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Normative Evaluation of Timor-Leste's Maritime Legal Framework under UNCLOS 1982: The 2018 Maritime Boundary Treaty with Australia

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ABSTRACT

Despite the adoption of bilateral maritime arrangements, the delimitation of maritime boundaries between Timor-Leste and Australia raises continuing legal questions concerning the application of international maritime law. In particular, the extent to which Timor-Leste's maritime legal framework aligns with the principles and provisions of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) requires further normative assessment. This study examines the principles of UNCLOS 1982 relevant to resolving the maritime boundary dispute between Timor-Leste and Australia and evaluates the implications of assessing Timor-Leste's maritime legal framework. The research employs a descriptive normative legal method focusing on legal synchronization. The findings indicate that the relevant UNCLOS principles concern the delimitation of maritime zones, including the territorial sea, Exclusive Economic Zone (EEZ), and continental shelf, as well as dispute settlement mechanisms under Article 287, which provide for peaceful resolution through negotiation, arbitration, or adjudication before the International Court of Justice (ICJ), subject to applicable jurisdictional requirements. The normative evaluation may strengthen Timor-Leste's bargaining position by identifying alleged inconsistencies between previous maritime agreements and UNCLOS 1982, particularly Article 51 concerning sovereignty and the rights of developing countries. Furthermore, the assessment may support Timor-Leste's pursuit of international dispute settlement mechanisms, including the ICJ and the International Tribunal for the Law of the Sea (ITLOS), although diplomatic resolution remains the predominant approach.

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1. Introduction

Indonesia and Australia agreed on a maritime boundary in 1989, under the Timor Gap Treaty. The Timor Gap Treaty was part of East Timor before it became Timor Leste. In 2002, East Timor became independent and became a country called Timor Leste. In the same year, the Timor Sea Treaty was signed, but no maritime boundaries were agreed upon. Timor-Leste attempted to defend the oil fields within its territorial waters until 2004 when it resumed negotiations with Australia. In 2006 Australia and Timor Leste agreed to share oil and gas from Greater Sunrise.[1]

Indonesia, which was once part of Timor Leste, was not involved in the agreement made by Australia and Timor Leste. One of the legal facts that Indonesia can use in maritime boundary discussions with Australia is the 1982 UN Convention on the Law of the Sea. This convention stipulates that if the coasts of two countries are directly adjacent or adjacent to each other, neither country has the right to extend its territorial sea waters beyond the midline. The delimitation of maritime boundaries, however, requires consideration of the relevant provisions of UNCLOS, particularly the principles governing territorial seas, exclusive economic zones, and continental shelves.[2]

Timor-Leste is a country whose independence is still relatively young, namely 16 years after being recognized by the UN as an independent and sovereign country.[3] Timor-Leste's independence was achieved through a long process that presented the country with several challenges, including gaining sovereignty over land and sea. This sovereignty extends beyond natural resources, economics, politics, and security; more importantly, it concerns the country's territory, particularly its borders with other countries. Timor Leste believes that national independence will not be complete until Timor-Leste's territorial sovereignty is accepted and recognized by neighboring countries. The relationship between state sovereignty, self-determination, and maritime boundary delimitation has also been discussed in research examining the Timor Gap dispute and its resolution through international law.

One of the areas of dispute between countries is maritime territory. The sea plays a vital role for countries, encompassing political, security, and economic aspects. One of the maritime disputes that has emerged in the Australian sub-region is the dispute that occurred in the Timor Sea. The Timor Sea dispute illustrates the relationship between maritime sovereignty, offshore petroleum resources, and international dispute settlement, particularly through the compulsory conciliation mechanism under UNCLOS[4]

Regulations regarding maritime boundaries between countries have been regulated in articles of UNCLOS 1982. UNCLOS 1982 mentions several water areas owned by each coastal country, including Indonesia. These water areas include inland waters, territorial seas, additional zones, Exclusive Economic Zones (EEZ), Continental Shelf (LC), and high seas. This is done so that the exploitation and exploration of natural resources in the sea area can run smoothly without any friction with any country, especially neighboring countries. An archipelagic country that has definite maritime boundaries can avoid conflict and can be held accountable if there are legal problems. To date, the Timor Sea territorial border involving Australia and Timor Leste remains at the diplomatic stage. Efforts have been made to ensure that the agreed decision benefits all parties. Recent studies emphasize that the implementation

