
# NAVAL POSTGRADUATE SCHOOL

**MONTEREY, CALIFORNIA**

# THESIS

**MARITIME SECURITY COOPERATION IN THE STRAIT OF MALACCA**

by

Anthony S. Massey

June 2008

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| REPORT DOCUMENTATION PAGE | | | Form Approved OMB No. 0704-0188 |
|---|---|---|---|
| Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503. | | | |
| **1. AGENCY USE ONLY** ***(Leave blank)*** | **2. REPORT DATE** June 2008 | **3. REPORT TYPE AND DATES COVERED** Master's Thesis | |
| **4. TITLE AND SUBTITLE** Maritime Security Cooperation in the Strait of Malacca | | | **5. FUNDING NUMBERS** |
| **6. AUTHOR(S)** Anthony S. Massey | | | |
| **7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)** Naval Postgraduate School Monterey, CA 93943-5000 | | | **8. PERFORMING ORGANIZATION REPORT NUMBER** |
| **9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES)** N/A | | | **10. SPONSORING/MONITORING AGENCY REPORT NUMBER** |
| **11. SUPPLEMENTARY NOTES** The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. | | | |
| **12a. DISTRIBUTION / AVAILABILITY STATEMENT** Approved for public release; distribution is unlimited | | | **12b. DISTRIBUTION CODE** |

**13. ABSTRACT (maximum 200 words)**

This thesis examines maritime security cooperation among Singapore, Indonesia and Malaysia in the Strait of Malacca. Southeast Asian states have traditionally considered multilateral military cooperation among themselves as taboo because of tensions arising from territorial and other political disputes. However, this thesis demonstrates that their aversion to multilateral forms of military cooperation has decreased in the post 9/11 period. This change can be attributed to the relaxation of historical tensions, the recognition of a common threat in piracy and maritime terrorism, an increase in extra-regional pressure to cooperate, and changes in the strategic environment since the end of the Cold War. This thesis also examines the three countries' maritime assets and their procurement strategies to enhance their capabilities to patrol and defend their maritime areas. Although assets are limited, it finds that efforts to coordinate maritime patrols have contributed to a sharp decline since 2004 in attacks on shipping in the Malacca Strait.

| **14. SUBJECT TERMS** Singapore, Malaysia, Indonesia, ASEAN, Strait of Malacca, Malacca Strait, Defense Cooperation, Maritime Security Cooperation, Military, Regional Cooperation, Piracy, Sea Lines of Communication, Terrorism | | | **15. NUMBER OF PAGES** 99 |
|---|---|---|---|
| | | | **16. PRICE CODE** |
| **17. SECURITY CLASSIFICATION OF REPORT** Unclassified | **18. SECURITY CLASSIFICATION OF THIS PAGE** Unclassified | **19. SECURITY CLASSIFICATION OF ABSTRACT** Unclassified | **20. LIMITATION OF ABSTRACT** UU |

NSN 7540-01-280-5500 Standard Form 298 (Rev. 2-89)
Prescribed by ANSI Std. 239-18

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**MARITIME SECURITY COOPERATION IN THE STRAIT OF MALACCA**

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Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES**
**(FAR EAST, SOUTHEAST ASIA)**

from the

**NAVAL POSTGRADUATE SCHOOL**
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| | |
|---|---|
| AIS | Automated Identification System |
| AMMTC | ASEAN Ministerial Meetings on Transnational Crime |
| APEC | Asia-Pacific Economic Council |
| ASEAN | Association of Southeast Asian Nations |
| ASSeT | Accompanying Sea Security Teams |
| CARAT | Cooperation Afloat Readiness Training Exercises |
| EiS | Eyes in the Sky Initiative |
| FLIR | Forward Looking Infrared Radar |
| FPDA | Five Power Defense Arrangement |
| GWOT | Global War on Terror |
| HF | High Frequency |
| IMB | International Maritime Bureau |
| ISC | Information Sharing Center |
| JCC | Joint Coordinating Committee |
| MMEA | Malaysian Maritime Enforcement Agency |
| MPA | Maritime Patrol Aircraft |
| MSSI | Malacca Strait Security Initiative |
| MSSP | Malacca Strait Security Patrol |
| OPK | Ocean Peace Keeping |
| PRC | People's Republic of China |
| ReCAAP | Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships |
| RMMP | Royal Malaysia Marine Police |
| RMSI | Regional Maritime Security Initiative |
| RSN | Republic of Singapore Navy |
| SOMTC | Senior Officials Meeting on Transnational Crime |
| SLOC | Sea Line of Communication |
| STRAITREP | Strait Reporting System |

| | |
|---|---|
| TAC | Treaty of Amity and Cooperation |
| TNI | *Tentara Nasional Indonesia* |
| TSC | Theater Security Cooperation |
| UNCLOS | United Nations Convention on the Law of the Sea |

# ACKNOWLEDGMENTS

I would like to thank my thesis advisors, Dr. Michael Malley and Dr. Daniel Moran, for their support throughout the thesis writing process. I have always had an interest in maritime security, and after taking Dr. Malley's class on the international relations of Southeast Asia, I gained an interest in the unusual cooperation forums and norms in Southeast Asia. Additionally, I would like to thank both Dr. Malley and Dr. Moran for their patience and knowledge on a wide array of subjects to include piracy and maritime terrorism to help guide me.

I want to thank my parents for their unconditional love and support in all of my life endeavors. It is difficult to constantly be far away from home but they have been, and continue to be, always there for me. I love you both very much and am lucky to have you as my parents. I will continue to live my life and build on my character in the image of you both.

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# I. INTRODUCTION

## A. PURPOSE

This thesis seeks to examine the maritime security efforts conducted by Indonesia, Malaysia and Singapore in patrolling the Strait of Malacca in order to deter and prosecute acts of terrorism and piracy to ensure unfettered access to the strait as a safe Sea Line Of Communication (SLOC). More specifically this thesis seeks to understand why multilateral cooperation between the littoral states of Indonesia, Malaysia and Singapore has become reality and what has led to the increased levels of cooperation between these states where in the past cooperation was negligible or non-existent. In this thesis I have conducted research to examine the various types of security cooperation and cooperation in general to determine what, if anything, has changed over time that would compel these states to cooperate on a multilateral basis. Furthermore, research has been conducted on types of maritime assets each state has in order to determine if asset types and interoperability may have had any effect on the levels of cooperation prior to, and after, September 11, 2001, as well as to add to the current literature on the maritime assets of these states. Researching maritime assets contributes to the current literature on defense cooperation between these states because information on specific asset types, capabilities, and interoperability is lacking.

## B. IMPORTANCE

In determining why littoral state cooperation has changed it is important to understand not only how the norms and international environment have changed over time but also to understand how the Strait of Malacca, transnational crime and the possibility of maritime terrorism play a role. The Strait of Malacca can be considered an important piece in determining the increased levels of cooperation because of the strait's strategic importance as a passage and possible chokepoint for international trade. Transnational crime is tied to the strategic importance of the strait and if not for these crimes, user states would not have to worry about the well being of their ships and cargo

as they transit through the passage. The Straits of Malacca and the transnational crime activities that have reared themselves in the strait cause concern for users and have led states such as Japan and the United States to exert pressure on the littoral states to do more.

