficiency and reducing operating costs.

Timor-Leste needs a government body that is dedicated to maritime affairs, empowered and resourced to regulate, supervise and coordinate the various maritime sectors. Key tasks would



include ensuring the implementation of relevant national legislation, and supervising and coordinating cooperation between the defence and security agencies and other relevant bodies. This would help ensure the implementation of concerted action to contain threats and minimise risks in the maritime environment.

This proposal would see the establishment of a National Maritime Authority (NMA) as the central government body for civil-military coordination and responsible for the development and sustainability of an efficient, safe and environmentally-friendly maritime domain. This would include an effective regulatory framework for the development of the maritime industry, maritime infrastructure, fisheries and aquaculture, ports, coastal areas, shipping, and environmental and safety regulation. This government body should have the role of supervising the coordination and cooperation between defence and security agencies and the regulatory agencies within the government to ensure interoperability between agencies in maritime enforcement and regulation. This NMA should have the power to do all things necessary or convenient in connection with the performance of its functions including the coordination and cooperation with the Ministries in the Government with responsibility for maritime activity.

It is necessary to have such a Maritime Authority, for as stated by Kraska and Pedrozo ‘there is no definable separation between civil activities and naval operations.’<sup>79</sup> This model of a collaborative approach to maritime security is becoming standard throughout the region. Examples include: Australia's Border Protection Command (BPC); Singapore's Maritime Task Force; Malaysia's National Maritime Enforcement; Indonesia's BAKORKAMLA; New Zealand's National Maritime Coordination Centre; and Portugal's National Maritime Authority. These organisations have shown that the joint coordination and cooperation mechanism between civilian and military agencies is an effective way to ensure interoperability in maritime enforcement and regulations for better management of maritime security issues.

For example, Portugal has implemented an integrated and comprehensive ocean policy for the governance of all maritime affairs. The Inter-Ministerial Marine Affairs Commission has been set-up under the National Ministry of Defence to coordinate, support and evaluate the implementation of the National Marine Strategy. The Portuguese Navy has a dual role: conducting naval combat missions to protect Portugal's sovereignty and fulfilling international commitments, and



conducting coastguard missions to provide maritime security and safety in Portuguese territorial waters and areas of influence. It also manages marine scientific and hydrographic programs and includes the Maritime Rescue Coordinating Centre (MRCC) and the Navy's Maritime Operations Centre (COMAR—Centro de Operações Marítimas). These two command and control (C2) centers stand in the same space and organisational structure, and both are the responsibility of Fleet Commander of the Portuguese Navy.<sup>80</sup> The Maritime Authority is part of the Portuguese Navy which is tasked with supporting naval operations and the coastguard role. They are responsible for the safety and security of all vessels navigating in Portuguese waters as well as other emerging economic activities like aquaculture and offshore renewable energy.<sup>81</sup> The Chief of Staff of the Navy is the head of the Authority and is supported by the Directorate of the Maritime Authority, which embraces the Lifeguard Institute, the Maritime Police, the Lighthouse Department, and several harbormasters. The National Maritime Authority also has at its disposition the Portuguese Navy's assets, usable in both military and public service missions.<sup>82</sup> This system successfully leveraged off the existing infrastructure of the Portuguese Navy.

Maritime Border Command is Australia's leading civil maritime security authority, and it incorporates both the Australian Defence Force and the Department of Home Affairs. It is commanded by a Royal Australian Navy Rear Admiral, who is also a sworn Australian Border Force officer. This facilitates the operational control of both Australian Border Force assets and assigned Defence assets.<sup>83</sup> Maritime Border Command ensures Australia's maritime safety, aiming to:

- a. Deter, prevent, detect and respond to civil maritime security threats,
- b. Contribute to operation *Sovereign Borders*,
- c. Work with partner agencies
- d. Work with international counterparts and engage with industry.<sup>84</sup>

Border Protection Command in Australia takes a collaborative approach to maritime security issues. It provides the means to monitor Australia's vast maritime domain and provides data to representatives of the different agencies. Individual agencies assess this data, determine their





operational priorities and then jointly determine the best approach to meet these operational needs by using the shared pool of asset.

The Republic of Singapore Navy has restructured its Coastal Command into an armed forces-level task force, known as the Maritime Security Task Force (MSTF). Its aim is to enhance inter-agency cooperation, allowing the cross-domain capabilities of the Singapore Armed Forces and the other national maritime agencies to be leveraged upon to conduct calibrated and flexible operations in order to counter maritime security threats.<sup>85</sup> Commander MSTF reports directly to the CDF, but the Chief of Navy still has oversight over peacetime operations. Assets from the navy, air force and army are assigned to MSTF as required by operational needs. MSTF additionally has the ability to co-op assets from national agencies such as the Police Coast Guard, Immigration and Checkpoints Authority, Maritime and Port Authority of Singapore and Singapore Customs for a unified response to maritime security threats.<sup>86</sup> This allows for strong inter-agency cooperation to respond in a robust manner to any maritime security challenges. Beyond domestic coordination, they build communications and inter-operability between the relevant agencies – civilian, military and the shipping industry.