[1] Sousa da Cunha, "The (Almost) Final Delimitation of the Maritime Border in the Timor Sea."
[2] Ekon et al., "Legal and Geopolitical Dynamics in the Delimitation of the Continental Shelf Boundaries among Indonesia, Australia, and Timor-Leste in the Timor Sea."
[3] Marker, East Timor: A Memoir of the Negotiations for Independence.
[4] Østhagen, "Drawing Lines at Sea: Australia's Five Decades of Maritime Boundary Delimitation."

of maritime delimitation requires the application of international legal principles alongside geographical and technical assessments to achieve an equitable solution.[5]

Based on the foregoing discussion, the unresolved maritime boundary dispute between Timor-Leste and Australia continues to present significant legal challenges concerning the interpretation and implementation of the principles embodied in the 1982 United Nations Convention on the Law of the Sea (UNCLOS). Although various bilateral agreements have addressed the management and exploitation of maritime resources, the delimitation of permanent maritime boundaries remains a complex issue requiring careful legal assessment. This study therefore seeks to examine how the relevant principles of UNCLOS 1982 influence the resolution of the maritime boundary dispute between Timor-Leste and Australia. Furthermore, the study evaluates the implications of a normative assessment of Timor-Leste's maritime legal framework in addressing the maritime boundary dispute with Australia within the context of UNCLOS 1982, with the aim of providing a comprehensive legal analysis of the applicable international legal principles and their implementation in resolving the dispute.

2. Method and Legal Material

The research method used in this paper uses the normative legal research method. In this study, the author focuses on research into the level of legal synchronization to find answers to the problem formulation that has been questioned above.[6] The research is descriptive-analytical in nature, aiming to provide a comprehensive normative evaluation of Timor-Leste's maritime legal framework and its conformity with the principles of UNCLOS 1982, while assessing the implications of such conformity for the settlement of the maritime boundary dispute with Australia.

The legal materials used in this research consist of primary and secondary legal materials. The primary legal materials include the 1982 United Nations Convention on the Law of the Sea (UNCLOS 1982), the 1969 Vienna Convention on the Law of Treaties, the Timor Sea Treaty 2002, the Certain Maritime Arrangements in the Timor Sea (CMATS) Treaty 2006, the 2018 Treaty between Australia and the Democratic Republic of Timor-Leste Establishing Their Maritime Boundaries in the Timor Sea, and relevant international legal documents and decisions, including the Permanent Court of Arbitration (PCA) Conciliation Proceedings in Timor-Leste v. Australia. Secondary legal materials comprise books, peer-reviewed journal articles, legal commentaries, and scholarly publications discussing international maritime law, maritime boundary delimitation, the law of the sea, and international dispute settlement.

3. Result and Discussion

3.1 Relevant Principles of UNCLOS 1982 Influencing the Settlement of the Maritime Boundary Dispute Between Timor Leste and Australia

In today's era, relations between countries, both between countries and with international organizations, are something that occurs to fulfill the needs or interests of each country. This can be seen from the origins of relations between countries in ancient times which were only regulated by international customs. As time goes by, various problems that arise from relations between countries can no longer be resolved by referring to international customs. Countries recognize it by building relationships with each other and then entering it into an

[5] Zhang et al., "An Equidistance/Equiratio Method of Maritime Delimitation on the Earth Ellipsoid."
[6] Ashshofa, Metode Penelitian Hukum.

international agreement.[7] An agreement between members of the community of states that is intended to have certain legal consequences is known as an international treaty. Meanwhile, regardless of its name, an international treaty is a written agreement between states governed by international law, according to Article 2 paragraph 1 of the 1969 Vienna Convention. This can be a single instrument or two related instruments.[8]

The 1982 Law of the Sea Convention contains provisions relating to various maritime areas that have different legal status. The Convention generally divides the sea into two maritime zones, namely areas under national jurisdiction and areas beyond it. The maritime zone under national sovereignty is divided into two parts: the maritime zone, over which the coastal state has full sovereignty, and the maritime zone, over which the coastal state has special powers and rights established by the convention.[9]

Determining maritime boundaries between countries requires delimitation. Determining maritime boundaries that directly border other countries, whether adjacent or adjacent, is a delimitation process.[10] Political, historical and cultural factors, strategic and security interests, economic interests, and the interests of community groups all impact and interact with the determination of maritime boundaries. The importance of the values embodied in maritime boundaries and the complexity of the processes involved in determining maritime boundaries have made them a popular subject of research in international law.[11]

