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State of Play Civil Society Organization in Montara Incident in 2009

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Abstract

This paper seeks to explain the role of the West Timor Care Foundation (YPTB) in the 2009 Montara dispute using the concept of the Transnational Advocacy Network and the Boomerang Model. This study found that YPTB had a role as an external-pressure and agenda-setter for the Indonesian and Australian governments because it failed to accommodate community problems. Pressure is carried out by means of diplomacy and litigation to overcome government inconsistencies with implication in the bilateral atmosphere of the two governments. YPTB's efforts to influence this policy set in motion the Boomerang Effect as a way to settle the Montara settlement. This research is qualitative studies with purpose to investigate WTCF as an analyze unit and as the informant key. The results of this study contribute to understanding the processes that can mobilize interest groups and the ways in which they resolve disputes. The failure of governments to design interest triggers to use their networks and force changes to cross-border policies.

Keywords: Montara, West Timor Care Foundation, Transnational Advocacy Network, Australia & Indonesia Government

Abstrak

Tulisan ini berupaya menjelaskan peran Yayasan Peduli Timor Barat (YPTB) dalam sengketa Montara 2009 menggunakan konsep Jaringan Advokasi Transnasional dan Model Boomerang. Penelitian ini menemukan bahwa YPTB memiliki peran sebagai alat tekanan eksternal dan agenda setter pemerintah Indonesia dan Australia karena gagal mengakomodasi permasalahan masyarakat. Tekanan dilakukan dengan cara diplomasi dan litigasi untuk mengatasi inkonsistensi pemerintah dengan implikasi perubahan suasana bilateral kedua pemerintah. Upaya YPTB untuk mempengaruhi kebijakan ini menggerakkan Efek Boomerang sebagai cara untuk merangsang penyelesaian sengketa Montara. Penelitian ini merupakan penelitian kualitatif dengan tujuan untuk

mengkaji WTCF sebagai unit analisis dan sebagai informan kunci. Hasil penelitian ini berkontribusi untuk memahami proses yang mendasari mobilisasi kelompok kepentingan dan cara mereka mempercepat penyelesaian sengketa. Kegagalan Pemerintah merancang telah memicu kelompok kepentingan untuk menggunakan jaringan mereka dan memaksa pemerintah mengubah kebijakan mempengaruhi kebijakan lintas batas.

Kata Kunci: Montara, Yayasan Peduli Timor Barat (YPTB), Jaringan Advokasi Transnasional, Pemerintah Australia & Indonesia

INTRODUCTION

The discussion on resolving disputes between countries did not much link how the NGOs participate in resolving disputes process. One reason that is quite obvious is because NGOs have the alternatives being confined to communication and facilitation strategies guided to quality-oriented interaction between the parties and to maintaining an environment conducive to conflict management (Branco, 2011). However, when communication and facilitation in domestic channels are block, NGOs are still able to explore their legitimacy.

This paper will analyze how the presence of NGOs as a concatenation of community-based movements be able to influence the cross-border policies of dispute resolution. This work assesses the Montara oil spill, which began in the Australian waters of the Timor Sea on August, 21st 2009. Montara case is a drilling failure of an offshore oil refinery project owned by the Australian Petroleum Authority for Exploration and Production of Thailand (PTTEP AA), a Thai national company in 2009. The incident caused sea pollution in the Australian waters, extended to Timor Gap waters, spilled over to Indonesian Territorial Sea and the coast of Timor for 74 days.

The Montara wellhead was operated by PTTEP Australia, a subsidiary of PTT, a petrochemical conglomerate part-owned by the Thai government. There is no agreed-upon amount of oil spilled at sea, otherwise, PTTEP estimates approximately 400 barrels/day (64 tons/day) (AMSA, 2010), while the Australian Department of Natural Resources, Energy and Tourism estimates that oil spilled at sea five times i.e. with 2000 barrels' amount per day (Alfiansyah, 2016). The oil spilled for 74 days until it stopped on November 3rd, 2009 and the operations response ceased on December 3rd, 2009 (AMSA, 2009)

The Montara oil spill had damaged the marine ecosystem and polluted the seaweed cultivation in 11 districts and 1 city in East Nusa Tenggara: Rote Ndao, Sabu Raijua, Alor, South Central Timor, North Central Timor, Malacca, West Sumba, East Sumba, Sumba Central, Southwest Sumba, and Kupang) (ALA, 2015). The impact of the oil spill exacerbated by efforts of cleaning up the oil by the Australian Maritime Safety Authority (AMSA) with dispersant, and the attempts of PTTEP AA to plug the well The combination of crude oil spill and chemicals caused multi-effects loss for people who live in the Timor region. Even more, caused the environmental damage such as oil sedimentation and economic loss, health impact, loss of life, and sustainable social impacts were also suffered by the community (WTCF, 2018).