These states have all adopted an integration approach in their maritime security policy and as a result have all made outstanding progress. Timor-Leste is a small nation with a vast sea area to protect. Timor-Leste's current approach to maritime security has many weaknesses. Due to bribery and corruption within the relevant institutions, many foreigners are free to go ashore in ports without registration and without fingerprinting. They are also free from the necessity of requiring entry permits and visas so that foreigners are able to land and disembark at will in the territory of Timor-Leste with little to no security controls or oversight. Poor management such as this is what leads foreign fishermen to believe that fishing in the territorial sea of Timor-Leste will attract no penalty. To date, the management of security and law enforcement in Timor-Leste's waters has not embraced the cooperative approach seen in the countries mentioned above and thus has not had the same level of effectiveness in its maritime security.

Therefore, in the future the government should use all means available to establish a framework for an integrated system such as those successfully employed in the above mentioned countries. This single entity system, through coordination and delegation, would be the first line of defence



for Timorese waters. The existence of such an entity would not reduce the duties of the participating agencies as dictated by maritime law. In peacetime, this entity would act in securing Timor-Leste seas from lawlessness and maritime security threats, participate in joint exercises with its neighbours and thus building diplomatic relationships, and provide disaster relief as required. The Portuguese Chief of Defence Force, Admiral Antonio Silva Ribeiro, suggested that:

There are a lot of models from other countries' systems to adopt whatever coordinates model in which all agencies are networked together, and the free flow of information and a flexible, responsive command system, and the avoidance of excessive turf-fighting and budgetary rivalry are essential for sustained success in the implementation of Timor-Leste maritime policy.<sup>87</sup>

In this regard the strategic plan for defence and security, the *Force 2020* Plan, provides comprehensive strategic guidance on the future application of the state's maritime security asset in the protection of the nation. This policy reinforces the seriousness of the development of national maritime security policy, an integrated maritime security authority, and effective maritime response capabilities.<sup>88</sup> Regarding the 2020 plan, it was first presented in 2003 and entitled the *Draft National Maritime Strategy* (including a Framework for a Model Integrated Maritime Administration), and tabled by the Inter-Ministerial Committee on Security. This document aimed at amending Parliamentary Law 2010-02-Art 27 & 28 (Parliament of Timor-Leste, 2002).<sup>89</sup> The document presented a framework based primarily on the Portuguese model, but it was not made clear how authority would be relayed to existing organisations. The second presentation was on 8 March 2016 and made it clear that authority would be under the Ministry of Defence. However, it did not define the roles and responsibilities of the relevant agencies or how they will operate together as part of an integrated system. It also did not set clear policy on maritime security interests or articulate the end state of Timor-Leste's maritime security policy. This paper recommends that the government of Timor-Leste define a security strategy that consolidates and integrates maritime security under one umbrella, backed by appropriate legislation. Furthermore, as a small state Timor-Leste should have small and agile bureaucracies that are empowered for rapid decision-making.



### **Timor-Leste and regional cooperation**

The strategic interests of Australia in the South Pacific often overlap with Timor-Leste. Australia desires a stable, prosperous, and secure region, minimising security threats in the northern approaches and reducing the amount of Australian aid required and even reducing the likelihood of Australian military involvement in Pacific island nations. These goals have been present in Australian strategic policy documents going back to the 1944 ANZUS pact, which sketches out a leadership role in the region.<sup>90</sup> Australia's sense of responsibility to contribute to the region's security has been proven several times over the last few decades. Australia has a strong interest in a prosperous and stable Timor-Leste.<sup>91</sup> This includes Australian involvement in international peacekeeping in East-Timor after the referendum for independence in 1999 and during military and political crises in 2006.<sup>92</sup> Both missions were successful and enabled the Timorese people to restore their independence in 2002 and maintain order four years later. Other examples of Australian involvement regional assistance missions include the Solomon Islands, the Regional Assistance Mission to Solomon Islands (RAMSI), and delivery of aid to Tonga after the riots of 2006.<sup>93</sup>

The Australian Defence White Paper 2013 stated that Australia's geography required a maritime strategy for deterring and defeating attacks against Australia and contributing to the security of the immediate neighbourhood and the wider region.<sup>94</sup> The current Australian Defence White Paper (2016) states that Australia's second premier strategic priority is the security in the region. It says that, after the defence of Australia:

Australia next most significant strategic interest is the security, stability, and cohesion in their immediate neighbourhood. Which they share with Papua New Guinea Indonesia, Timor-Leste, New Zealand, and the South Pacific states. From Australia strategic viewpoint, this neighbourhood not major military power and threat, that could challenge Australia sea and air control approaches to Australia, which has accesses and bases in the neighbourhood which could project force against Australia. Australia commits helping to build stability and prosperity in this region. Therefore, Australian interest is inevitably engaged if countries in the region become vulnerable to the adverse influence of strategic competition.<sup>95</sup>

The Australian Foreign Policy White Paper 2017 also stated that Australia would continue to support Timor-Leste's armed forces and national police. Australia cooperates on regional security



issues, including maritime challenges, border security and transnational crime and also supports Timor-Leste's ambition to join ASEAN in order to facilitate closer economic engagement with Southeast Asia.<sup>96</sup>

It is essential for Australia to support the government of Timor-Leste to help build and strengthen their maritime security capabilities, especially in addressing threats such as illegal fishing, transnational crime, and other similar security challenges. In this regard deepening security partnership through defence cooperation program such as Maritime Security Program would be significant to both countries and the region. A close relationship between Timor-Leste and Australia is valuable to both nations.