In 1982, UNCLOS became the International Convention on the Law of the Sea. The use of the oceans and all international seas, as well as the regulation of overlapping claims in the territorial sea, exclusive economic zone, and continental shelf. However, there are sometimes problems with this. Similar to the concept of freedom of the high seas, the interpretation of freedom of the high seas beyond the exclusive economic zone (EEZ), territorial sea, or internal waters has been the subject of much international dispute. Because this definition means that the high seas are a free area for all countries, no country can claim this area as part of its sovereignty as long as it meets the conditions outlined in Article 87 of the 1982 UN Convention on the Law of the Sea.[12] Every country must respect the rights of other countries to exercise their freedoms on the high seas in accordance with the provisions of UNCLOS 1982 when exercising those freedoms. According to the 1982 Convention on the Law of the Sea Part VII Article 87, it is one of the six principles of freedom of the high seas.[13]

The primary reference for international maritime law, the 1982 United Nations Convention on the Law of the Sea (UNCLOS), is crucial when discussing maritime boundary disputes and their resolution methods. The main focus in PCA case No. 2016-10 is Article 298 and Annex V of UNCLOS, which explicitly establishes conciliation mechanisms as a means to resolve disputes between states peacefully, especially in cases where states reject settlement through courts or arbitration. Dr. Natalie Klein stated that peace allows countries

[7] Situngkir, "Terikatnya Negara dalam Perjanjian Internasional."
[8] Farida, "Kewajiban Negara Indonesia terhadap Perjanjian Internasional yang Telah Diratifikasi (Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families)."
[9] Gunawan, Hukum Internasional: Sebuah Pendekatan Modern.
[10] Gunawan, "Penegakan Hukum terhadap Pembajakan di Laut melalui Yurisdiksi Mahkamah Pidana Internasional."
[11] Purwanti, "Relevansi Delimitasi Perbatasan Maritim dengan Faktor Lingkungan"; McRae, 2024;
[12] Hadju, "Analisis UNCLOS 1982 Terkait Permasalahan Yurisdiksi Negara dan Penegakan Hukum atas Kapal Berbendera Negara Asing."
[13] Utami, Deliana, and Edorita, "Implikasi Yuridis Perjanjian Perbatasan Maritim Australia dan Timor Leste Tahun 2018 terhadap Batas Wilayah Laut Indonesia dan Australia Tahun 1972."

experiencing power imbalances to speak more freely and openly. This is relevant to cases like Timor-Leste versus Australia.[14]

Furthermore, in the book The International Law of the Sea, Rothwell and Stephens published in 2010,[15] discusses how maritime boundary arrangements often lead to conflict if they are not carried out based on the principles of equality and respect for the sovereign rights of coastal states. In addition, the official article of the Permanent Court of Arbitration (PCA) discusses the Timor Sea Dispute. This article chronicles all stages of the dispute process, including the chronology, the respective positions of each party, and the final outcome in the form of the 2018 Maritime Boundary Agreement. The PCA report (2018) stated that the success of this process demonstrated the real implementation of a non-coercive but highly effective maritime law mechanism.[16]

The 1982 UNCLOS principles relevant to the maritime boundary dispute between Timor Leste and Australia include the determination of maritime boundaries based on baselines (Articles 5 and 7), the principle of dividing the EEZ and continental shelf, and the right of innocent passage (Article 17) and the right of transit passage in straits (Articles 37, 38). This Convention also regulates the mechanisms for resolving disputes through conciliation (Article 284, Annex V) and bringing disputes to the International Tribunal for the Law of the Sea (ITLOS) or the International Court of Justice (ICJ) (Article 287).

The 1982 United Nations Convention on the Law of the Sea (UNCLOS) establishes the legal framework for determining maritime entitlements and delimiting maritime boundaries between neighboring coastal States. Maritime zones are measured from baselines established in accordance with the Convention, including normal baselines along the low-water line and straight baselines where the prescribed geographical conditions are satisfied. The Convention allows coastal States to claim an Exclusive Economic Zone (EEZ) extending up to 200 nautical miles and a continental shelf comprising the seabed and subsoil within the limits prescribed by Article 76. Where the applicable geological and geomorphological criteria are fulfilled, continental shelf entitlements may extend beyond 200 nautical miles. These provisions determine the extent of maritime entitlements and provide the legal basis for identifying the areas in which coastal States may exercise sovereign rights over natural resources.[17]

Beyond defining maritime entitlements, UNCLOS regulates navigation to balance coastal State jurisdiction with international maritime mobility. Under Article 17, ships of all States enjoy the right of innocent passage through the territorial sea, subject to the conditions established by the Convention. For straits used for international navigation, Part III establishes the regime of transit passage, which generally permits continuous and expeditious navigation by ships and aircraft. These distinct regimes define the extent to which coastal States may regulate maritime activities while preserving the navigation rights recognized under international law.

