According to Massachusetts Institute of Technology’s (MIT) Taylor Fravel, only 14 percent of 28 maritime boundary disputes in Asia have been completely resolved. But the dispute and conciliation process offers salient lessons for contemporary maritime order.

On the one hand, the conciliation process is unprecedented; this is the first time it has been activated in UNCLOS history. It also seems to be going against the regional trend. According to Massachussets Institute of Technology’s (MIT) Taylor Fravel, only 14 percent of 28 maritime boundary disputes in Asia have been completely resolved.

Dili and Canberra’s commitment to a peaceful resolution is thus commendable. But the complexity of the dispute should also caution us from aggressively pushing the narrative of a “rules-based order” governing maritime Asia. As if it is always crystal-clear what the rules are and who has upheld or broken them and how.

In fact, the arrival of UNCLOS in 1994 further complicated the region’s patchy and overlapping maritime domain. While UNCLOS provides the framework for a peaceful resolution of maritime disputes, it does not predetermine the processes or results. Instead, it calls on the disputants to find an “equitable solution” themselves.

Consider some of the legal complexities surrounding the Timor-Australia case. Up until today, there has been no permanent maritime boundary between the two states. Timor-Leste is not a party to agreements made between Indonesia and Australia prior to its independence. Any subsequent Timor-Australia agreements since then have also been premised on the temporary suspension of delimitation talks to facilitate joint resource development.

Beyond the dispute’s complex legal history, both sides simply start with different legal premises about their claims. Dili has argued for a median or equidistant line between Timor’s and Australia’s opposite coasts, per UNCLOS. Equidistance has been the most popular method of delimitation, accounting for almost 89 percent of delimited maritime boundaries.

Canberra meanwhile preferred the concept of “natural prolongation,” where the division of the Timor Sea is based on two separate continental shelves separated by the Timor Trough. This was a powerful argument under international law, as the International Court of Justice (ICJ) had noted in its 1969 Judgement on the North Sea Continental Shelf cases.

But Australia withdrew from the jurisdiction of the ICJ and the International Tribunal on the Law of the Sea over its maritime boundaries in 2002. In effect, this prevented Dili from taking Canberra to court for an independent, final and binding judgment of its maritime boundaries. One may question how this position comports with Canberra’s rhetoric surrounding the 2016 South China Sea tribunal case.

Nonetheless, as UNCLOS does not provide clear-cut solutions to complex regional maritime boundaries, we shouldn’t ignore the non-legal contexts underpinning a dispute. The road to the Timor-Australia conciliation process after all has been paved with resource management pressures, domestic politics and geopolitical insecurities.

Unlike Australia, Timor is wholly dependent on petroleum revenue to survive. By one account, the Timor Sea Joint Petroleum Development Area contributed more than 90 percent of Dili’s budget and 70 percent of its GDP. And yet, oil from the area might be gone by 2020 and the country’s wealth fund might only last until 2025. Unsurprisingly, Dili created new political infrastructure to deal with the dispute, including the Council for the Final Delimitation of Maritime Boundaries and a Maritime Boundary Office. Political elites have also returned to the “politics of mobilization” to manifest public sentiment on this issue, as Max Lane details in a recent essay for ISEAS-Yusof Ishak Institute.

Initially, Timor’s political mobilization did not appear to have softened Canberra’s position. But the opposition Labor Party (ALP) recently broke the consensus by announcing it was prepared to negotiate, and should it fail, to submit to international adjudication.

Domestic politics thus facilitated the conciliation process. As Did geopolitical insecurities. Washington had apparently pressured the parties to resolve the dispute with the South China Sea tribunal in the background.

As China was gaining ground in Timor, old concerns that the country could become “Cuba 2.0” re-emerged. Aside from a possible military presence, China’s economic influence has grown as Timor’s relations with its traditional donors, including Australia, flounder. China has been making overtures through the Asian Infrastructure Investment Bank (AIIB) and has built office buildings for Timor’s foreign and defense ministries as well as its defense forces and presidential palace.

And yet Indonesia might be the wild card here. It could complicate maritime boundary talks and “unscramble the omelet,” as former foreign minister Alexander Downer called it. Canberra has always been concerned that agreeing to an equidistance line-based boundary with Timor may have a “knock-on” effect on its existing maritime boundaries with Indonesia.

In any case, maritime order-building cannot solely rest on international law. Disputed waters, whether in the Timor Sea or South China Sea, have specific strategic, historical and political contexts we cannot ignore.

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