The relationship between Timor-Leste and China was established following Timor-Leste's independence on May 20, 2002. China expressed its willingness to continue rendering help to Timor-Leste for its national development, social progress, and improvement of the population's well-being.<sup>97</sup> China has paid for large building projects in Timor-Leste, including the president's palace, the ministry of foreign affairs, and the military residential headquarters. There are military exchanges every year, with military officers currently studying in China. The former President and Prime Minister Gusmao has said that the government wants to strengthen bilateral military cooperation with countries that provide support. Moreover, he also said that it would not be acceptable for other countries to stop Timor-Leste from accepting military training from China.<sup>98</sup>

Timor-Leste purchased a Chinese patrol boat, of the *Shanghai* class, in 2010. This caused Australia to pay closer attention to the relationship between the two countries. Ramos Horta, the former president of Timor-Leste, noted in an interview with Mark Davis that it looked more than just a coincidence that the purchase of Chinese patrol boats saw an influx of offers of capability support from Australia, the US, and South Korea. It was remarked that it was taking too long for Australia to appreciate the need for Timor-Leste to have a credible maritime security capability. Nevertheless, he asserted his preference for much closer maritime cooperation with Australia and Indonesia.<sup>99</sup> Australia should not assume that the Chinese patrol boat deal, and others deals, have implications for the future direction of Timor-Leste's foreign policy. Timor-Leste will not abandon Australia as a traditional ally because Timor-Leste and Australia are close neighbours with a shared history and strong people-to-people links. For that reason, Timor-Leste



and Australia should continue to see each other as a strategic partners and to carry the relationship forward.

Timor-Leste's core national interest is to guarantee success in building a democratic state. As part of this, a critical strategic interest of Timor-Leste's is to protect natural resources in order to safeguard the sustainable survival of future generations. As the former president of Timor-Leste Kay Rala Xanana Gusmao said:

We know, and we will always know, to be friends with our friends, respecting their interests, so long as our own interests are not at stake. The main intention of the Naval Component is not to be a navy, but to represent a component of the new paradigm of the Defence Forces of Timor-Leste.<sup>100</sup>

Furthermore, in a similar statement the National Parliament President of Timor-Leste, Arao Noe, said: 'Timor-Leste, we don't need a big Navy (*maritime power*), but we need capable Navy that has the capacity to control our natural resources all over our national maritime [interests]'.<sup>101</sup> As this statement indicates, Timor-Leste's Navy needs to build its existing capabilities to secure maritime borders, not to build a navy for competition or conflict in the region.

### **Implications of the *Guardian* class Patrol boat for Timor-Leste**

Timor-Leste and Australia have common interests in the maritime domain including security, environmental protection, and resource development. Therefore there is considerable mutual benefit to be gained by Australia in providing capacity for Timor-Leste to secure its maritime interests.

The Australian Government has made a commitment to work with regional partners for security cooperation on maritime surveillance. Timor-Leste has been invited to join the Maritime Security Program in order to enhance practical maritime security cooperation, evidence of Australia's growing defence cooperation with Timor-Leste.<sup>102</sup> Two *Guardian* class patrol boats have been offered to Timor-Leste as a new member of the program. Built in West Australia by Austal,<sup>103</sup> the vessel is 39.5 meters long, with a beam of 8 meters and a draft of 2.5 meters. Maximum speed is 20 knots, and at a speed of 12 knots it possesses a 3,000 nautical mile range. Each vessel can accommodate 23 people.<sup>104</sup> In November 2017 the former Prime Minister Malcolm Turnbull and his Timorese counterpart former Prime Minister Alkatiri signed the agreement of two new boats



for Timor-Leste's Navy.<sup>105</sup> Minister for Defence Marise Payne said that Australia's gifting of these vessels would help improve Timor-Leste's capability to patrol its maritime borders and protect its natural resources. Moreover, Minister Payne said: 'The boats will be sovereign capabilities of Timor-Leste, with Australian advisory, maintenance, infrastructure, and other support. This enduring assistance makes this agreement a 30-year commitment to supporting Timor-Leste's security and prosperity.'<sup>106</sup> Timor-Leste will receive the vessels in June and September 2023 based on current build schedules.<sup>107</sup> Timor-Leste will use the boats to conduct maritime surveillance and enforcement operations, such as combating illegal fishing.<sup>108</sup>

Many Timorese leaders had questions regarding control of the vessels and whether they would be under Timorese control or remain under the control of Australia. It was a concern raised by Brigadier Falur Rate Laek in a meeting between the Australian defence attaché to Timor-Leste and former defence minister Somoxo in F-FDTL Headquarters. In response to that question, the Australian defence attaché said: 'Definitely the Guardian class vessel will belong to your Command and your sovereignty capability, not Australian control.'<sup>109</sup>

Both parties have agreed to carry on this arrangement as part of improving Timor-Leste capability in dealing with maritime security issues. Unquestionably Timor-Leste will benefit from the presence of two *Guardian* class ships: naval assets with the capacity to deal with security issues in Timor-Leste's waters. It also provides the capability to participate in regional operations and exercises. For example, Timor-Leste could move beyond being an observer for Exercise *Paradise* and become a participant, transforming it into a trilateral regional exercise. Timor-Leste could also send a unit to Exercise *Kakadu* as well as to other multilateral exercises. As for resource implications, participation in the MSP will drive down costs, not only with regards to the hulls themselves, but also in the provision of maintenance support, infrastructure, and crew training. Participation in the *Guardian* class program can be seen as a test case if the Timorese government wishes to buy an even bigger ship in the future. The *Guardian* class patrol boat deal is a very significant step in supporting Timor-Leste's maritime security.