### 1. Strait of Malacca

Oceans dominate the Southeast Asia region and cover roughly 80 percent of its area.[1] Within Southeast Asia, the Strait of Malacca is geographically important and is used as a gateway for many ocean-moving commercial, private and military vessels. The strait lies between the littoral states of Indonesia, Malaysia and Singapore just north of the Indonesian island of Sumatra and south of Malaysia. It is 600 miles in length and is the main corridor of passage between the Indian Ocean and the South China Sea.[2] Approximately 60,000 ships traverse the strait each year, transporting more than 80 percent of Northeast Asia's oil.[3] One quarter of the world's commerce passes through the Strait of Malacca.[4] In terms of value 525 million metric tons worth more than $390 billion dollars pass through annually.[5] According to Lloyd's List bulletin, new orders for over 200 liquefied natural gas carriers will be required to satisfy the growth demand of natural gas in the future.[6] This trend of increased vessels means that traffic will increase within the strait. This presumption is indicated by the observed traffic data reported via the Strait Reporting System (STRAITREP). Between 1999 and 2003 traffic flows have increased by 42 percent.[7]

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[1] John F. Bradford, "The Growing Prospects for Maritime Security Cooperation in Southeast Asia," *Naval War College Review* 58, no. 3 (Summer 2005): 63.

[2] Joshua Ho, "The Security of Sea Lanes in Southeast Asia," *Asian Survey* 46, no. 4 (July/August 2006): 559.

[3] Ibid., 560.

[4] Tamara Renee Shie, "Maritime Piracy in Southeast Asia: The Evolution and Progress of Intra-ASEAN Cooperation," *Piracy, Maritime Terrorism and Securing the Malacca Straits*, ed. Graham Gerard Ong-Webb (Singapore: ISEAS Publishing, 2006), 164.

[5] Ho, *The Security of Sea Lanes in Southeast Asia*, 560.

[6] Joshua Ho, *Maritime Counter-Terrorism: A Singapore Perspective*, IDSS Commentary (2004): 2.

[7] Ibid.

User states that find the strait most important include China, Japan and the United States (US) because of their reliance on the strait for their economic livelihoods and security, either real or perceived. For the PRC the strategic importance of the strait increases every year with approximately 60 percent of its crude oil imports originating from the Middle East and traveling through the Strait of Malacca.[8] This figure is expected to rise to 75 percent by 2015.[9] Japanese concerns originate from the fact that it is dependent on the sea for both its military and economic security.[10] 90 percent of Japan's imports are carried to it by way of the sea.[11] Like China, much of its crude oil also travels to it from the Middle East. The United States, as the world's dominant military power, uses the straits for the transit of its naval vessels to keep the oceans open for the safe passage of all vessels.

According to a report conducted in 2003 by the Australian Department of Foreign Affairs and Trade's Economic Analytical Unit, the unchecked cost of terrorism and piracy would affect the economies of the Asia-Pacific Economic Cooperation (APEC) nations, including the littoral states, the most.[12] The reason for the disproportionate costs is that the littoral states depend heavily on foreign trade and investment. Foreign direct investment would be at risk due to possible increases in terrorist activity and higher costs of insurance would be required to ensure vessels traversing the straits are safe due to the inadequacy of strait security.[13]

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[8] Ian Storey, "China's Malacca Dilemma," *China Brief* 6, Issue 3 (12 April 2006): 1. http://www.jamestown.org/publications_details.php?volume_id=415&issue_id=3686&article_id=2370974 (accessed 11 February 2008).

[9] Ibid.

[10] Chris Rahman, "The International Politics of Combating Piracy in Southeast Asia," *Violence at Sea: Piracy in the Age of Global Terrorism,* ed. Peter Lehr (NY: Routledge, 2007): 189.

[11] W. Lawrence S. Prabhakar, "Maritime Strategic Trends in the Asia-Pacific: Issues and Challenges," *The Evolving Maritime Balance of Power in the Asia-Pacific: Maritime Doctrines and Nuclear Weapons at Sea*, ed. Lawrence W. Prabhakar, Joshua H. Ho and Sam Bateman (Singapore: World Scientific Publishing Co. Pte. Ltd., 2006): 43.

[12] Lynn D. Pullen and Scott C. Truver, "Security in the Pacific Rim: EvolvingU.S. Strategies, Doctrines, and Forces for Maritime Cooperation and Regional Collective Action," *The Evolving Maritime Balance of Power in the Asia-Pacific: Maritime Doctrines and Nuclear Weapons at Sea,* ed. Lawrence W. Prabhakar, Joshua H. Ho and Sam Bateman (Singapore: World Scientific Publishing Co. Pte. Ltd., 2006): 151.

[13] Ibid.

There are other straits in Southeast Asia through which vessels can pass between the Indian Ocean and the South China Sea, but these passages present their own sets of problems. The Sunda Strait is a passage that lies between the Indonesian islands of Java and Sumatra. This strait has highly irregular geographic features that make it much more difficult to traverse then the Strait of Malacca. In its northern entrance, tidal streams are strong and oil-drilling platforms off the coast of Java can cause hazards to navigation.[14] The Lombok-Makassar-Celebes-Sulu Sea route lies in the southeastern portion of Southeast Asia and also has its own set of navigation hazards, as traversing it requires ships to pass near various small islands. This particular route is also under conflicting claims by the states that adjoin it and has, in the past, been closed to international shipping due to naval maneuvers by states such as Indonesia.[15] The larger black arrows in Figure 1 show the path of the Lombok-Makassar-Celebes-Sulu Sea route. At quick glance one can see that the path passes by small islands and lengthens the time that would be required to pass from the Indian Ocean to the South China Sea and vice versa.

[14] Donald B. Freeman, *The Straits of Malacca: Gateway or Gauntlet* (London: McGill-Queen's University Press, 2003), 120.

[15] Ibid., 121.


Figure 1. Illustration of Malacca Strait.[16]

## 2. Transnational Crime

### *a. Piracy*

The Strait of Malacca has been home to a number of types of transnational crime, most notably piracy. The standard definition of piracy is often taken from the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and is defined as violence that is conducted on the high seas beyond any state's particular territorial waters.[17]

[16] Bradford, 65. After source, arrows added to indicate Lombok-Makasarr-Celebes-Sulu Sea route.

[17] Adam J. Young and Mark J. Valencia, "Conflation of Piracy and Terrorism in Southeast Asia: Rectitude and Utility," *Contemporary Southeast Asia* 25, no. 2 (August 2003): 270.

NOTE: Territorial waters extend 12NM beyond a state's shoreline.