The Government of Indonesia has started the advocacy and negotiation for compensation demand by forming the Timor Sea Pollution Compensation Claims Advocacy Team. This case has caused Indonesia loss 23.2 trillion rupiah (Deyastrie, 2018), the loss of seaweed farmers reached 15 to 20 trillion rupiah and socio-economic loss reached 50 trillion rupiahs (WTCF, 2018). The compensation issue then negotiated between the government of Indonesia with PTTEP AA by agreed on a dual-track Memorandum of Understanding (MoU) scheme. This scheme has stipulated

in the business to government (B2G), whereas PTTEP AA demands the Corporate Social Responsibility scheme as a form of goodwill, not as an admission of liability, otherwise, Indonesia demands an interim measure while waiting for the results of the negotiation process. In result, neither party found an agreement.

Negotiations were extended with neutral committee facilities between Indonesia government diplomatic with Thailand as an authority of the PTTEP AA mother company on Government to Government (G2G). The substance of material and legal technicality has not been agreed upon, so the agreement was failed to achieve (Suleiman, 2015). Indonesia government's power over PTTEP AA was limited because it has not any autonomy to exercise the pressure (Deyastrie, 2018) and in the end of 2012, the government of Indonesia decided that PTTEP AA was no longer cooperative. There is no involvement of the government of Australia as an origin country that impacted on the difficult dispute resolution (Suleiman, 2015). The government of Australia responded to the issue by establishing the Montara Commission Inquiry otherwise they have no willingness to examine the potential of cross-border damage or the implication of dispersed oil into Indonesian waters. The requests for assistance from the government of Indonesia has not availed.

In this problem, Yayasan Peduli Timor Barat (YPTB) or West Timor Care Foundation (WTCF), on behalf of Montara victims, has become a non-governmental organization representative that advocates the rights of Timorese people. The presence of WTCF in Montara dispute followed by a disappointment result over the slow actions of the government in accommodating the rights of West Timor people.

This research is organized as follows. First, discussing the transnational advocacy networks as a conceptual framework to identify the NGO movements in cross-border dispute. Second, to understand that WTCF has a main role. Third, analyzing the role and application of the Boomerang Model on the WTCF discourse process in the form of rich narrative, followed by discussion of the theoretical implications of findings. In addition, the author provides some suggestions for deepen research in future.

RESEARCH METHOD

This research aims to explain how the state of play of West Timor Care Foundation (WTCF) could solve the Montara dispute and obtain compensation. This research using Transnational Advocacy Networks (TAN) and the Boomerang Model to examine and explain the role and how the WTCF works. This research finds that WTCF is an external pressure on both Indonesia and Australia government with its implications for changes in bilateral atmosphere. WTCF had moved the advocacy network and implement the Boomerang Model as a way to stimulate the Montara dispute resolution.

WTCF's strengths is not only rely on their lobbying and networks to meet the TAN tactics. This research finds that WTCF accessed has been block in Indonesia (in state A), then the cooperation with senate and ALA in Australia (state B) had put pressure on both target states. Moreover, the joining of domestic structures in each country has proven to make their mission to change policies more impactful.

In order to understand the interpretation of WTCF's significant role in Montara dispute, this research using the constructivist paradigm. The conceptual framework in this paradigm is not precede the research instead of following grounded data generated by the research act. Hence, data are gathered and analyzed in a manner consistent with grounded theory (Kivunja, C., & Kuyini, 2017). This research using qualitative data and case study methodology. This research

methodology purpose is to investigate WTCF as an analyze unit and as the informant key by collecting the data through interviews, discourses, and literature, to provide a rich understanding of how WTCF works.

RESULT AND DISCUSSION

TRANSNATIONAL ADVOCACY NETWORK AS A CONCEPTUAL FRAME

This research using the transnational advocacy network as a promising literature to analyze the cross-border of NGO advocacy movements. A transnational advocacy network is an international network of actors that cooperate on a particular issue and using informational or symbolic resources to influence power holders. Transnational advocacy networks more over understood as a political space, whereas actors negotiate internationally (both formal and informal) related to the issue, bound by values and a dense exchange of information (Keck, M. E., & Sikkink, 1998). This network allows actors that has been traditionally weak in international relations in collecting information, ideas, and norms, and appoint them to change the policy.