The Australian Pacific Maritime Security Program is a potential source of additional resources for the Timorese Navy that could help it undertake its mission successfully. Further, it would enable the Timorese Navy to conduct joint maritime security exercises and operations with the Royal





Australian Navy and other border protection forces. Over time it could lead also lead to trilateral joint maritime security cooperation activities between Indonesia, Australia and Timor-Leste. Finally, the program could help build regional cooperation and capacity building with other Southeast Asian and Pacific island nations. This cooperation is likely to provide the most effective basis for long-term, sustainable solutions to regional maritime security issues. Therefore, this paper recommends participation in the Maritime Security Program to the Government of Timor-Leste as a means of closer bilateral cooperation with Australia, with the potential for even great cooperation with other nations in the region.

### **Conclusion**

Timor-Leste is an island nation with a large maritime area, and it is facing many questions about how to protect its maritime interests. The government needs a credible maritime security policy and it must further develop and enhance the capabilities of its naval forces. Of particular note is the need to address immediate security challenges such as IUU fishing in the Timor Sea. The government needs to carefully assess the threats and develop effective courses of action. It needs to establish a strategic outlook for Timor-Leste based on geographical considerations, developing an integrated maritime governance regime, and consideration of how Australia's Maritime Security Program can be of aid. The government needs to create a framework for bilateral and multilateral security cooperation in the region, as well as international engagement to better address maritime security issues that are a global problem, such as IUU fishing.



## Endnotes

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- <sup>1</sup> Sea Power Centre – Australia, *The Blue Economy in Australia*, 2017, <http://www.navy.gov.au/media-room/publications/sea-power-series-blue-economy-Australia>
- <sup>2</sup> Sea Power Centre – Australia, *The Blue Economy in Australia*, 2017.
- <sup>3</sup> Sea Power Centre – Australia, *Australian Maritime Doctrine*, 2010, p. 199.
- <sup>4</sup> Geoffrey Till, *Seapower: A guide for the twenty-first century (3<sup>rd</sup> ed.)*, 2013, p. 283.
- <sup>5</sup> *Timor-Leste National Development Plan, 2011-2030*.
- <sup>6</sup> *Mapping Fisheries Dependence and Aquaculture Development in Timor-Leste: A Scoping Study*:  
[http://www.coraltriangleinitiative.org/sites/default/files/resources/CTSP\\_ManagingFisheriesDependence\\_TL\\_Sept2011.pdf](http://www.coraltriangleinitiative.org/sites/default/files/resources/CTSP_ManagingFisheriesDependence_TL_Sept2011.pdf)
- <sup>7</sup> Donaciano Gomes, (2016) *Timor-Leste a economia do Mar: um contributo para o Desenvolvimento Nacional sustentavel “Revitalizar a politica de deversificação economicas para fortalecer o desenvolvimento sustentavel visa consolidar a independencia nacional*, Aveiro 2016, p106.
- <sup>8</sup> UN Convention on the Law of the Sea, ‘Churls Gone Wild , border protection and nationalization of the high sea’, September 19, 2012:  
<https://churlsgonewild.wordpress.com/tag/un-convention-on-the-law-of-the-sea/>
- <sup>9</sup> Institute of East Asian Studies University of California, Berkeley, ‘Coastal States, Regional Powers, Superpowers and the Malacca-Singapore straits, research papers and policy studies’, p. 57: [digitalassets.lib.berkeley.edu/ieas/IEAS\\_10\\_0002.pdf](http://digitalassets.lib.berkeley.edu/ieas/IEAS_10_0002.pdf)
- <sup>10</sup> ERIA (2016), ‘Sea lane security in the selected EAS countries’, in Kimura, S., T. Morikawa and S. Singh (eds.), *Sea Lane Security of Oil and Liquefied Natural Gas in the EAS Region*. ERIA Research Project Report 2015-14, Jakarta: ERIA, pp.42.
- <sup>11</sup> Ian Storey. *Southeast Asia and the rise of China: the search for security*, Routledge, Abingdon: 2011.
- <sup>12</sup> Storey, *Southeast Asia and the rise of China: the search for security*.
- <sup>13</sup> Jun Suzuki, ‘China in East Timor; concern in Indonesia and Australia. Southeast Asia's youngest country has a new sugar daddy’, *Nikkei Asian review*, August 26, 2017, <https://asia.nikkei.com/Politics-Economy/Policy-Politics/China-in-East-Timor-concern-in-Indonesia-and-Australia?fbclid=IwAR19simJUhkCEei1ULBf317g5Qdh5F1EEEtR6rdWln6s0XgZ7ozu7d6i>