Specifically, it is any "illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed on the high seas against another ship or aircraft, or against person or property on board such ship or aircraft."[18] This definition can be interpreted differently by different states because it does not reflect passages such as the Malacca Strait as its waters are not considered part of the high seas. The International Chamber of Commerce's International Maritime Bureau (IMB) has created its own definition of piracy so that violent acts that occur in the strait can be considered piracy. The IMB defines piracy as "an act of boarding or attempting to board any ship with the intent to commit theft or any other crime with the intent or capability to use force in furtherance of that act."[19]

Southeast Asian governments, other than Singapore, have consistently denied that piracy is a problem in their region.[20] However, in recent years, the region has accounted for nearly 50 percent of all attacks worldwide, and the waters surrounding Indonesia continue to be the most frequent area for recurrent piracy attacks.[21] Acts of piracy have ranged from stealing a ship while it is anchored to the classic boarding and hijacking of a vessel on the high seas.[22]

Piracy attacks, both actual and attempted, vary from year to year in the strait. At the height of the attacks in 2003 there were a total of 154 and recently in 2006 there were a total of 71.[23] Table 1 illustrates the number of attacks occurring in or around the Malacca Strait starting in 1994 and ending in 2006. According to the figures there is a considerable increase of transnational crime between the early and late 90s.

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[18] United Nations, "Part VII," *United Nations Convention on the Law of the Sea* (10 December 1982) http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm (accessed 11 February 2008).

[19] Young and Valencia, 270.

[20] Rommel C. Banlaoi, "Maritime Security Outlook for Southeast Asia," *The Best of Time, the Worst of Times*, ed. Joshua Ho and Catherine Zara Raymond (Singapore: World Scientific Publishing Co. Pte. Ltd., 2005): 61.

[21] Ibid.

[22] Ibid.

[23] ICC International Maritime Bureau, *Piracy and Armed Robbery Against Ships Annual Report*, UK: IMB, 2007.

The figure peaked in 2000 and declined to approximately 140 actual or attempted attacks in 2002. The reasons for the increase and subsequent decrease are debatable but the interesting feature of this data is that after the Asian Financial Crisis in 1997 the numbers increased dramatically and did not begin to decline until the initiation of robust forms of multinational cooperation among the littoral states in 2004.

The data in Table 1 would suggest that the best time to implement robust forms of multilateral cooperation concerning the Strait of Malacca would have been during the period 1997-2000 when the piracy trend shows a dramatic increase from previous years. In fact, at that time there already were bilateral agreements between Singapore, Indonesia and Malaysia on maritime security but in all cases they were widely criticized for being only an exchange of schedules.[24] As the number remained steady at a high level compared to previous levels, approximately 150, from year to year this would provide users such as the United States and Japan ammunition for calls of greater cooperation between the littoral states, or even more appalling to the littoral states, outside intervention.

After Operation MALSINDO was instituted in 2004, it can be considered a success with a noticeable fall in the number of attacks the next year. Looking at the trends of cooperation efforts between these states and in Southeast Asia in general it would almost make sense that the level of cooperation would taper off or that there would be no strengthening of the operation. This is not the case and suggests that there is something else that is pushing the littoral states towards greater multilateral cooperation.

[24] Carolin Liss, "The Privatization of Maritime Security – Maritime Security in Southeast Asia: Between a Rock and a Hard Place?" *Asian Research Center* working paper 114 (Feb 2007).

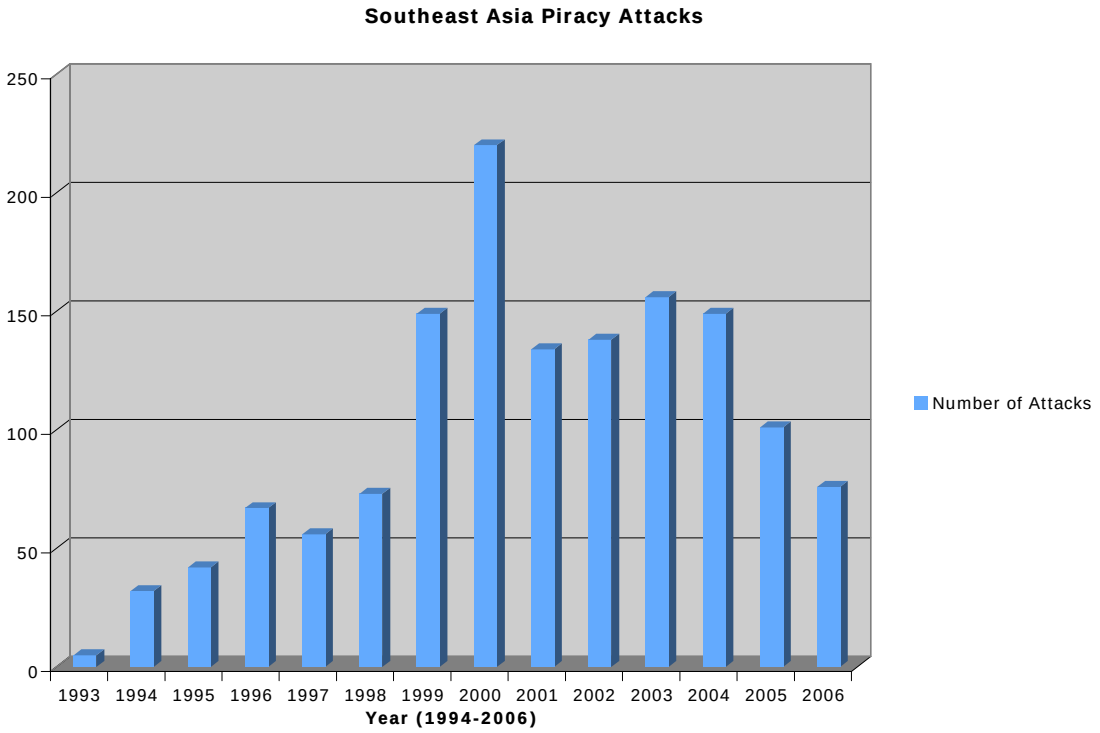


Table 1. Actual and Attempted Piracy Attacks[25]

### *b. Maritime Terrorism*

Maritime terrorism, coupled with piracy, is an issue that consistently gets brought up in discussions concerning the safety of the strait from year to year though no incidents of maritime terrorism are known to have occurred. Despite this, acts of maritime terrorism in the Strait of Malacca are possible and there are terrorists groups that are known to have maritime capabilities with plans to use the Strait of Malacca as a target. Acts of maritime terrorism have a number of possible objectives and "may seek to

[25] NOTE: Table 1 shows the number of actual or attempted piracy attacks in or around the Malacca Strait from 1994-2006. In or around the Malacca Strait includes the following areas: Malacca Strait, Singapore Strait, waters of Indonesia and Malaysia. No known acts of maritime terrorism have occurred in the area though it is possible that reported piracy attacks are cover for terrorist attacks or funding.