Cooperation is the exchange of information in order to the network enable actors mobilize the information to persuade, suppress, and gain stronger influence from the organization and government (Keck, M. E., & Sikkink, 1998). All networks are constructed and members should choose to maintain networks. The main actors in the advocacy network include international and domestic NGOs, researchers and organizations advocacy, foundations, media, churches, trade unions, organizations consumer, intellectuals, regional and international government organizations, executive governments and/or parliaments. Networking opportunities are argued to increase the potential allies of the network over the last several decades and thus a place to try the boomerang through work against transnational advocacy networks in their early stages (Bloodgood, E.A & Clough, 2008)

Transnational advocacy networks occurrence when channels between domestic group and government are blocked or there are ineffective channels for resolving conflicts, they seek international allies to assist the country by implementing the Boomerang Model (Keck, M. E., & Sikkink, 1998). Boomerang model explains how the voice of domestic NGO against state A was blocked, then succeed in mobilizing NGO (international or in-state B) through the transnational network to access state B as the main target of boomerang to put pressure on state A. Boomerang effect is the ability of domestic NGO to encourage the powerful actors to influence the situation, in order to the weak network members be able to give influence.

Transnational networks seek influence in more same way which political groups or other social movements do, otherwise they are not strong enough, then should use the power of information, ideas, and strategies to change the information and value contexts in policy-making countries. Keck and Sikkink divide the type of tactics into four which networks use to influence policy (Keck, M. E., & Sikkink, 1998). First, information politics, the ability to change the information quickly and credibly to the place that will have the greatest impact. Second, symbolic politics, the ability to use symbols, actions, or narratives of claims. Third, leverage politics, the ability to call strong actors to influence situations whereas the weak network members may not have influence. Fourth, accountability politics, efforts to oblige stronger actors to act based on formal policies/principles.

WTCF AS AN EXTERNAL PRESSURE AND AGENDA SETTER

Explaining the role of WTCF by checking the application of transnational advocacy, firstly we focus on the WTCF's interest in achieving compensation claims from the PTTEP AA, the

government of Australia, Norway Bermuda sea drill, and Halliburton bridge contractors (Kardi, 2018). WTCF's interest articulation is clearly emphasized in the effort in protecting and promoting the basic rights of the Timorese people by believing that the Montara dispute is a purely humanitarian and environmental issue (WTCF, 2018).

The WTCF's efforts to achieve their interest in the Montara dispute divided into two ways. First, the advocacy with structured steps in the form of diplomacy by influencing Australian government in order to cooperatively accelerates the dispute resolution (WTCF, 2018). WTCF's diplomacy is supported by building the networks within the both country: Friends of the Earth Indonesia, Ocean Watch Indonesia, and the People's Coalition for Fisheries Justice, Senator Siewert, the Australian Lawyers Alliance (ALA), churches, and media (WTCF, 2018).

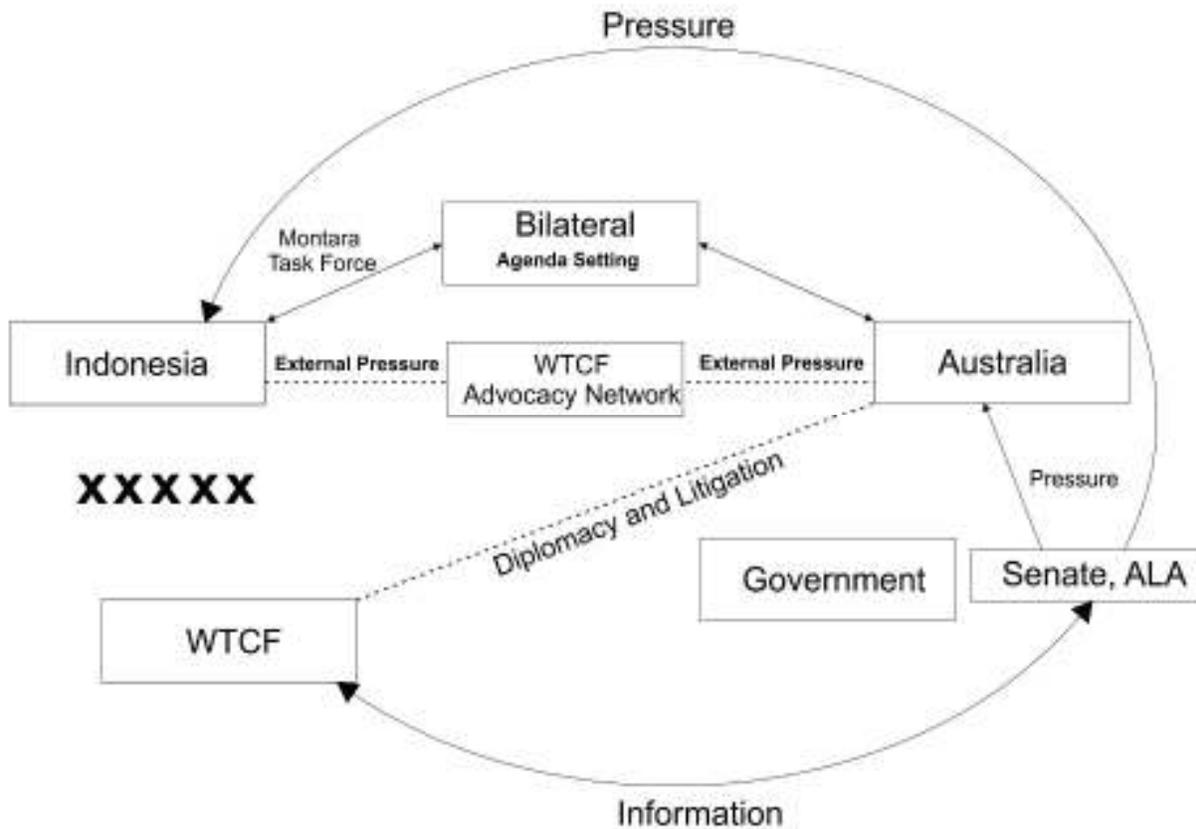
Departing from the agenda of community rights, environmental issues, social and political understanding backgrounds promoted by the WTCF, their international expression achieved by lobbying the actors and building network groups. Second, the litigation effort by casting class action claim against PTTEP AA through Australian Federal Court on August 3, 2016, with demands for social-economic compensation of AUS\$ 200 million. The demands were mandated through Daniel Sanda representing 15,000 seaweed farmers (WTCF, 2018). Litigation efforts were affirmed by the government of Indonesia, according to Indonesia constitution 2009 no. 32 about the environment, which communities has role of making compensation claims for social economy, while claims for environmental damage are the government authority (WTCF, 2018). In 2017, the Federal Court of Australia led by Griffiths judge granted Daniel Sanda's request (WTCF, 2018). In result, the court still on the agenda of examining 7 witnesses of Timorese people in July 2019.