- 
- <sup>14</sup> Xinhua, 'China's Navy warships pay first visit to Timor-Leste', January 16, 2016, *China Daily*: [www.chinadaily.com.cn/world/2016-01/16/content\\_23116470.htm](http://www.chinadaily.com.cn/world/2016-01/16/content_23116470.htm)
- <sup>15</sup> Ankit Panda, 'Chinese Navy Hospital Ship Visits Timor-Leste, Highlighting Growing Ties', *The Diplomat*, December 18, 2017, <https://thediplomat.com/2017/12/chinese-navy-hospital-ship-visits-timor-leste-highlighting-growing-ties/>
- <sup>16</sup> Gomes, Timor-Leste a economia do Mar: *um contributo para o Desenvolvimento Nacional sustentavel "Revitalizar a politica de deversificacão economicas para fortalecer o desenvolvimento sustentavel visa consolidar a independencia nacional*, Aveiro, 2016, p106.
- <sup>17</sup> David Hutt, 'Is China's Influence in Timor-Leste Rising?', November 19, 2016, *The Diplomat*, <https://thediplomat.com/2016/11/is-chinas-influence-in-timor-leste-rising/>
- <sup>18</sup> Hutt, 'Is China's Influence in Timor-Leste Rising?', 2016.
- <sup>19</sup> Bob Catley and Makmur Keliat, *Spratlys: The Dispute in South China Sea*, University of Adelaide & Airlangga University, Athenaeum Press, 1997: p. 116.
- <sup>20</sup> Catley and Keliat, *Spratlys: The Dispute in South China Sea*, p.116.
- <sup>21</sup> The Government of Timor-Leste, *Forsa 2020*, 2006: <http://www.etan.org/news/2007/06forcas.htm>
- <sup>22</sup> Australian Government, Department of Prime Minister and Cabinet. *Strong and Secure, A Strategy for Australia's National Security*, <http://apo.org.au/system/files/33996/apo-nid33996-44191.pdf>, accessed 13 September 2018.
- <sup>23</sup> Australian Government Department of Defence, *Defence White Paper 2016*, 2016, Canberra: p. 56.
- <sup>24</sup> The Government of Timor-Leste 2006, *Forsa 2020*.
- <sup>25</sup> Otniel Tamindael, 'Timor-Leste Border Prone to Drug Smuggling', *ANTARA News*, 1 March 2014, <https://en.antaranews.com/news/92931/ri-timor-leste-border-prone-to-drug-smuggling>
- <sup>26</sup> Tamindael, 'Timor-Leste Border Prone to Drug Smuggling', 2014.
- <sup>27</sup> Report Bureau of International Narcotics and Law Enforcement Affairs, *2014 International Narcotics Control Strategy Report (INCSR)*: <https://www.state.gov/j/inl/rls/nrcrpt/2014/vol1/223079.htm>
- <sup>28</sup> Parliament of Timor-Leste, *The Constitution of the Republic of Timor - Leste*. Dili, 2002.
- <sup>29</sup> *Timor-Leste Strategic development plan 2011 - 2030*, <http://timor-leste.gov.tl/wp-content/uploads/2011/07/Timor-Leste-Strategic-Plan-2011-20301.pdf>
- <sup>30</sup> *Timor-Leste Strategic development plan 2011 - 2030*, <http://timor-leste.gov.tl/wp-content/uploads/2011/07/Timor-Leste-Strategic-Plan-2011-20301.pdf>
- <sup>31</sup> [https://www.indexmundi.com/timor-leste/economy\\_profile.html](https://www.indexmundi.com/timor-leste/economy_profile.html)
- <sup>32</sup> Glenn Kerr, *Australian Maritime Issues 2004*, SPC-A Annual, paper in Australian Maritime Affairs no.12, Sea Power Centre Australia, p.13.