SOURCE: Figures were compiled from the ICC International Maritime Bureau. *Piracy and Armed Robbery Against Ships Annual Report.* UK: IMB, 2006 and 2007. Reports can be found at www.icc-ccs.org.

cause human casualties, economic losses, environmental damage, or other negative impacts, alone or in combination, of minor or major consequence."[26]

There have been a rash of maritime terrorist attacks elsewhere in Southeast Asia, and these spurred concern among users of the Malacca Strait. In 2000 the Philippine ferry *Our Lady Mediatrix* was bombed by the Moro Islamic Liberation Front killing forty people and wounding fifty more.[27] In 2000 a suicide boat in Aden attacked the USS COLE and the Abu Sayyaf Group has kidnapped a number of Western tourists from resorts in Malaysia in 2000 and the Philippines in 2001.[28] While maritime terrorist attacks have not occurred in the Strait of Malacca, Jemaah Islamiyah is known to have planned to attack U.S. Navy vessels visiting and passing through it.[29] Many security analysts point to these straits as a possible focus of various terrorist groups with maritime capabilities.[30] In June 2005, based on their assessment of the Strait of Malacca Lloyd's Joint War Committee added the Strait of Malacca to its list of dangerous waters.[31]

### 3. Littoral State Cooperation

The littoral states of Indonesia, Malaysia and Singapore have recently begun to actively engage in maritime security cooperation in the Malacca Strait in 2004 on a trilateral basis, more so than previous cooperation arrangements. This runs counter to the norms of the greater Southeast Asian region. By being able to deduce and determine what has allowed for increased cooperation between these states it may point to how they may cooperate more in the future and reduce the instances of piracy in the Strait of Malacca. Researching this question may also give rise to understanding how these

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[26] Paul W. Parformak and John Frittelli, *Maritime Security: Potential Terrorist Attacks and Protection Priorities* (Washington D.C.: Congressional Research Service, 9 January 2007), 3.

[27] Bradford, "The Growing Prospects For Maritime Security Cooperation in Southeast Asia," 67.

[28] Ibid.

[29] Parformak, 4.

[30] Ibid.

[31] The Growing Menace of Piracy, "Taking Cover – and Joint Action," *Zurich Financial Services* (March 2006) http://www.zurich.com/main/productsandsolutions/industryinsight/2006/march2006/industryinsight20060301_000.htm (accessed 11 February 2008).

Southeast Asian states may cooperate in other areas of terrorism, piracy or insurgencies more generally in a regional context. Along these same lines, this research may help to explain what can be done to increase the levels of defense cooperation by other groups of states or regions throughout the world or how to explain the propensity for other states to cooperate or not to cooperate.

The question of why the littoral states have begun cooperating is also important in determining if vessels transiting the strait are safe. As one of the most important transit passages in the world, the unimpeded transit of merchant vessels is important to the international community, especially to those states who rely on food, energy and goods that are moved by way of the sea through the Malacca Strait. Regional states in East and Southeast Asia that have specific interests in the unimpeded traffic of the strait include China, Taiwan, Japan and the littoral states of Southeast Asia including Indonesia, Malaysia and Singapore. Because of the importance of the strait, terrorist organizations may use this particular high-density area of shipping as a focal point in future terrorist acts using fear or coercion as a method for getting what they want or in order to make a statement. Piracy groups may also continue to use the strait as a method for procuring goods as the strait provides an ample opportunity for their seizure. From a policy perspective it is important to understand if defense cooperation between the littoral states is working because if it were not then it would require possible outside intervention because of the importance of the Malacca Strait.

## C. METHODOLOGY AND ORGANIZATION OF CHAPTERS

This thesis seeks to explain why Indonesia, Malaysia and Singapore have begun to take measures to increase the level of maritime security in the Malacca Straits where in the past cooperation was either negligible or non-existent. To be able to do this type of research I have conducted an analysis of the levels of cooperation between the three states in the pre and post 9/11 periods. The events of 9/11 were important in themselves in bringing terrorism to center stage and they mark a point at which many states'

perceptions of terrorism and levels of cooperation against it increased. Thus, it would not be surprising if 9/11 marked a turning point in cooperation between Malaysia, Indonesia and Singapore.

The historical analysis will concentrate on cooperation aspects of maritime security in the Malacca Strait but will also include an analysis of other types of historical cooperation including border region and information sharing cooperation as well as cooperation in the Association of Southeast Asian Nations (ASEAN) and the U.S. led Cooperation Afloat Readiness and Training Exercises (CARAT). In researching the areas and levels of cooperation I intend to describe what the environment was like prior to 9/11 and what has changed over time in the state, regional and international contexts. The analysis of this topic will be given in five chapters.

Chapter I has three major functions. The first is to explain the purpose and importance of the research behind the thesis. The second is to give a brief description of the importance of the Strait of Malacca. The final function is to give the reader a sense of the scope of the piracy problem and a sense that acts of maritime terrorism are possibilities within this area. This provides a foundation for exploring the types of cooperation in which the littoral states have engaged before and after 9/11 in the Straits of Malacca. In addition, it provides a basis for examining the reasons that extra-regional states might exert pressure on the littoral states to engage in more robust forms of cooperation, and why they might want to intervene themselves on a more unilateral level to secure the straits.

Chapter II delves into the historical bases of cooperation between the littoral states prior to 9/11 including where the different cooperation norms within the region originated. The third chapter focuses on cooperation since 9/11. The fourth chapter analyzes the various maritime assets of each state: how they have been used, how they are being used presently, and what the future of maritime assets is in the region for prosecuting and deterring acts of piracy. The conclusion will bring all the pieces together in an attempt to answer the following question: What has changed since 9/11 that is

facilitating cooperation among the littoral states on this issue? It will also provide policy recommendations to the United States on how to promote greater cooperation among the littoral states.

# II. COOPERATION PRIOR TO 9/11

## A. CHAPTER INTRODUCTION

This chapter will address the historical measures of cooperation by the littoral states prior to 9/11 and attempt to address why there is an aversion to multilateral forms of cooperation within this region as a whole. It will begin by analyzing why the littoral states act the way they do when it comes to issues of outside intervention and multilateral cooperation in general. To explain this phenomena a brief account of the region's experiences with outside powers and intra-state relationships will be discussed as well as the establishment of ASEAN and the norms associated with it.

The chapter will then delve into the types of individual, bilateral and multilateral measures taken to secure the straits prior to 9/11 and will also address other more prevalent forms of cooperation among the littoral states in this period. The reader will notice that there are instances when the littoral states have cooperated in a joint forum to combat transnational crime in the Strait of Malacca but can recall that such measures prior to 9/11 can be interpreted as ineffective based on the increase in the number of piracy attacks leading up to 2001.

## B. HINDRANCES TO COOPERATION

The littoral states have had a number of reasons for an aversion to cooperating on a multilateral or joint basis. Two important aspects of their history make it difficult for them to cooperate with not only one another, but with outside states and organizations as well. These two aspects are the exploitation that they faced prior to and during their nascent statehood as well as the norms that they have adopted from organizations, particularly from ASEAN and the "ASEAN way." Additional reasons are that the Southeast Asian states have continued "to see threat-oriented cooperation as unduly provocative to potential adversaries" such as the PRC, that such cooperation has been seen as providing limited value given the weak self-defense capabilities of each

individual state and that the degree of standardization of equipment and interoperability required for multilateral cooperation efforts are lacking.[32]

The Southeast Asian states are still developing and they do not have robust militaries. A consequence of their developing status is that the military equipment that they have acquired is generally not produced by state or regional industrial sectors and makes interoperability among their own pieces of equipment difficult. The littoral states have had to buy military equipment from other states willing to sell it to them. In many cases they have platforms that are procured from multiple countries such as the United States, Russia and European states that cause interoperability problems. These types of problems would make it difficult for platforms within their own militaries to be interoperable let alone with another country's military. This issue will be discussed in Chapter IV.