This research finds that distinguish two roles of relative continuity related to WTCF involvement as an NGO in influencing the government policy peeled through the Keck and Sikkink Boomerang Model. There are circumstances whereas efforts to achieve WTCF's interests are impeded by the situation once they have no way in the domestic arena. WTCF realized that their claim resonated by seeking international connections to get allies and implementing the Boomerang Model to stimulate the settlement of Montara dispute.

WTCF international first contact is conducted by lobbying the Senator Siewert of Green Party (sole representative of Australian Parliament who met affected communities) and Australia Lawyers Alliance (ALA) to support research and legal technicality (while simultaneously strengthening the demand and interests of the affected Timorese in Australia). Cooperation with Senator Siewert and ALA is one of applications of information politics. WTCF believes, working together with them gives more impactful emphasis.

In 2009, WTCF and Senator Siewert started to exchange samples forwarded to Leeder Consulting regarding the testing analysis. Leeder detailed that 2 out of 3 samples showed a matched diagnostic ratio at 95% intervals (ALA, 2015). Furthermore, Senator Siewert gave the sample collected by the WTCF to the Montara Commission Inquiry and highlighted the Montara incident in Senate Session 2013 and 2014. The role of the Senator is shown by the intense emphasis on both government and her presence in affected communities. In Boomerang pattern, this collaboration is classified as an insider coalition that offered more chances of success (Erdem, 2015), while allowing more powerful actors to influence the situation (Keck, M. E., & Sikkink, 1998).

Figure 1. WTCF Boomerang Model in Montara Dispute



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Presenting the figure of the Green Party of the government of Australia also can be categorized as a leverage politics strategy by the WTCF. They are able to cooperate with strong actors in order to influence situations, even though WTCF is the main actor, but in the network, they are not powerful in changing policy. Senator Siewert echoed the WTCF's request to return to Australia's domestic arena whereas their claims had been ignored, which has triggered external pressure. WTCF together with its network is a source of pressure on the national government to be consistent with compensation and be firm on the target country, Australia, which is resistant to change its policies as a regulator state.

External pressure at the domestic level started by encouraging the government of Indonesia in accommodating the interests of affected communities and to take a strong stand against the government of Australian. This pressure follows the government of Indonesia inconsistency in

negotiations of compensation. Previously, the government of Indonesia through the Management of the Emergency Oil Spill at Sea Team claimed a loss of 23.2 trillion rupiahs. In March 2011, the Ministry of Fisheries, Freddy Numberi, agreed to compensation of 45 billion rupiahs with PTTEP AA (Maradona, 2011). Although the initiation of this compensation is not confirmed, whether the compensation intended for the initial settlement of the case, goodwill or overall compensation, erasing PTTEP AA's responsibility for Montara, caused anxiety to Timorese people. WTCF even more urged the Indonesian government to refuse the tender of PTTEP AA offshore oil drilling around 600 km of North Australia and 675 km northeast of Western Australia and urging the President Joko Widodo to seize PTTEP's assets worth the US\$ 3.5 billion (Tempo, 2016).