- <sup>47</sup> <http://fame1.spc.int/fr/projets/scicofish/results/75-fisheriestimor>. 'Artisanal' fishing broadly refers to fishing on a small-scale, for subsistence or commercial purposes, with relatively basic technology.
- <sup>48</sup> National Geographic. (02 January 2014). *New Type of the First Fish in Timor-Leste*. <http://www.wallacea.org/jenis-baru-ikan-laut-pertama-di-Timor-leste.html>
- <sup>49</sup> Hassim Djalal, *The Island Nation Towards Maritime State*, Jakarta: ND HILL CO, 2010, p. 45.
- <sup>50</sup> Timor-Leste, *general bases of the legal regime for the management and regulation of fisheries and aquaculture*, Decree-Law No. 6/2004 OF 21 April 2004, p. 7, [Timor-Leste.gov.tl/wp-content/uploads/2010/03/DL\\_2004\\_6\\_general\\_bases\\_regime\\_management\\_regulation\\_fisheries\\_aquaculture.pdf](http://www.timor-leste.gov.tl/wp-content/uploads/2010/03/DL_2004_6_general_bases_regime_management_regulation_fisheries_aquaculture.pdf)
- <sup>51</sup> Burke, Lauretta & Reytar, Kathleen. *Review the Ridge of Rock Exposed at Low Tide coral which is in threatening*, 2012: [http://www.coraltriangleinitiative.org/sites/default/files/resources/RR\\_CT\\_Bahasa\\_low-res\\_0114-13.pdf](http://www.coraltriangleinitiative.org/sites/default/files/resources/RR_CT_Bahasa_low-res_0114-13.pdf)
- <sup>52</sup> Timor Agora, *Peska Ilegal Kontinua Akontese Iha Tasi-Mane*, November 22, 2018, [https://timoragora.blogspot.com/2018/11/peska-ilegal-kontinua-akontese-ih-tasi.html?fbclid=IwAR35Xp-5D5i2\\_yCzgyTFT8HEOT7Zh9zv5xLfCAQHF\\_HCUA0OVV0g5ESGN0](https://timoragora.blogspot.com/2018/11/peska-ilegal-kontinua-akontese-ih-tasi.html?fbclid=IwAR35Xp-5D5i2_yCzgyTFT8HEOT7Zh9zv5xLfCAQHF_HCUA0OVV0g5ESGN0)
- <sup>53</sup> Pramod Ganapathi Raju, *Illegal and unreported fishing: a global analysis of incentives and a case study estimating illegal and unreported catches from India*, Thesis January 2012, [https://www.researchgate.net/publication/274066489\\_Illegal\\_and\\_unreported\\_fishing\\_global\\_analysis\\_of\\_incentives\\_and\\_a\\_case\\_study\\_estimating\\_illegal\\_and\\_unreported\\_catches\\_from\\_India](https://www.researchgate.net/publication/274066489_Illegal_and_unreported_fishing_global_analysis_of_incentives_and_a_case_study_estimating_illegal_and_unreported_catches_from_India)
- <sup>54</sup> Fundasaun Mahein, *Threats Posed by Illegal Fishing and Challenges to Prevention*, Mahein's Voice report No. 69, 13 February 2014, [https://timordata.info/media/publications/E\\_FM\\_MNL\\_69.pdf](https://timordata.info/media/publications/E_FM_MNL_69.pdf)
- <sup>55</sup> Timor-Leste Maritime Police Investigation document, November 18, 2011.
- <sup>56</sup> James Felicity, *Chinese fishing boats with 'thousands of sharks' caught in Timor-Leste waters*, <http://www.abc.net.au/news/2017-09-15/sharks-killed-in-fishing-revealed-by-sea-shepherd-timor-police/8945946>
- <sup>57</sup> Artur da luz, *Lere call for action on Chinese fishing company Amid exploitation fear*, July 2017, <https://www.independente.tl/en/national/lere-calls-for-action-on-chinese-fishing-company-amid-exploitation-fears>
- <sup>58</sup> Daniel Flitton, *Economy of scales: Depleted stocks force Asian fishermen into Australian waters*, February 25, 2017, <https://www.smh.com.au/national/economy-of-scales-depleted-stocks-force-asian-fishermen-into-australian-waters-20170224-guklc2.html>
- <sup>59</sup> [Anne Barker](#), *'Something is not right': How \$US100,000 ensured a million-dollar illegal catch was forgotten in East Timor*, <http://www.abc.net.au/news/2018-06-30/million-dollar-illegal-catch-forgotten/9925890>





<sup>60</sup> Flitton, *Economy of scales: Depleted stocks force Asian fishermen into Australian waters*, February 25, 2017.

<sup>61</sup> Sea Shepherd, *Fleet Targeting Sharks in Timor-Leste Released Without Charge*, <http://www.seashepherd.org.au/news-and-commentary/news/fleet-targeting-sharks-in-timor-leste-released-without-charge.html>

<sup>62</sup> Hadyu Ikrami, *Indonesia's Reform of its Fisheries Law and Policy & Cooperation with ASEAN in Combating IUU fishing*, Research Associate, Centre for International Law National University of Singapore, *Asia-Pacific Journal of Ocean Law and Policy*.

<sup>63</sup> APFIC Regional Consultative Workshop, *Managing fishing capacity and IUU fishing in the Asian region*, Phuket, Thailand, 13–15 June 2007, [www.fao.org/docrep/pdf/010/ah999e/ah999e00.pdf](http://www.fao.org/docrep/pdf/010/ah999e/ah999e00.pdf)

<sup>64</sup> Júlio Tomás Pinto, *National Security, Internal and External Threaten Timor-Leste*, ETISS Dili, 2007, p.10.

<sup>65</sup> *Strategy and Force Planning*, Naval War College, Newport RI, Lloyd, p.5.

<sup>66</sup> HASSEMER, 2012, *Timor-Leste defence development, speech, and opinion*. Yogyakarta: Sleman, 2012, p. 108.

<sup>67</sup> Interview, Representative National parliament of Timor-Leste, David Dias, February 7, 2018.

<sup>68</sup> Interview, Timor-Leste Chief of Defence, Major General. Lere Anan Timur, February 5, 2018.

<sup>69</sup> Speech on opening Ceremony of CARAT exercise 2018, between US Navy and Timor-Leste Navy, Hera Naval base August 27, 2018.

<sup>70</sup> Timor-Leste President, Francisco Guterres Speech on Ceremony of Naval Component, Hera, Navy base February 2, 2018.

<sup>71</sup> Interview, Timor-Leste former secretary of state for Defence, Julio Thomas Pinto, February 5, 2018.

<sup>72</sup> Interview, Timor-Leste Navy Commander, Higinio Das Neves, July 8, 2018.

