Local pirate gangs, strategic waterways

Indonesian piracy has moved over the last fifteen years from the remote back waters to newspaper front pages, even to international dialogues on regional security. The spotlight has focused on multi-lateral approaches to deal with the transnational nature of maritime piracy, but putting together an effective, sustained international effort to address the problem has proven difficult and controversial. In an interesting twist, one of the region's worst natural disasters may point a way forward.

Adam Young

Strategic waterways

Piracy is a problem for everyone with economic and/or strategic interests in the region, except of course the pirates. These local thugs are practicing a modernized variant of an ancient socio-economic-political system endemic to the Southeast Asian maritime region. The prominence of Indonesia in Southeast Asian piracy stems from the strategic nature of its heavily trafficked straits, including the renowned and notorious Strait of Malacca. These sea-lanes connect the oil fields of the Mid East and the production economies of the Indian Ocean with Singapore, Beijing, Tokyo, Seoul, the resources of the Indonesian Archipelago, the South China Sea, and then with all points in the Americas. This region, inclusive of the South China Sea, accounts for an enormous portion of world sea-borne trade - approximately 50,000 vessels annually transit these waters - and is strategic to the navies of the Asia-Pacific region, allowing the most direct route between the Pacific and Indian Oceans. These waterways are also highly 'strategic' for the tens of thousands of local fishing people and traders (not necessarily included in the 50,000 vessels mentioned above) that eke out a meager living from these waters. The safety of these vital sea-lanes are therefore of great concern to many parties.

Indonesia routinely accounts for the largest share of piracy in Southeast Asia, statistically the most piracy prone region in the world. The threat posed by pirates to human life and cargo has been enough to grab the attention of specialists, local media and international headlines, especially as the number of attacks dramatically increased during the 1990s and into the new millennium. Moreover, analysts speculated that the lack of security allowing piracy to flourish might also create openings for maritime terrorists, the strategic nature of the straits making them a prime target.

Piracy and terrorism

It was not unpredictable that in the wake of the September 11 attacks on the World Trade Center and the subsequent wars

these sea-lanes connect the oil fields of the Mid East and the production economies of the Indian Ocean with Singapore, Beijing, Tokyo, Seoul, the resources of the Indonesian Archipelago, the South China Sea, and then with all points in the Americas

in Afghanistan and Iraq, any potential terrorist threat would receive much greater attention. To many analysts and policy makers, the security threat posed by piracy in the straits region and the potential threat of a terrorist attack became conflated. If pirates could hijack and steal an entire vessel then why not

terrorists, or why not pirates working for terrorists? The existence of extremist groups in the region - the Tamil Tigers in Sri Lanka, *Jemmah Islamiya* and GAM (*Gerakan Aceh Merdeka*, Free Aceh Movement) in Indonesia, Patani separatists in Southern Thailand, and *Abu Sayyaf* in Mindanao, Philippines have made potential terrorist links with pirate groups an attractive security issue.

The 5th Tri-annual Conference on Piracy and Maritime Terrorism, held in Kuala Lumpur in June 2004 and sponsored by the International Maritime Bureau, concluded that linkages between pirate gangs and extremists were weaker than previously speculated in security literature. Brian Jenkins, a recognized expert on terrorism and a senior analyst of the Rand Corporation, acknowledged the threat of a terrorist attack but concluded: '...I don't think it is appropriate to blend the increasing problem of piracy with the potentially more dangerous consequences of terrorism'.[1] This assessment, coming from a well known US security think tank, should prove important in directing maritime security policy in the region as it will detract from the importance accorded to more aggressive initiatives focused on countering a maritime terrorist threat. Additionally, Jenkins mentioned evidence suggesting pirates to be gangs of loosely organized thugs and criminals lacking contact with organized criminal and/or terrorist networks. It is, however, unclear if the tempering of perceived terrorist-piracy conflation, and the threat posed by this conflation, will alter the security dialogue in Southeast Asia.

Approaching the problem

One of the main questions is how the immediate threat of piracy and the potential vulnerability to a maritime terrorist attack are to be addressed. Indonesia, Malaysia, and Singapore have asserted their responsibility for the strategic sea lanes in the region, as they fall within their declared maritime jurisdictions under the United Nations Convention of the Law of the Sea, with Indonesia and Malaysia sharing responsibility for the Strait of Malacca. However, other countries have vital interests and legitimate concerns as well: the rest of the Associa-

tion of South East Asian Nations, the East Asian countries, the United States, and India as it develops its 'Look East' policy. All of these parties recognize the need for a multilateral solution to piracy; the difficulty lies in developing a multilateral approach that is satisfactory to most parties, and functional.

There appear to be two main tensions complicating maritime security efforts to address piracy. First is the touchy subject of Indonesian sovereignty, and any perceived slight to that sovereignty, intended or not, creating tension between Indonesia and all other concerned parties. An illustrative example is the recent request by Indonesia to have all foreign troops helping in the relief effort in Aceh out of Indonesia by the end of March 2005. Second are the broader tensions between the US and Asia; between conflicting styles of policy and what is often perceived as growing Asian regionalism, based on a foundation of multilateralism, vs. US unilateralism. The situation, painted in broad strokes, is that Indonesia and the rest of its Asian neighbors favour an Asian based multilateral approach, a commitment to consensus and non-interference in domestic issues among partners. This process is, however, slow,

and has yet to produce any broad commitment to actively address the problem, while marginalizing the role of the US. The US, on the other hand, is far from content with this slowly evolving, Asian-led policy effort.