Pressure continues and WTCF has received the spotlight of many mainstream and online media both in Indonesia, Australia, and other international countries. Media such as CNN Indonesia, ABC News, helped to spread ideas and agendas promoted by WTCF. WTCF seeks to maximize the implementation of information politics by using media and international conferences as an effort to put pressure on PTTEP and the government of Australia. As part of the TAN, political information applied by WTCF has functioned as a way to legitimize information that still in the form of testimonials. The power of this information is built in order of them have power to supervise and control the performance of governments by comparing the truth of their testimonies to the facts of the field.

WTCF even more encouraged the assertiveness and diplomatic pressure of the government of Indonesia by writing to the Prime Minister of Australia (WTCF, 2018) and asked President Joko Widodo to cancel the state visit to Australia because they seemingly confusing behavior for cooperation (Ilham, 2016). WTCF experiences in presenting this case in international trials more than 7 years, which helped to explain how difficult for them to access the Federal Court of Australia (WTCF, 2018). WTCF then urged Indonesian government through the Director of Law and Regional Agreement of the Ministry of Foreign Affairs on 20 February 2019 in order to the entire Indonesia-Australia Treaty in the Timor Sea in 1971-1997 trilaterally negotiated with Timor Leste. This follows the Indonesia-Australia Treaty in the Timor Sea because it no longer fits the geopolitical facts that been changed significantly following the birth of Timor Leste (Kaha, 2019).

WTCF advocacy leadership urge the government of Australia to change the diplomatic relations atmosphere with the government of Indonesia. The pressure started by highlighting studies conducted by the government of Indonesia and Australia, and PTTEP AA that were not carried out collectively and cover all affected areas even though all parties realized that spills are cross-border. This dynamic requires the participation of WTCF to be the only Indonesian institution which proposes the submissions to Montara Commission Inquiry. The submission is at the same time as WTCF apprehensive over "victims and pollution" and its concern with the draft response because it does not cover the effects of oil and dangerous hazardous substances outside Commonwealth waters. The WTCF in ALA (ALA, 2015) details the shortcomings of the Draft Government Response, (1) failing to overcome the overall evidence of oil and dispersants in Indonesian waters after the Montara explosion. (2) AMSA's decision to use Corexit EC9500 and other dispersants, and their impact on the environment, health and economic livelihoods of West Timor people. (3) Australia's obligations under the United Nations Convention on the Law of the Sea and based on the MoU between the governments of Australia and Indonesia in 1996 concerning the readiness and response of oil pollution.

Next step has taken by WTCF to question how the government of Australia's political accountability to prove whether they as oblige stronger actors have acted on formal policies or principles. WTCF's criticism on the government of Australia due to the lack of AMSA knowledge

in the use of dispersants that based on international experience, so the impact of the dispersants is targeting Timorese living things and the marine environment. Overall, the chemicals sprayed by AMSA, contains 63.415 liters of Slickgone NS, 38.000 liters of Slickgone LTSW, 32.000 liters of Ardrex 6120, 27.720 liters of Corexit EC9527A, 17.000 liters of Corexit EC9500, 17.000 liters of VDC Shell and 1.000 liters of Tergo R-40. The practice and consideration of using dispersants seek to protect the effects of Montara oil in sensitive areas of Ashmore Reef, Cartier, and Kimberley coast of Western Australia.

This treatment is inversely proportional to the Shen Neng 1 coal carrier which ran aground on Douglas Shoal, on the Great Barrier Reef in 2010. The ship spilled about 4 tons of fuel oil. Although the scale is smaller than the response to Montara, the location is more sensitive and newsworthy because it only uses 5.000 liters of dispersant (Lee, K & Irving, 2015). The comparison of dispersant ratio between Montara and Sheng Neng 1 has become 2:1.

WTCF has questioned why the Department of Foreign Affairs and Trade of Australia (DFAT) is not been proactively engaged with the provincial and national government of Indonesia related to negotiations for the independent research (ALA, 2015). PTTEP Oil Spill Contingency Plan explicitly stated that the government Australia carried out coordination and assistance in cases of cross-border damage, whereas AMSA shall consult with DFAT (PTTEP, 2016). It indicates that DFAT and AMSA are connecting the information to affect the national government (ALA, 2015).