UNCLOS also establishes procedures for the peaceful settlement of disputes concerning its interpretation and application. Part XV provides for several mechanisms, including negotiation, conciliation, and judicial or arbitral proceedings. Depending on the applicable

[14] Klein, Maritime Security and the Law of the Sea.

[15] Purwanti, "Relevansi Delimitasi Perbatasan Maritim dengan Faktor Lingkungan."

[16] Permanent Court of Arbitration, Report and Recommendations of the Compulsory Conciliation Commission between Timor-Leste and Australia on the Timor Sea.

[17] Antsygina, "Equity in the Delimitation of Continental Shelves"; Ekon et al., "Legal and Geopolitical Dynamics in the Delimitation of the Continental Shelf Boundaries among Indonesia, Australia, and Timor-Leste in the Timor Sea."

provisions and jurisdictional requirements, disputes may be submitted to the International Tribunal for the Law of the Sea (ITLOS), the International Court of Justice (ICJ), or an arbitral tribunal constituted under Annex VII. Compulsory conciliation is available in specific circumstances prescribed by the Convention, including certain disputes concerning maritime delimitation under Article 298(1)(a). The Timor Sea conciliation illustrates the practical relevance of this mechanism in addressing disagreements over maritime arrangements. These procedures provide a legal framework for resolving disputes through peaceful means rather than unilateral action.[18]

In the maritime dispute between Timor-Leste and Australia, these provisions are particularly relevant to the delimitation of maritime zones and the allocation of offshore petroleum resources, including the Greater Sunrise field. The parties' respective maritime entitlements must be assessed under the applicable rules of UNCLOS, while any overlapping claims require delimitation in accordance with the relevant legal principles. Although geographical proximity may inform the assessment of maritime entitlements, it does not independently determine the outcome of a boundary dispute. The evaluation must also consider the applicable delimitation methodology and the legal status of existing bilateral agreements, including the 2018 Treaty between Australia and the Democratic Republic of Timor-Leste Establishing Their Maritime Boundaries in the Timor Sea. Accordingly, UNCLOS provides the principal international legal framework for examining maritime entitlements, interpreting relevant agreements, and assessing the legal basis for the parties' respective rights and obligations.

3.2 Implications of a Normative Evaluation of Timor Leste's Maritime Legal Framework for the Maritime Boundary Dispute with Australia in the Context of UNCLOS 1982

The normative evaluation of the suitability of Timor-Leste's maritime legal framework in the context of the maritime boundary dispute with Australia under UNCLOS 1982 constitutes a doctrinal legal research approach that examines the compatibility of national legal instruments with applicable international legal principles, norms, and rules.[19] This evaluation is intended to assess whether the existing legal framework conforms to the provisions of UNCLOS 1982, identify potential legal disharmony or inconsistencies, and formulate recommendations for legal reform where necessary. The evaluation primarily focuses on statutory analysis by examining the content of laws, regulations, and other legal instruments to determine their consistency with higher legal principles and internationally recognized norms governing maritime boundary delimitation. In addition, the evaluation seeks to identify areas of disharmony, including conflicts concerning authority, rights, and obligations that may arise either between different legal instruments or among provisions contained within a single regulation. Such an assessment also provides a robust theoretical foundation for understanding the relationship between domestic legislation and international maritime law while supporting the development of legal policies that are more effective, coherent, and equitable.[20]

The normative evaluation process involves several interconnected stages. First, it identifies the legal aspects to be assessed, including the allocation of governmental authority, the recognition of sovereign rights, the imposition of legal obligations, and the protection

[18] Antsygina, "Equity in the Delimitation of Continental Shelves."
[19] Pereira Coutinho and Briosa e Gala, "Bounding Down Under: A Tale about the Timor Sea Agreements."
[20] Deng, "Joint Development between Australia and Timor-Leste."