Historical intra-state relations have also raised suspicions among the littoral states that hinder their ability to trust one another to enter into multilateral security agreements. In examining these reasons, that the states of Southeast Asia have norms, historical issues and an aversion to being seen as adversarial, we find that constructivism and realism, two paradigms of political science theory, can give us insight into why these states have not cooperated on more of a multilateral basis.

Constructivists would argue that the designation of a common other is important in generating a collective identity.[33] There was no such identity for the littoral states prior to 9/11 because the threats that could be possible rallying mechanisms were internal and threatening to each state on an individual or bilateral basis. There is a collective identity among the littoral states but it is based on a common history derived from colonialism that has resulted in an aversion to influence by foreign powers within their sovereign territory. Because there was no collective identity based on a common other there was not necessarily a need for greater forms of cooperation among them when it came to matters of security in the period prior to 9/11.

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[32] Amitav Acharya, *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order* (NY: Routledge, 2001): 151.

[33] Ibid., 308.

Where constructivists make arguments based on norms and identity realists concern themselves with security and make assessments of states based on it.[34] In Southeast Asia we can see a realist rational for an aversion to multilateral security cooperation. If these states decided to enter into a multilateral security framework this may seem threatening to other regional states such as the PRC or even Vietnam prior to its induction into ASEAN. These other states could potentially see a multilateral security framework as being directed towards them. As a result these states may begin building up their own military forces or entering into security cooperation frameworks of their own to counter the threat, perceived or real. This type of activity is called a security dilemma in international relations theory. The idea is that as a state takes measures to increase its own security, such as building up military capabilities or entering into security arrangements, other states will see this as a decrease in their own security because in realism security is a zero sum game.[35] These states will therefore try to increase their own security to counter through increasing their own military capabilities or entering into their own security frameworks.[36] This type of activity can go back and forth leading each state to become more paranoid and this is the type of environment that the Southeast Asian states did not want by engaging in multilateral security cooperation. The ASEAN states did feel that this type of spiraling could occur and did not create a traditional security community in order to maintain a nonprovocative posture against the Indochinese states and in order to regulate great power rivalry in the region.[37]

### 1. Past Relationships

Each littoral state has historically had different but relatively similar experiences with foreign powers that have resulted in similar attitudes towards their own statehood and the manner in which they interact with foreign states and organizations. These types

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[34] NOTE: For literature on realism see Kenneth N. Waltz, *Theory of International Politics* (NY: McGraw Hill, 1979) and John J. Mearsheimer, *The Tragedy of Great Power Politics* (NY: W.W. Norton & Company, 2001).

[35] Mearsheimer, 36.

[36] Ibid.

[37] Amitav Acharya, "The Association of Southeast Asian Nations: "Security Community" or "Defense Community?" *Pacific Affairs* 64, no. 2 (Summer 1991): 162.

of experiences have led them to develop a sense of paranoia among them. The history of the states in the region as once colonial possessions of other states has, in a way, intensified their concerns over protection of the domains that are theirs.[38] These domains include the maritime domain.

The littoral states have been historically exploited by the likes of the PRC, Japan and other imperially oriented Western states. These experiences have magnified their natural sensitivity over encroachment of their sovereignty by outside powers.[39] This has a direct relationship with the Strait of Malacca and is an important piece in understanding why the littoral states have been so adverse to accept help in forms other than economic aid or military training. Many of their misgivings originate with their past colonial heritages, with the PRC and Japan specifically, spilling over into other foreign entities and states.

In its dynastic periods the PRC thought of itself as the Middle Kingdom and a nation under heaven. Based on this it established and maintained tributary relationships with its neighbors.[40] In a brief period from 1405 to 1433 China sent vast fleets under the control of Zheng He to Southeast Asia to collect tribute for the Ming Empire.[41] Such a region as Southeast Asia was thought to be able to function in a satisfactory fashion if it were incorporated into a tributary system with China.[42] Not only did Imperial China exact tribute from Southeast Asia in its early history but in their early periods of statehood as well. "During the Cold War, the PRC supported communist parties or insurgencies in every Southeast Asian state with the exception of Singapore and Brunei."[43]

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[38] Jean-Marc F. Blanchard, "Maritime Issues in Asia: The Problem of Adolescence," *Asian Security Order: Instrumental and Normative Features*, ed. Muthiah Alagappa (Stanford, CA: Stanford University Press, 2002): 430.

[39] Ibid.

[40] Immanuel C.Y. Hsu, *The Rise of Modern China* (NY: Oxford University Press, 2000), 130.

[41] Bruce Vaughn and Wayne M. Morrison, *China-Southeast Asia Relations: Trends, Issues, and Implications for the United States* (Washington D.C.: Congressional Research Service, 4 April 2006), 5.

[42] Milton Osborne, *Southeast Asia: An Introductory History* (St Leonards, Australia: Allen and Unwin 2000), 28.

[43] Vaughn and Morrison, 5.

During the Second World War, Japan was also heavily involved in Southeast Asia. The Japanese state systematically occupied much of Southeast Asia because it believed that it was an area rich in raw materials and resources it needed to sustain its war effort and for continued economic growth.[44] Japanese rule in this period has been considered ruthless in many parts of the region. Most notably the Japanese exacted "savage vengeance" on the Chinese members of Southeast Asia in Singapore and Malaya.[45]

### 2. Intra-State Relationships

The relationships among Indonesia, Malaysia and Singapore have not been the best of relationships and contribute to the absence of multilateral security cooperation frameworks. Indonesia and Malaysia have had difficulties among themselves and Malaysia, Singapore and Indonesia have ongoing issues between them. These types of antagonistic intra-state relationships are not healthy or conducive to cooperation on a multilateral basis.

In 1963 Indonesia launched a campaign against Malaysia called *Konfrontasi* or armed confrontation.[46] This campaign was born out of Indonesia's objections to elements of the newly created Malayan Federation believing it was a neo-colonialist plot that ignored the wishes of the people of Borneo, specifically the provinces of Sabah and Sarawak, partly for domestic and territorial reasons.[47] Indonesia sent guerilla fighters into Sabah and Sarawak in 1963 and not only broke off diplomatic relations with Britain and Malaysia but also withdrew itself from the United Nations.[48] Eventually the

[44] James L. McClain, *A Modern History of Japan* (NY: W.W. Norton & Company, 2002), 476-477.

[45] Osborne, 140.

[46] Mely Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way* (Singapore: ISEAS Publishing, 2005): 53.

[47] Ibid and Norman G. Owen, ed., *The Emergence of Modern Southeast Asia* (Honolulu: University of Hawai'i Press, 2005): 415.

[48] Owen, 433.