<sup>73</sup> Scott Brady, *Pacific air patrols will do more than combat illegal fishing*, November 14, 2017, <https://www.lowyinstitute.org/the-interpreter/pacific-air-patrols-will-do-more-combat-illegal-fishing>

<sup>74</sup> <https://www.statista.com/statistics/266292/number-of-pirate-attacks-worldwide-since-2006/>

<sup>75</sup> Arzia Tivany Wargadiredja, *Piracy is still a huge problem in Indonesia*, [https://www.vice.com/en\\_id/article/bmbnx5/piracy-is-still-a-huge-problem-in-indonesia](https://www.vice.com/en_id/article/bmbnx5/piracy-is-still-a-huge-problem-in-indonesia)

<sup>76</sup> James, Matthew T., *Is Sea Basing Currently a Viable Concept?*, <http://www.dtic.mil/dtic/tr/fulltext/u2/a506898.pdf>

<sup>77</sup> NARU Public seminar series, *Trends in IUU Fishing in the Shared Arafura and Timor Seas*, <http://www.anu.edu.au/about/campuses-facilities/events/trends-in-iuu-fishing-in-the-shared-arafura-and-timor-seas>





- <sup>78</sup> Michael White, 'Australia maritime Law update: 2006', *Journal of Maritime Law*, vol.38, no.3, 2007: p.2.
- <sup>79</sup> Sea Power Centre – Australia, *The Blue Economy in Australia*, 2017.
- <sup>80</sup> ; *National Ocean Policy of Portugal, Sources: 'Portugal, a maritime nation'*, [http://www.marinha.pt/PT/noticiaseagenda/doutrina/Documents/Portugal\\_a\\_maritime\\_nation.pdf](http://www.marinha.pt/PT/noticiaseagenda/doutrina/Documents/Portugal_a_maritime_nation.pdf)
- <sup>81</sup> 'Maritime Situational Awareness, the singular approach of a dual-use Navy', *Scientific Bulletin of the Naval Academy*, vol. XXI, 2018: [https://www.researchgate.net/publication/326302831\\_Maritime\\_Situational\\_Awareness\\_the\\_singular\\_approach\\_of\\_a\\_dual-use\\_Navy](https://www.researchgate.net/publication/326302831_Maritime_Situational_Awareness_the_singular_approach_of_a_dual-use_Navy)
- <sup>82</sup> [https://en.wikipedia.org/wiki/Maritime\\_Authority\\_System](https://en.wikipedia.org/wiki/Maritime_Authority_System), accessed Aug 17, 2018
- <sup>83</sup> <https://www.homeaffairs.gov.au/australian-border-force-abf/protecting/maritime/command>
- <sup>84</sup> Maritime border Command, <https://www.abf.gov.au/about-us/what-we-do/border-protection/maritime>
- <sup>85</sup> Singapore maritime Security task force. [https://everipedia.org/wiki/Maritime\\_Security\\_Task\\_Force/](https://everipedia.org/wiki/Maritime_Security_Task_Force/)
- <sup>86</sup> Singapore Arms Forces, sets up integrate Maritime security task force, <https://www.mindef.gov.sg/web/portal/mindef>
- <sup>87</sup> The Portuguese Chief of Defence Forces Antonio Silva Ribeiro, speech to International conference on sea matter; *Timor-Leste: the century of the sea*, Dili Timor-Leste, 16-17 of August 2018.
- <sup>88</sup> *Strategic Plan for defence and security: the force 2020 plan*, Volume 1, p. 93.
- <sup>89</sup> Parliament of Timor-Leste. *The Constitution of the Republic of Timor-Leste*. Dili, 2002.
- <sup>90</sup> The ANZAC pact, department of foreign Affair and trade website: [http://www.dfat.gov.au/geo/new/01-.Zealand/01\\_ANZAC.pdf](http://www.dfat.gov.au/geo/new/01-.Zealand/01_ANZAC.pdf) accessed 25 August 2018.
- <sup>91</sup> *Department of Foreign Affairs and Trade, Timor-Leste: Overview of Australia's aid program to Timor-Leste*, Australian Government, archived from [the original](#) on 10 January 2015.
- <sup>92</sup> John Blaxland, 'Australia's 1999 mission to East Timor part 1: the decision to intervene', *Australian Strategic Policy Institute*, Oct 2, 2015, <https://www.aspistrategist.org.au/australias-1999-mission-to-east-timor-part-1-the-decision-to-intervene/>, accessed August 22, 2018.
- <sup>93</sup> Luke Charles-Jones, *Assessing Australia's Regional Interventions: The Solomon Islands 2003 and East Timor 2006*, Centre for Defence and Strategic Studies Australian Defence College, 2011.
- <sup>94</sup> Australian Department of Defence, *Defence White Paper 2013*, Canberra, 2013, p.28.
- <sup>95</sup> Australian Department of Defence, *Defending Australia in the Pacific Century: Force 2013*, Canberra, 2009: [http://www.defence.gov.au/whitepaper/docs/defence\\_white\\_paper\\_2009.pdf](http://www.defence.gov.au/whitepaper/docs/defence_white_paper_2009.pdf) accessed 25 August 2018, p.12.



<sup>96</sup> Australian Department of Foreign Affairs and Trade, *Foreign Policy White Paper 2017*, <https://www.fpwhitepaper.gov.au/p.116>.