afforded by the applicable legal framework concerning maritime boundaries and natural resource management. Second, the evaluation applies a comparative legal approach by examining and comparing relevant domestic legislation with the provisions of UNCLOS 1982, as well as comparing related statutory provisions to identify areas of compatibility or potential inconsistency. This comparative assessment enables the identification of legal gaps and normative conflicts that may affect the implementation of international maritime obligations. Finally, the evaluation culminates in the formulation of recommendations, which may include revising existing legislation, repealing inconsistent provisions, or adopting new legal instruments to harmonize Timor-Leste's maritime legal framework with the principles and objectives of UNCLOS 1982. Accordingly, the normative evaluation is intended to ensure that the national legal system governing maritime affairs remains consistent with applicable international legal standards while providing practical legal solutions to address identified inconsistencies and strengthen the legal basis for resolving the maritime boundary dispute between Timor-Leste and Australia.[21]

The case of the maritime dispute between Timor Leste and Australia is a significant example that illustrates the interaction between international law and national law. The dispute centers on the division of maritime boundaries in the Timor Sea, an area rich in oil and gas resources. After gaining independence from Indonesia in 2002, Timor-Leste began claiming maritime rights previously regulated by a bilateral treaty between Indonesia and Australia. In 2006, the two countries signed an interim agreement called Certain Maritime Arrangements in the Timor Sea (CMATS), which allows for the joint exploitation of natural resources in the area. However, Timor Leste accused Australia of espionage during the CMATS treaty negotiations, with the aim of providing unilateral benefits to Australia. These allegations prompted Timor Leste to bring the dispute to the Permanent Court of Arbitration (PCA) in The Hague in 2016.[22]

This case demonstrates the complex dynamics of the relationship between international law and national law. On the one hand, Timor Leste utilizes the principles of international law to strengthen its claims, while on the other hand, Australia relies more on its domestic laws to protect national interests. These tensions reflect the global challenge of harmonizing international norms with national sovereignty, especially in cases involving high-value natural resources. This case also highlights the important role of UNCLOS as an international legal instrument in resolving maritime disputes peacefully and justly.[23]

One of the main issues that arises is the conflict between international law and national law, especially regarding dispute resolution mechanisms. In 2002, Australia withdrew from the mandatory dispute settlement mechanisms under UNCLOS, which include arbitration and international courts, through a formal declaration. This move was taken to avoid the obligation to resolve maritime disputes in the Timor Sea through international mechanisms, which were deemed detrimental to Australia's national legal position. Instead, Timor-Leste relied entirely on UNCLOS to substantiate its maritime boundary claims. This tension reflects how a country's national laws can be used to overrule international norms, especially when those norms conflict with domestic sovereign or economic interests.[24]

[21] Papanicolopulu, "Maritime Boundaries after Delimitation."
[22] Fernandes, Reluctant Saviour: Australia, Indonesia and the Independence of East Timor; Jing, "How 'Unequal Treaties' Influenced Commission Competence: A New Perspective on the United Nations Convention on the Law of the Sea (Part XV) in the Timor Sea Conciliation."
[23] Tamada, "The Timor Sea Conciliation: The Unique Mechanism of Dispute Settlement."
[24] Churchill, Lowe, and Sander, The Law of the Sea.

An analysis of the relationship between international law and national law, as illustrated in the case of Timor Leste vs. Australia, has significant implications for policymakers at both the national and international levels. One of the main implications is the need to create domestic policies that are aligned with international obligations. In a dualistic system, policymakers must ensure that international norms adopted through treaties or arbitral awards are effectively translated into national law.

A normative evaluation of the maritime legal framework of Timor Leste and Australia implies that their maritime boundary disputes can be resolved by referring to international law and UNCLOS 1982, particularly Articles 55 and 59 concerning the delimitation of the Exclusive Economic Zone (EEZ) and the Continental Shelf, as well as Article 51 which regulates agreements on maritime boundaries. This evaluation could lead to the establishment of a dispute resolution mechanism such as the International Court of Justice (ICJ) or the International Tribunal for the Law of the Sea (ITLOS) under Article 287 of UNCLOS 1982, which could potentially change the legal and economic arrangements of the Timor Sea region for both countries.[25]

The normative evaluation of Timor-Leste's maritime legal framework establishes the legal basis for assessing the validity and compatibility of existing maritime arrangements with Australia. The 1982 United Nations Convention on the Law of the Sea (UNCLOS) serves as the principal reference for determining whether bilateral agreements comply with applicable international legal obligations. Accordingly, existing agreements concerning the Timor Sea must be examined in light of UNCLOS provisions and relevant principles of international law to ensure that the parties' maritime arrangements are legally consistent.[26]

A further implication concerns the determination of maritime entitlements, particularly the Exclusive Economic Zone (EEZ) and the continental shelf. Articles 55 and 57 of UNCLOS establish the legal framework for the EEZ, while the continental shelf regime is primarily governed by Articles 76 and 77. These provisions clarify the extent of maritime entitlements and the sovereign rights of coastal States over marine resources. Their application provides a basis for assessing the competing claims of Timor-Leste and Australia and determining whether the allocation of maritime zones complies with applicable international law.