According to the Memorandum of Understanding 1996 regarding to relevance of the oil pollution response, WTCF criticized that in paragraph 1 the government of Australia has not prepared to face the oil spill as large as the Montara explosion that caused West Timor suffered the consequences. The exchange of information contained in paragraph 3 also not comply with the spirit and clauses of the MoU. In paragraph 4, the government of Australia failed to facilitate cross-border mobility in emergencies whereas the oil extended into Indonesian waters and continued to cause damages. For this reason, WTCF believes that the government of Australia has violated its obligations under the Memorandum of Understanding 1996 (ALA, 2015). In the context of international maritime law, the principle of "duty to cooperate" requires the good faith of the state to resolve disputes (Suleiman, 2015), otherwise in the absence of government of Australia's efforts to assist the Indonesian public and government in investigating, remediating, assisting finance or justice made the official position of the government of Australia in Montara "it is beyond the jurisdiction of Australia to compel a titleholder to perform any investigative or monitoring activities in the waters of another country" (ALA, 2015).

In result, it shows that Australia have no authority over its sovereignty to assist the Indonesian government, instead of allowing Indonesia to sue PTTEP AA without the leadership of sovereign state. Although WTCF submitted the late submissions, WTCF believes that oil spill has moving slow to Indonesian waters and even slower to the seaweed farming and aquaculture areas in NTT, so when the submission was open, the WTCF mentioned it has no information or evidence to submit (ALA, 2015). WTCF then wrote to Australia since 2010, both the Prime Minister and the Australian Ambassador in Indonesia to reinforce WTCF's commitment and demands to the government of Australia. WTCF also asked the East Nusa Tenggara regional government to reject AusAID, because it includes Australian political interests (Bere, 2016).

Keck and Sikkink explained that networks may use those positions, and their commands of information, to expose the distance between discourse and practice, whereas this condition automatically shows the greater imbalance that arises between expressions or commitments with concrete actions, the accountability of target actors will be increasingly questioned. The Montara

dispute shows inequality, not only on PTTEP and the government of Australia that totally uncooperative, but also by the gap between the results of leakage research and spraying of dispersant that not in accordance with their demeanor.

WTCF influences policies progress determined by the access to the domestic structure, entering the government of Indonesia's national coalition. NGOs need to be part of the national coalition because if NGOs dominate, they tend to launch attacks when they pour their knowledge into prescribing rules that are widespread and less effective (Walter Carlsnaes dkk, 2013). WTCF itself has join Montara Task Forces, the national coalition which should increase the legitimacy of its role as determining the negotiation agenda for the Montara dispute resolution.

Timorese are the actors who master the issue caused by the aftermath of the incident in order to WTCF has the right to play information politics to the place that will have a greater impact. Hence, to influence the policies and response of Australia as the targeted countries. WTCF needs primary access to the Australian political system through Senator Siewert and the Australia Lawyers Alliance. WTCF proves its ability to use a wider network from traditional targets to the international arena through the aisle of the Australian Parliament. The interest groups in this step has allowed them to play more in the political arena which they think can influence (most receptive) decision-makers rather than being bound nationally (Bloodgood, 2010).

The momentum of WTCF to resolve the Montara dispute has achieved by a change in the behavior of the government of Australia after WTCF gained access to meet the senior Australian Foreign Ministry officials in Canberra in early 2017. WTCF proposed the negotiations on Montara dispute involving the government of Indonesia, the government of Australia, and the victims at the negotiating table without intervening in the lawsuit of seaweed farmers in the Federal Court of Australia. The government of Australia accepted the proposal and agreed that the Montara case will be resolved as soon as possible so that it will not become a stumbling block in bilateral relations between Australia and Indonesia. Another proposal is the timeline for settling the Montara case out of court with a grace period of five weeks (Kaha, 2019).

The proposal submitted by WTCF is not only covered the social and economic loss of the people but also environmental damage in 11 districts and 1 city in East Nusa Province. Furthermore, WTCF emphasized the urgency of the *Tim Kecil* (small ally) to accelerate the dispute resolution comprehensively, also considered to facilitate the task of the local government and represent people affected by pollution. This team is needed to accelerate the coordination that has been difficult to realize (Heriyanto, 2017). It becomes a forum that requires actors who act according to their formal policies or principles (Keck & Sikkink, 1998), as well as the realization of the Coordinating Ministry for Maritime Affairs, Luhut B Panjaitan meeting with Australian Foreign Minister Julie Bishop on March 6, 2017.

WTCF network is not stop initiating pressure on the two governments, rather than maintaining the spirit of advocacy by continuing to raise the issue and continuing the advocacy step as a process series which carry on until the interests of WTCF truly reached (ALA, 2015). WTCF has tried to bring together Senator Siewert with Luhut B Pandjaitan on 17th July 2017, although postpone and transferred to the chair of the Presidential Advisory Council, such an effort affected the state's behavior if the Boomerang Model iteration remains applied by NGOs (Bloodgood, E.A & Clough, 2008).