Not wanting to rely on the slow and questionable deliberations of their counterparts in Asia, the US unilateralist policy machine in Washington begin to rumble over the potential terrorist threat. These gave rise to the comment by the then US Pacific fleet commander Admiral Fargo that if the security situation did not improve, US patrols might be useful. Indonesia and Malaysia, long standing opponents of any attempt to internationalize the straits and thus compromise their jurisdictions and sovereignty, immediately and predictably refuted any such notion as a possibility.

Fargo's comment was ameliorated by assurances that the US wanted a multilateral effort, leading to the unveiling of a US-led multilateral security arrangement, the Regional Maritime Security Initiative (RMSI), designed to address issues of transnational crime including piracy and terrorism. Singapore has enthusiastically signed on, but Indonesia and Malaysia remain reluctant, renewing old tensions between these three security partners on how

best to deal with maritime security in the region. The intended message of the RMSI, apparently and unfortunately delivered to Indonesia and Malaysia through the mass media, did appear to come across, as there now appears to be a renewed commitment to multilateral security initiatives between Malaysia, Singapore and Indonesia. Notably a series of joint

if pirates could hijack and steal an entire vessel then why not terrorists, or why not pirates working for terrorists?

patrols was initiated this year with hopes of tightening security, although there is worry that these patrols may be more for appearance, a way of appeasing the US and Singapore rather than any real commitment to a multilateral security effort.
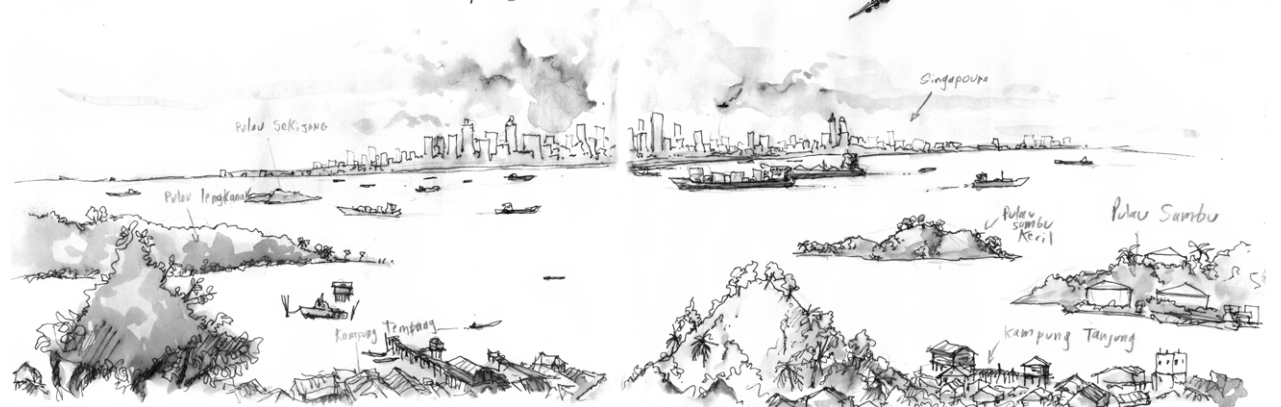
A new opportunity?

A tragic yet potentially interesting development on the issue of piracy that may point a way forward for concerned policy makers arises from the recent earth-

quake and tsunami that devastated the northern end of the Malacca Strait. Typically security concentrates on the symptoms of a problem, and this is very much the case with piracy. Both ASEAN and US initiatives focus on patrols, information sharing, hot pursuit agreements and so forth. However, the massive destruction and death resulting from the tsunamis has highlighted a direction of multilateral cooperation which appears acceptable to all parties, one that will address underlying issues of piracy as a criminal practice, a product of the environment from which it arises.

The earthquake and tsunamis leveled much of the infrastructure and killed tens of thousands of people from coastal populations, creating a near blank slate in some areas. In the immediate aftermath of the destruction there have been no reports of piracy in this northern stretch of the Strait. This can be attributed to, among other things, the possible annihilation of some pirate groups, destruction of or damage to their boats, the need of these groups to cope with the probable tragedy in their families, and the temporary cessation of hostilities between GAM and Indonesian forces.

From this position there is an enormous opportunity to address one of the structural causes of piracy, i.e. poverty. A truly

multilateral aid effort organized by the United Nations has emerged out of the disaster. The aid effort can help rebuild the infrastructure of these coastal areas, secure immediate poverty alleviation, and hopefully provide stimulus for economic development, thus addressing some of the chronic poverty of these regions. Additionally, the more than 30-year-old conflict between GAM and

Indonesia has created an unstable socio-political environment, inhibiting any modest efforts at regional development. However, in the wake of the tsunamis there is the possibility that the temporary cessation of hostilities between GAM and Indonesia may mature into a more lasting peace.

While this multilateral coalition for disaster relief will only be a temporary endeavor, and much of the aid effort already seems tainted by attempts to gar-

Le détroit de Malacca: 2000 bateaux par jour

ner political capital, it will hopefully direct policy makers towards a more cooperative, comprehensive approach to maritime security in Indonesia, and in Southeast Asia at large. Increased patrols, information sharing, and other security measures are important, but need to be combined with serious efforts to address the structural causes of maritime piracy. It is a shame that it takes a disaster of this magnitude to force cooperation, but it is encouraging that the catastrophe may have positive, long-term impacts on efforts to address piracy in the straits region. ‹

Note

1. Ahmad, Reme. 'Pirates and terrorists not natural allies,' *Straits Times Interactive*, 29 June 2004, (cited 5 February 2005). Available at: http://straitstimes.com.

***Adam Young** is currently a research guest at IIAS, pursuing a cross-disciplinary study on the roots of contemporary maritime piracy in Southeast Asia, and implications for regional policy. His future research plans include trying to fill the conspicuous gap in social science-based research on contemporary Southeast Asian maritime piracy.*