*Konfrontasi* would end a few years later but this relationship would have lasting effects as it became deeply embedded in Malaysia's national psyche.[49]

Malaysia and Singapore have also experienced hostilities between them. These hostilities lie in material interests and in ethnic rivalries against the Muslim dominated Malaysian political party and the Chinese dominated political party in Singapore.[50] Issues between them include Singapore's land reclamation project in the Johor Straits, Singapore's water supply and the territorial issue of Pedra Branca Islet.[51]

Singapore had begun to reclaim land through its land reclamation project and has added 18 percent to its territory with another 15 percent projected in the future.[52] The projects aim is to widen Changi Airport, Jurong and Pasir Panjang of Singapore.[53] Malaysia objects to the project citing environmental and safety of navigation concerns.[54] Malaysia contends that the project is a way for Singapore to prevent deep draft vessels from traveling to its Pasir Gudang and Tanjung Pelapas ports in its southern state of Johor but Singapore believes that Malaysia's objections are an effort for it to curtail its own development.[55]

Indonesia also objects to the project. One of Indonesia's islands that marks part of its territorial boundaries with Singapore is Nipah island. Over time the island has begun to become submerged by water as a result of Singapore's land reclamation project.[56] Indonesia contends that if the island becomes completely submerged it would alter the international boundary between it and Singapore in favor of the later.[57]

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[49] Chin Kin Wah, "The Shaping of Strategic Cultures," *Southeast Asian Perspectives on Security*, ed. Derek da Cunha (Singapore: ISEAS Publishing, 2000): 7.

[50] Donald E. Weatherbee, *International Relations in Southeast Asia: The Struggle for Autonomy*. (Lanham, MD: Rowman & Littlefield Publishers, Inc, 2005), 124.

[51] Ibid.

[52] Ibid.

[53] Bill Guerin, "The Shifting Sands of Time – and Singapore," *Asia Times* (31 July 2003) http://www.atimes.com/atimes/Southeast_Asia/EG31Ae01.htm (accessed 12 April 2008).

[54] Ibid.

[55] Ibid., 125 and Guerin.

[56] Guerin.

[57] Ibid.

The water issue lies first in the fact that Singapore's primary source of water is Malaysia and in two agreements on the terms and pricing of the supply of untreated water that were agreed to in 1961 and 1962 that run until 2011 and 2061 respectively.[58] These agreements became part of the 1965 Separation Agreement when Singapore became independent from Malaysia.[59] Malaysia believes that it has a right to review the price of water and has also raised questions as to the renewal of the agreements in the future.[60] Per the agreements prices can actually be revised in line with various factors including the purchasing power of money as well as the costs of power and materials to supply the water.[61] Singapore, on the other hand, believes that the fact that Malaysia has made this an issue and has threatened its future supply of water is a cause of concern and has made it a question on the very existence of the Singaporean state.[62]

The islet Pedra Branca (white rock) is a contentious issue between Singapore and Malaysia. The Singapore government has administered the island as part of its territory since the 1840s but in 1979 Malaysia published a map with Pedra Branca as being part of its Johor state despite earlier maps as late as 1974 clearly depicting the islet belonging to Singapore.[63] The small island that is composed mostly of rocks is important to Malaysia because it is important for Malaysia to maintain what it considers its territorial integrity.[64] In 1989 there was a naval confrontation between the two states after which Singapore suggested that the matter be taken to the International Court of Justice.[65] Not respecting the status quo until a judgment is reached Malaysia has continued to conduct naval patrols in the area citing its rights of surveillance in its territorial waters.[66]

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[58] Lee Poh Onn, "The Water Issue Between Singapore and Malaysia: No Solution in Sight?" *Economic and Finance: ISEAS Publishing* 1 (2003).

[59] Ibid. and Weatherbee, 125.

[60] Weatherbee, 125.

[61] Onn, 5.

[62] Weatherbee, 125.

[63] Ibid., 132 and C.L. Lim, "The Uses of Pacific Settlement Techniques in Malaysia-Singapore Relations," *Melbourne Journal of International Law* 6 (2005): 327.

[64] Lim, 327.

[65] Weatherbee, 125.

[66] Ibid., 133.

### 3. The ASEAN Way

Historical cooperation between the littoral states has also been hampered because shared history of the littoral states has led to the creation of institutions such as ASEAN that champion sovereignty and non-interference. The concern that the littoral states share over sovereignty hamper the creation of multilateral measures of security cooperation in the Strait of Malacca because these types of concerns not only encourages each individual state to send its own Navy on patrols and survey missions but it also makes it difficult for these states to accept joint schemes of security cooperation.[67] This is most evident in the period prior to 9/11.

ASEAN was created on 8 August 1967 in Bangkok when officials from Singapore, Indonesia, Malaysia, Thailand and the Philippines signed a declaration establishing the association.[68] The importance of ASEAN as a regional organization in Southeast Asia cannot be underestimated or understated. Its principles, norms and ideals have, since its inception, shaped the greater principles, norms and ideals of many of its member states, notably the littoral states of Indonesia and Malaysia.

"The ASEAN way" was an outgrowth of the greater principles of the association and can be characterized by two Malay terms called *musyawarah* (consultation) and *mufakat* (consensus).[69] It consists of a step-by-step dialogue that members use to help confidence building among its members as well as to help avoid conflict among them.[70] In ASEAN, the ASEAN way is the prevalent construct for conducting business. It includes norms of non-interference by extra-regional powers, the idea of sovereignty and the idea that regional problems should be handled at a regional level.[71] These norms can

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[67] Blanchard, 131.

[68] Amitav Acharya, "Regional Military-Security Cooperation in the Third World: A Conceptual Analysis of the Relevance and Limitations of ASEAN," *Journal of Peace and Research* 29, no. 1 (February 1992): 10.

[69] Shie, 169.

[70] Ibid.

[71] Acharya, Amitav, *Constructing a Security Community in Southeast Asia*, 47 and Weatherbee, 121.

be cited as reasons for why Indonesia, Singapore and Malaysia have chosen individual and bilateral frameworks as their preferred method of solving problems with regard to the Strait of Malacca.

The Treaty of Amity and Cooperation (TAC) and the declaration giving birth to ASEAN are also important pieces of the ASEAN identity that can help explain the littoral states' aversion to joint efforts of maritime security cooperation in the Strait of Malacca. The TAC was signed in Indonesia on 24 February 1976 and embodies many of the ideals that ASEAN stands for. Chapter 1, Article 2 of the TAC specifically states that

> The High Contracting Parties shall be guided by the following fundamental principles:
>
> a. Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations;
>
> b. The right of every state to lead its national existence free from external influence, subversion or coercion;
>
> c. Non-interference in the internal affairs of one another;
>
> d. Settlement of differences or disputes by peaceful means;
>
> e. Renunciation of the threat or use of force;
>
> f. Effective cooperation among themselves.[72]

Article 2 of the TAC embodies the ASEAN way and gives us another glimpse into why the littoral states are averse to cooperating on any matters dealing with security, especially in the period directly following the creation of ASEAN and the singing of the TAC. The Bangkok Declaration signed at the creation of ASEAN is also a document that

[72] "Treaty of Amity and Cooperation in Southeast Asia Indonesia, 24 February 1976," *Association of Southeast Asian Nations* http://www.aseansec.org/1217.htm(accessed 25 December 2007).

created and embodies the norms of ASEAN. The 1967 Bangkok Declaration talks about a prosperous and peaceful community in Southeast Asia and promoting peace and stability within the region.[73]

The resulting norms and ideals represented in the ASEAN way have made it difficult or taboo for multilateral forms of security partnerships in the region. ASEAN as a group has been a well-known multinational body that has made little headway in actual action on any real issue with the exception of ASEAN's efforts to remove Vietnamese occupiers from Cambodia. Many of ASEAN's meetings have produced results in the form of declarations and statements with no real teeth or enforcement mechanism behind them. Security issues have had the same fate. Indeed, prior to 9/11, ASEAN in fact did not single out terrorism as a topic of special importance.[74] Instead piracy, maritime terrorism, arms smuggling, etc. have been placed under the term transnational crime.