The evaluation also provides a basis for reviewing and, where necessary, revising existing bilateral agreements. If the assessment identifies inconsistencies between particular treaty provisions and applicable international legal standards, Timor-Leste and Australia may consider amendments or renegotiation through mutual agreement. Such measures would help align their maritime arrangements with UNCLOS while addressing the respective legal interests of both States. This process is particularly relevant to agreements governing maritime boundaries, resource management, and jurisdiction in the Timor Sea.

Where bilateral negotiations fail to resolve outstanding disagreements, the evaluation may also inform the choice of an appropriate international dispute settlement mechanism. Depending on the nature of the dispute, the parties' consent, and the applicable jurisdictional requirements, proceedings may be pursued before the International Court of Justice (ICJ), the International Tribunal for the Law of the Sea (ITLOS), or an arbitral tribunal established under UNCLOS. The availability and legal effect of these procedures depend on the relevant

[25] McRae, "The Treatment of Relevant Circumstances in Maritime Boundary Delimitation: Adjudication and Conciliation"; Jaffal, "Corrective Equity in Maritime Delimitation: Legality, Adjustment, and the Three-Stage Method."

[26] Pereira Coutinho and Briosa e Gala, "Bounding Down Under: A Tale about the Timor Sea Agreements."

jurisdictional basis and the applicable dispute settlement provisions. International adjudication or arbitration may provide an authoritative resolution of the issues submitted to the tribunal and clarify the parties' respective maritime rights and obligations.

Finally, the legal determination of maritime boundaries has direct economic and strategic consequences for both States. In particular, the allocation of maritime jurisdiction affects sovereign rights over offshore resources, including hydrocarbon reserves in the Timor Sea.[27] Clear and legally established boundaries can reduce uncertainty regarding resource exploration and exploitation, facilitate the exercise of jurisdiction, and provide a more predictable framework for bilateral cooperation. By clarifying the rights and responsibilities of Timor-Leste and Australia, the normative evaluation can therefore contribute to more effective resource governance, stable bilateral relations, and peaceful management of the Timor Sea.

4. Conclusion

This study concludes that the principles of the United Nations Convention on the Law of the Sea (UNCLOS 1982) relevant to the maritime boundary dispute between Timor-Leste and Australia primarily include the principles governing the delimitation of maritime zones, namely the Territorial Sea, the Exclusive Economic Zone (EEZ), and the Continental Shelf, as well as the dispute settlement mechanisms provided under Article 287 of UNCLOS 1982. These provisions establish a legal framework that prioritizes the peaceful settlement of maritime disputes through negotiation, arbitration, or adjudication before the International Court of Justice (ICJ). Furthermore, the normative evaluation of Timor-Leste's maritime legal framework demonstrates significant implications for strengthening the country's bargaining position in maritime boundary negotiations with Australia. The evaluation indicates that previous maritime arrangements may be inconsistent with the provisions of UNCLOS 1982, particularly Article 51 concerning sovereignty and the rights of developing countries. Consequently, this normative assessment reinforces Timor-Leste's legal basis for seeking dispute resolution through international legal mechanisms recognized under UNCLOS 1982, including the International Court of Justice (ICJ) and the International Tribunal for the Law of the Sea (ITLOS), while acknowledging that diplomatic negotiations continue to constitute the predominant approach for resolving the maritime boundary dispute between the two States.

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Carolina da Cruz: Conceptualization, Methodology, Investigation, Data Curation, Formal Analysis, Writing – Original Draft, and Project Administration. **Francisco Ruas Hornay:** Validation, Investigation, Resources, and Writing – Review & Editing. **Eugenia Brandao Da Silva:** Supervision, Validation, and Writing – Review & Editing. All authors have read and agreed to the published version of the manuscript.

[27] Bankes, "Settling the Maritime Boundaries between Timor-Leste and Australia in the Timor Sea."

Statement of the Use of AI

Artificial intelligence (ChatGPT) was used solely to assist with translating the manuscript into English. All legal analysis, interpretation, and the final content of the manuscript were reviewed, verified, and approved by the authors.

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