In April 2019, Montara Task Force together with Indonesia international marine law expert Hasjim Djalal, WTCF, returned to Canberra to ensure the significance of the government of Australia (Susanto, 2019). The changes in Australian behavior showed how the network influence according to Keck and Sikkink at the level of changing the behavior of target countries and setting

the agenda (Keck, M. E., & Sikkink, 1998). In attempt to give further influence the discursive position of Australia and the change in the policies of the target actors, government of Australia, and PTTEP AA will be determined by the existence of evidence and data to strengthen the position of the Montara Task Force. Over 31 samples needed, Indonesia only has 11 samples caused it was only charged to the Ministry of Environment and Forestry. WTCF together with the government of Indonesia agreed to strengthen the evidence and sample in the upcoming negotiations. Thus, it still needs to be straightened out, in order to all parties of the government of Indonesia properly and completely in one voice that the government of Australian must be responsible (WTCF, 2018).

By the obstruction of WTCF's efforts in influencing domestic governments and target countries, they have renewed the power by internationalizing their lobbying. From this case, WTCF shows that networking (the biggest power of NGOs) is not limited or stop at NGO coalitions. Interestingly, WTCF has able to move with Australian Senator to jointly influence the government of Australia and the government of Indonesia to win the dispute.

The model offered by Keck and Sikkink, about how domestic NGOs in state A are working with NGOs or interest groups in state B trying to put pressure on targeted states. In fact, the government of Australia through Senator Siewert from the beginning has provided a representative support room. The senator and the lawyer alliance even bothered to attend intense together to Indonesia, to resolve the problem so that WTCF could get sued for their losses. This certainly in context strengthens the demands of the WTCF in state A, because the WTCF already has recognition from the authorities in state B. Then followed by external pressure both diplomacy and litigation from the coalition which in turn may affect the changing atmosphere of the dispute.

In this situation, when WTCF accomplished to sat down in one negotiating table with the Australian government and the government of Indonesia, afterwards, the emphasis of the “intergovernmental organization pressure” as described in the Boomerang Model Transnational Advocacy Network is not significantly needed.

WTCF negotiation intention and recommendations are on the government of Indonesia and Australia bilateral agenda, while class action demands still continue. According to Keck and Sikkink the modification of the agenda-setting and policy change value is indicated by the existence of response from the targeted country and began to get the attention of the public (Keck, M. E., & Sikkink, 1998). WTCF coalition with the state urgency of Tim Kecil proposed by the greatest potential of WTCF that ‘institutionalized partnership’ in order to adapted to Indonesia's domestic preferences and Australian interests. WTCF ability as a domestic NGO in building a broad international network has multiplied their channels of expression access to the international system. Coalitional politics increase the number of actors whose consensus is needed on an acceptable framework for a new issue campaign as well as potential allies of the network (Carpenter, 2007). Indonesian government’s diplomatic framework and its coalition WTCF task in the future is how negotiations are carried out with domestic preferences to achieve the desire results for Indonesia and Australia.

CONCLUSION

The analysis of the WTCF settlement led us to two main conclusions. First, WTCF acts as external pressure on the governments of Indonesia and Australia through litigation and diplomacy. WTCF advocacy leadership urge by use of commands of information to leverage politics strategy has added their claim resonated by seeking international connections to gain allies by highlighting studies, information exchange, and lobbying to echo their requests to return to Indonesia and Australia.

Second, the success of NGOs to influence cross-border policies will ultimately need to pave the way for the domestic structures of states parties and join in those structures. As demonstrated by its success in joining the Tim Kecil (Small Ally) coalition in Indonesia and the Australian court that won the WTCF claim, it added legitimacy to the WTCF's role as an agenda-setter in the Montara dispute. The ability of the WTCF to suppress and access the two governments has obliged stronger actors to have act on formal policies or principles. As a result, the “inter-organizational pressure” in the Boomerang Model Transnational Advocacy Network becomes less significant.

Hence, WTCF needs to focus more on both parallel activities and critical knowledge dissemination, as well as appearing in the media to strengthen its international expression, raise issues, so that information and network influence resonate in the targeted country. WTCF as a local NGO has been successfully able to mobilize the influence of the advocacy network by applying the Boomerang Model as a channel to stimulate the Montara dispute resolution.

This research focuses on WTCF's efforts to obtain compensation and resolve the Montara dispute while enjoying the benefits of a Transnational Advocacy Network. The factors that strengthen the resilience of the network have not been given a place in this research. The author suggests future research to examine the factors that strengthen the resilience of transnational advocacy networks. Examining the strength of the network is important to understand why individuals, groups, or organizations tend to provide support volunteering and how power can last for a certain period until the interests of network groups are achieved.