Historically, the states of Southeast Asia have engaged in individual and bilateral measures of preserving and maintaining security. This could be for a variety of reasons but the general consensus is that they have limited themselves to these types of security arrangements because of their "preoccupation with domestic stability, their fear of the attendant dangers of being embroiled in superpower rivalry, the futility of an alliance in view of the military weakness of the ASEAN states and the flexibility and perceived advantages of bilateral cooperation over alliance."[75] This type of omni-balancing, a term denoting the idea that states balance against more then just other states and their military capabilities, has prevented the formation of traditional security ties and pacts despite extra-regional and regional security issues.[76] Southeast Asia's "rejection of military pacts has been maintained despite concerns; evident from its response to the emergence

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[73] "The ASEAN Declaration (Bangkok Declaration) Thailand, 8 August 1967," *Association of Southeast Asian Nations* http://www.aseansec.org/3628.htm(accessed 25 December 2007).

[74] Chow, 303.

[75] Acharya, Amitav, "A Survey Of Military Cooperation Among the ASEAN States: Bilateralism or Allaince?," Centre for International and Strategic Studies, Occasional Paper No. 14 (May, 1990), 8 and Amitav Acharya, *Constructing a Security Community in Southeast Asia*, 58, 61.

[76] For a definition of omni-balancing refer to Steven R. David, "Explaining Third World Alignment," *World Politics* 43, no. 2 (Jan 1991): 233.

of a Soviet-Vietnamese security partnership in the early 1980s."[77] Despite this threatening partnership that developed in the period prior to 9/11 Southeast Asian states maintained the status quo and pursued security measures on an individual and bilateral basis.

## C. INDIVIDUAL AND BILATERAL MEASURES

The littoral states have traditionally pursued individual and bilateral rather than multilateral measures of security. One reason for this is that many Southeast Asian terrorist groups are domestic in nature and often represent movements with primarily domestic goals that give little need for cooperation by the littoral states on a multilateral basis.[78] Individual, national level measures have been initiated prior to the terrorist attacks of 9/11 but because of the low importance placed on maritime security, and security in general, prior to 9/11 there are not many instances of individual national level measures in this period pertaining directly to the maritime domain. There was also little pressure given to maritime security in the Strait of Malacca region in general prior to 9/11 that would give these states an incentive to pursue multilateral levels of cooperation.

Singapore has traditionally been the more active littoral state when it comes to issues dealing with security resulting from its small size and greater perceptions of security threats. Piracy and maritime terrorism have never been high on the list of priorities of Indonesia because of its limited resources that are available to deal with a whole range of internal matters, most notably the separatist movement on Aceh, a special territory of Indonesia located on the northern tip on the island of Sumatra.[79] Until Malaysia experienced a criminal act that hit close to home it too, like Indonesia, was generally unconcerned with maritime issues of transnational crime. Malaysia's stance changed after the Abu Sayyaf Group kidnapped twenty-one Malaysian and foreign

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[77] Acharya, "A Survey of Military Cooperation Among the ASEAN States: Bilateralism or Alliance?," 7.

[78] Jonathan T. Chow, "ASEAN Counterterrorism Cooperation Since 9/11," *Asian Survey* 45, no. 2 (2005): 303.

[79] J.N. Mak, "Unilateralism and Regionalism: Working Together and Alone in the Malacca Straits," *Piracy, Maritime Terrorism and Securing the Malacca Straits,* ed. Graham Gerard Ong-Webb (Singapore: ISEAS Publishing, 2006): 152.

tourists from Sipadan, a resort island off the coast of Sabah in 2000.[80] This act did not necessarily change Malaysia's mind or make it more concerned with piracy or terrorism in the Strait of Malacca but the terrorist act did influence its own security concerns more generally in preventing intrusions in its sovereign territory by foreign groups.[81]

In 2000 the Royal Malaysia Marine Police (RMMP) established a special anti-piracy task force with sixty marine police officers trained to form Malaysia's marine police tactical commando unit.[82] These units were supported with the immediate acquisition of 20 fast strike craft and 4 rigid hull inflatable boats.[83] The special task force is accompanied by Malaysia's Special Action Forces and 69 Commando Unit and is deployed in the Straits of Malacca.[84] These acquisitions and training programs demonstrate how Malaysia has placed an increased level of importance in the security of the maritime areas surrounding it and can be attributed to an increase in its threat perception resulting from the kidnappings from Sabah.

Bilateral levels of cooperation prior to 9/11 are more robust then the individual level of combating transnational crime. The following are a list of security and defense ties the littoral states have become involved in on a bilateral basis. They include border region cooperation, intelligence sharing, frequent senior-level official visits, provision of combat training facilities and cooperation in the defense industrial sector.[85] While it would make sense that such measures be extended to a multilateral framework they generally did not prior to 9/11 with a few exceptions.

Because of the historically recent nature of modern statehood of the Southeast Asia states, border region cooperation has been the foundation of the bilateral security

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[80] J.N. Mak, "Unilateralism and Regionalism: Working Together and Alone in the Malacca Straits," *Piracy, Maritime Terrorism and Securing the Malacca Straits,* ed. Graham Gerard Ong-Webb (Singapore: ISEAS Publishing, 2006): 152.

[81] Ibid.

[82] Ho, "The Security of Sea Lanes in Southeast Asia," 560.

[83] Joshua Ho, "The Security of Regional Seal Lanes," *IDSS Commentaries* (2005): 11.

[84] Ibid.

[85] Ibid., 146.

arrangements found between the states of Southeast Asia.[86] Among the more prevalent types of bilateral cooperation regimes border region cooperation provided the ASEAN states with an ability to counter what were their most prominent threats including insurgencies and illegal activities such as drug smuggling and piracy within each states own borders. Security cooperation at the bilateral framework level was comfortable for the littoral states and provided a predictable and comfortable way for these states to interact with one another. In the early 90s Malaysia's Defense Minister, Najib Tun Razak summed the situation of bilateral cooperation up best when he said:

> ASEAN doesn't need a military pact. ASEAN military forces are familiar with each other on a bilateral basis. To me, that's good enough. Because when you have a pact, people will ask: Who is it directed at? So it raises a lot of questions. So rather than alarming anyone or sending a wrong signal, it is better for us to continue on the same basis because we have been so successful.[87]

This quote demonstrates the interesting thought processes of the leaders of the littoral states and Southeast Asia more generally. In an effort not to alarm neighbors these states have taken a decidedly more safe approach even though has not the best course of action.

