**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. In addition, there has been an international effort to address the problem that has proven difficult and controversial. In an interesting twist, one of the region’s worst natural disasters may point a way forward.

**Adam Young**

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 mod- ernized variant of an ancient socio-eco- nomic activity: stealing and selling cargo. They have not done much to change this approach, and the value of these new weapons they use is nothing compared to the historic ones of long ago. In an interesting twist, one of the few regions that has not been touched by large scale piracy, the pirates have targeted ships in this region, in some areas. In the immediate aftermath of the tsunami there was a very real threat to commercial shipping in the strait of Malacca. This can be attributed to the global piracy problem, but also to the relatively inactivity in the north of the strait, since the tsunami. 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 from the international community. Second are the broader tensions between the US and Asia; between conflicting styles of poli- cy and what is often perceived as grow- ing Asian regionalism, based on a foun- dation of multilateralism. The US is in- unsalient. Jenkins acknowledged the threat of a terrorist attack and concluded: ‘I don’t think it is appropriate or necessary to confront the increasingly growing problem of piracy with the potentially more dangerous consequences of ter- rorism’. 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 ter- ror threat. Additionally, Jenkins men- tioned evidence suggesting pirates to be gang of loosely organized thugs and criminals lacking contact with organized criminal and/or terrorist networks. It is, however, unclear if the tension of piracy and counter-piracy will be enough to move forward in the region. The threat posed by pirates to human life and cargo has been enough to grab the attention of local media and interna- tional headlines, especially as the num- ber of attacks dramatically increased during the 1990s and into the new mil- lennium. Moreover, analysts and policy- makers have acknowledged 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 in Afghanistan and Iraq, any potential terrorist threat would receive much greater attention than it did before. In the eyes of 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? Terrorists, or why not pirates working for terrorists? The existence of extremist groups in the region, and子里 Tigers in Sri Lanka, Jemaah Islamiya and GAM (Gorak Aebh Medka. Free Aceh Movement) in Indonesia, and Jemaah Islamiyah in Southeast Asian region. The promiscuity of Indonesia in Southeast Asian piracy stems from the strategic nature of its heavily trafficked straits, including the renowned and notorious Straits 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. Moreover, analysts and policy- makers have acknowledged 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. The 5th tri-annual conference on Piracy and Maritime Terrorism, held in Kuala Lumpur in June 2004, and spon- sored by the International Maritime Bureau, concluded that linkages between pirate, and extremist groups were weaker than previously speculated in security literature. Brian Jenkins, a recognized expert on terrorism and a senior analyst at the RAND Corporation, acknowledged the threat of a terrorist attack and concluded: ‘I don’t think it is appropriate to blend the increasing problem of piracy with the potentially more dangerous consequences of ter- rorism.’ 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 ter- ror threat. Additionally, Jenkins men- tioned 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 condition, will alter the security dialogue in Southeast Asia. Approach the problem

One of the main questions is how the immediate threat of piracy and the poten- tial vulnerability in a maritime terrorist attack can be handled. First, 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 coun- tries 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 ‘strategic look East’ partners. All of these parties recognize the need for a multilateral approach to solve the problem, 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 legal framework of the RSMI, apparently and unfortu- nately delivered to Indonesia and Malaysia through the mass media, did not appear to come across as a threat. It appears to be a renewed commitment to multilateral security initiatives between Malaysia, Singapore and Indonesia. Notably a series of joint 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 devel- opment on the issue of piracy that may point a way forward for concerned poli- cy makers arises from the recent earth- quake and tsunami that devastated the northern end of the Malacca Strait. Typ- ically security concentrates on the symp- toms of a problem, and this is very much the case with piracy. Both ASEAN and US initiatives focus on patrols, infor- mation sharing, hot pursuit agreements and so forth. However, the massive destruction and death resulting from the tsunami 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 envi- ronment from which it arises.

The earthquake and tsunami levelled much of the infrastructure and killed tens of thousands of people from coastal countries, creating a near blank slate in some areas. In the immediate after- math of the destruction there have been reports of looting, particularly in the stretch of the Strait. This can be attrib- uted to, among other things, the possi- ble annihilation of some pirate groups, the destruction of damage to their boats and the need of these groups to cope with the probable tragedy in their families, and the temporary cessation of hostili- ties between GAM and Indonesian forces.

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

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

While this multilateral coalition for dis- aster relief will only be a temporary endeavor, and much of the aid effort already seems tainted by attempts to gar- 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 mar- itime piracy. It is a shame that it takes a disaster of this magnitude to force coop- eration, but it is encouraging that the catastrophe may have positive, long- term impacts on efforts to address piracy in the straits region.

Note


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.