REFERENCES

- Alfiansyah, A. (2016). Montara an Almost Forgotten Case. *ISAFETY*, 1
- AMSA. (2009). *Montara Wellhead Platform*.
http://www.pcs.gr.jp/doc/esymposium/2011/3Mr_Toby_Stone_PPT.pdf
- AMSA. (2010). *Report of the Incident Analysis Team*.
<https://www.amsa.gov.au/file/2425/download?token=e-s0BHkQ>
- Bere, S. (2016). Kasus Pencemaran Laut Tak Tuntas, NTT Diminta Stop Bantuan Australia. *Kompas*. <https://regional.kompas.com/read/2016/11/07/05544181/kasus.pencemaran.lau>
- Bloodgood, E. . (2010). The interest group analogy: international non-governmental advocacy organisations in international politics. *Review of International Studies*, 37, 93–120.
- Bloodgood, E.A & Clough, E. (2008). NGOs in International Affairs: An Agent- Based Model and the Boomerang Effect. *International Studies Association Annual Conference*.
- Branco, C. (2011). NON-GOVERNMENTAL ORGANIZATIONS IN THE MEDIATION OF VIOLENT INTRA-STATE CONFLICT: THE CONFRONTATION BETWEEN THEORY AND PRACTICE IN THE MOZAMBIKAN PEACE PROCESS. *Janus.Net*, 2, 77–95.
- Carpenter. (2007). Setting the Advocacy Agenda: Theorizing Issue Emergence and Nonemergency in Transnational Advocacy Networks. *International Studies Quarterly*, 51(1), 685.
- Deyastrie, K. (2018). *Negotiation Concepts in Transnational Conflict, Case Study: The Government of Indonesia and PTTEP Australasia in the 2009-2012 Montara Oil Refinery Incident*. Diponegoro.
- Erdem, E. (2015). Transnational Activism and World Politics. *Transnational Networks EJournal*, 8(15), 314–326.

- Heriyanto. (2017). Australia Supports Resolving Pollution, Tim Kecil Montara Needs to be Realized. *Berita Satu*. <https://www.beritasatu.com/hukum/438017-%09australia-dukung-tuntaskan-pencemaran-tim-kecil-montara-perlu-direalisasikan.html>
- Ilham. (2016). Jokowi asked to Cancel His Visit to Australia. *Republika*. <https://nasional.republika.co.id/berita/nasional/umum/16/12/26/oirrp5361-jokowi-%09diminta-batalkan-kunjungannya-ke-australia>
- Kaha, K. (2019). YPTB hopes that Australia will not avoid the Montara case. *Antara News*. <https://www.antaraneews.com/berita/827216/yptb-harapkan-%09australia-tak-menghindar-dari-kasus-montara>
- Kardi, D. (2018). East Nusa Community Hopes Jokowi Will Not Forget Montara Pollution. *CNN Indonesia*. <https://www.cnnindonesia.com/nasional/20180319051711-20-284035/masyarakat-ntt-%09berharap-jokowi-tak-lupakan-pencemaran-montara>
- Keck, M. E., & Sikkink, K. (1998). *Activists beyond Borders: Advocacy Networks in International Politics*. Cornell University Press.
- Kivunja, C., & Kuyini, A. B. (2017). Understanding and Applying Research Paradigms in Educational Contexts. *International Journal of Higher Education*, 6(5), 26. <https://doi.org/10.5430/ijhe.v6n5p26>
- Maradona, S. (2011). Montara compensation insults the people of NTT. *Republika*. <https://republika.co.id/berita/archive/lingkungan/169083/tradisi-%09%09ramadhan>
- PTTEP. (2016). *PTTEP AA Oil Spill Contingency Plan*. <http://eia.onep.go.th/images/monitor/1551329256.pdf>
- Suleiman, M. A. (2015). Indonesia's Diplomacy Experience in the Montara Oil Spill Dispute and the Need for ASEAN Regional Legal Instruments. *Opinio Juris*, 18(5), 44–72.
- Susanto, I. (2019). Indonesia Urges Australia to Take Responsibility. *Kompas*. https://kompas.id/baca/utama/2019/04/12/indonesia-desak-australia-turut-%09bertanggung-jawab/?asaldaftarakun=baca_artikel
- t.tak.tuntas%09.ntt.diminta.stop.bantuan.australia.?page=all
- Tempo. (2016). NTT Community sues Montara in Australian Court. *Tempo*. <https://nasional.tempo.co/read/793541/rakyat-ntt-gugat-montara-di-%09pengadilan-australia/full&view=ok>
- Walter Carlsnaes dkk. (2013). *Handbook Hubungan Internasional* (N. Media (ed.)
- WTCF. (November 23, 2018). Personal Communication. (R. S. Sinaga, Interviewer)