<sup>97</sup> *Joint Statement between the People's Republic of China and The Democratic Republic of Timor-Leste on Establishing Comprehensive Partnership of Good-neighbour Friendship, Mutual Trust and Mutual Benefit*, Minister of State and the Presidency of the Council of Ministers and Official Spokesperson for the Government of Timor-Leste, April 14, 2014.

<sup>98</sup> Sara Everingham, 'China, East Timor Strengthen Military Ties', *ABC News*, *Australian Broadcasting Corporation*, 24 August 2010, <http://www.abc.net.au/news/2010-08-24/china-east-timor-strengthen-military-ties/956650>

<sup>99</sup> Transcript, Film Courting East-Timor, JOURNEYMAN TV, March 27, 2011, [https://www.journeyman.tv/film\\_documents/5188/transcript/](https://www.journeyman.tv/film_documents/5188/transcript/)

<sup>100</sup> Xanana Speech, *The-handover-ceremony-of-the-patrol-boats*, Dili Port June 11, 2010, [timor-leste.gov.tl/wp-content/uploads/2010/06/Speech-by-PM-at-the-handover-ceremony-of-the-patrol-boats-11.6.10.pdf](http://timor-leste.gov.tl/wp-content/uploads/2010/06/Speech-by-PM-at-the-handover-ceremony-of-the-patrol-boats-11.6.10.pdf)

<sup>101</sup> The President of National Parliament, Arao Noe, speech at International conference on sea matter; *Timor-Leste: the century of the sea*, Dili Timor-Leste, 16-17 of August 2018.

<sup>102</sup> Australian Government: Minister for Foreign Affairs and Minister for Defence, (Press release). 'Maritime security strengthened through Pacific Patrol Boat Program'. 17 June 2014, [webarchive.nla.gov.au/gov/20140801021615/https://www.minister.defence.gov.au/2014/06/17/minister-for-foreign-affairs-minister-for-defence-maritime-security-strengthened-through-pacific-patrol-boat-program](http://webarchive.nla.gov.au/gov/20140801021615/https://www.minister.defence.gov.au/2014/06/17/minister-for-foreign-affairs-minister-for-defence-maritime-security-strengthened-through-pacific-patrol-boat-program)

<sup>103</sup> Australian Minister for Defence, (Press release). *Contract signed for replacement Pacific Patrol Boats*, 4 May 2016. <https://www.minister.defence.gov.au/minister/marise-payne/media-releases/minister-defence-contract-signed-replacement-pacific-patrol>

<sup>104</sup> 'Austal Pacific Patrol Boat 40', *Austal*. 12 May 2016, <https://www.austal.com/sites/default/files/related-documents/PPB%20Brochure%20May16.pdf>

<sup>105</sup> Two patrol boats confirmed for Timor-Leste: <http://www.australiandefence.com.au/sea/two-patrolboats-confirmed-for-Timor-leste#2WYPZICggQGW3vt.99>, (20 April 2018).

<sup>106</sup> Two patrol boats confirmed for Timor-Leste: <http://www.australiandefence.com.au/sea/two-patrolboats-confirmed-for-Timor-leste#2WYPZICggQGW3vt.99>, (20 April 2018).

<sup>107</sup> Dominguez, Gabriel. 'Timor-Leste to receive two Pacific Patrol Boats in 2023', *Jane's 360*, 6 November 2017.

<sup>108</sup> Australian Minister for Defence Industry, (Press Release), 'Pacific Patrol Boat Milestone', 31 July 2017, <https://www.minister.defence.gov.au/minister/christopher-pyne/media-releases/pacific-patrol-boat-milestone>

<sup>109</sup> Meeting between former Minister for Defence and Australian Defence Attaché at F-FDTL Headquarters, May 2018.



### Glossary of Terms

APFIC	Asia-Pacific Fisheries Commission
ASEAN	Association of Southeast Asian Nations
ATS	Arafura Timor Sea
COMAR	Maritime Operations Centre
CDF	Chief of the Defence Force
EEZ	Economic Exclusive Zone
F-FDTL	Timor-Leste Defence Forces ( <i>Forças da Defesa de Timor-Leste</i> )
FAO	Food and Agriculture Organisation of the United Nations
IPOA	International Plan of Action
IUU	Illegal, Unreported and Unregulated
JPDA	Joint Petroleum Development Area
JTF	Joint Task Force
LAR	Assault Speedboat ( <i>Lancha de Assalto Rapida</i> )
LVR	Surveillance Speedboat ( <i>Lancha de Vigilancia Rapida</i> )
MCS	Monitoring, Control and Surveillance
MSP	Malacca Strait Patrol
MOU	Memorandum of Understanding
NDL	National Defence Law
NDP	National Development Plan
NGO	Non-Governmental Organisation
NRTL	Republic of Timor-Leste Ship ( <i>Navio Republica de Timor-Leste</i> )
PLAN	People Liberation Army Navy



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RFMO	Regional fisheries management organisations
OPV	Offshore Patrol Vessel
RDTL	Republic Democratic of Timor-Leste
PNG	Papua New Guinea
UNCLOS	United Nations Convention on the Law of the Sea
VMS	Vessel Monitoring System
WRI	World Resources Institute