Along with border region and intelligence cooperation, cooperation at the maritime level, though limited, was also present prior to 9/11. Indonesia-Singapore coordinated patrols in the Strait of Malacca were established in 1992 and the Indonesia-Malaysia Maritime Operation Planning Team was established in 1992 as well.[88] The planning team was charged with formulating and carrying out joint anti-piracy patrols in the Strait of Malacca but like other similar maritime security cooperation measures there was a strictly "hands-off" protocol when it came to the issue of hot pursuit.[89] The fact that they are also labeled coordinated vice joint is also an important point. Coordinated patrols convey the point that these states are only working together through limited levels

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[86] Acharya, "A Survey Of Military Cooperation Among the ASEAN States: Bilateralism or Allaince?," 8.

[87] Acharya, *Constructing a Security Community in Southeast Asia*, 150.

[88] Ibid., 568.

[89] NOTE: Hot pursuit is when a ship exercises its jurisdiction beyond its normal legal limits in the hope of catching the perpetrator of the crime.

of communication. Joint patrols would be more robust and would require that the assets used for the patrols work side by side, not just telling the other participant when it would be in a certain position or how long that asset would be on station. While these measures demonstrate an increase of cooperation between the littoral states these efforts remain only slightly effective. Under the 1992 bilateral agreement between Indonesia and Malaysia "each state patrols within its own territorial seas, but the patrols coordinated by keeping the other state informed."[90] Keeping each other informed is important but the overall effectiveness of this type of cooperation is limited.

## D. MULTILATERAL LEVEL MEASURES

Multilateral level measures were present prior to 9/11 but often these multilateral measures often involved outside powers such as the United States and involved the traditional information sharing and training. Efforts to create organizations or mechanisms to bring together the littoral states for joint maritime security cooperation in the Strait of Malacca were limited in this period. ASEAN was in a nascent state prior to 9/11 just as the littoral states and was used as a forum for establishing guidelines on how its members operated and dealt with issues in their region and resulted in a low level of effectiveness in tackling the issue of piracy and maritime terrorism in the Strait of Malacca. The Strait Reporting System (STRAITREP) was implemented prior to 9/11 but kept with tradition and only involved information sharing on items such as the number of ships passing through the strait as well as the course, speed and position of transiting vessels to ensure safety of navigation.

### 1. ASEAN

ASEAN cooperation in its early years was characteristic of the existing Southeast Asian political environment in that the overriding concerns with ASEAN's members originated from post-colonial ambiguity and the Cold War environment resulting in a concerted effort in protecting their national integrity and interests from outside

[90] Kevin X. Li and Jin Cheng, "Maritime Law and Policy for Energy Security in Asia: a Chinese Perspective," *Journal of Maritime Law and Commerce* 37, no. 4 (October 2006): 576.

influences.[91] Many of the ASEAN member states were also in conflict with one another and as a result of this environment the "ASEAN way" emerged as a method of cooperation as the original members desired to create a mechanism which would contribute to the peace and stability in intra-regional relations.[92]

ASEAN did conduct a conference on transnational crime in Manila in December 1997 that resulted in the ASEAN Declaration of transnational crime that instituted a series of regular meeting at the ministerial level.[93] These meetings, also referred to the ASEAN Ministerial Meetings on Transnational Crime (AMMTC), have the purpose of facilitating coordination among the members of ASEAN but does not establish any real form of actual security cooperation among them in any case, transnational crime or otherwise, prior to 9/11. Furthermore, a lack of cooperation prior to 9/11 by the littoral states and ASEAN as a whole resulted from the contentious nature of the Strait of Malacca from 1965 to 1982.[94] Traffic separation schemes themselves, the "highways" of the seas whose purpose is to ensure safety of navigation in areas that have especially high chances for collisions at sea, were not adopted until 1960. Regulation of the seas has come a long way since then with the implementation of the UNCLOS but in the early period of littoral state sovereignty, sea control and safety were still issues that concerned both users of various transit passages as well as the states adjacent to them because of a lack of regulation and fear of great power influence in what was perceived as a state's own territory.

From 1992-2001 ASEAN entered a new arena of security cooperation. The end of the Cold War represented a major watershed with the end of superpower rivalry and the vacating of once strategic areas.[95] In an ASEAN declaration signed in Singapore in 1992 AEAN acknowledged, for the first time, that regional security cooperation was

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[91] Shie, 168.

[92] Amitav Acharya, "Regional Military-Security Cooperation in the Third World: A Conceptual Analysis of the Relevance and Limitations of ASEAN," 10.

[93] Ibid., 305.

[94] Mak, 135.

[95] Shie, 171.

important in light of the political and economic changes resulting from the collapse of the Soviet Union and indicated that its members engage in new areas of cooperation in security matters.[96]

### 2. STRAITREP

In 1998 there was an information sharing operation started by Indonesia, Malaysia and Singapore called the STRAITREP, a mandatory ship reporting system in the Malacca Straits.[97] Coupled with the Automated Identification System (AIS) that has become a requirement for vessels traversing the high seas the STRAITREP represents an effort to increase maritime cooperation in the strait but does not represent a necessarily substantial effort. AIS is a shipboard system that broadcasts information to vessels and stations carrying the AIS with information such as course, speed, position and vessel name. The STRAITREP effort is centered on information and does not constitute an expansion of security cooperation among the states. STRAITREP reporting requirements are similar to AIS and include the vessel's name, position, course, speed, notification and description of hazardous cargo, sustained defects or damage, and notification of pollutants or dangerous cargo lost overboard. Many other ocean transit areas such as the Panama Canal require the same type of information prior to a vessel being allowed to traverse the passage.

### 3. CARAT

The United States has always held the safe passage of SLOCs around the world as an important piece of freedom and safety of navigation at sea. In 1995 the United States began exercises known as Cooperation Afloat Readiness and Training (CARAT).[98] Since its inception CARAT exercises have been based on bilateral training between the United States and some other Southeast Asian state. Participants usually change on a yearly basis but Singapore, Indonesia and Malaysia have participated in various exercises

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[96] Shie, 171.

[97] Joshua Ho, "Operationalising the Regional Maritime Security Initiative," *IDSS Commentaries,* (18/2004): 2.

[98] Rahman, 193.

with the United States including amphibious landings and maritime interdiction operations.[99] Other piracy and maritime terrorism specific exercises were not conducted until only recently in the post 9/11 period. On many occasions there are observers from the militaries of other Southeast Asian states on U.S. vessels to observe the training exercises with their neighboring states.

### 4. Japan and Southeast Asia

Japan has long been a proponent of increasing maritime security measures in Southeast Asia because of its concerns of transnational crime in the Strait of Malacca. Because it has traditionally had to rely on the efforts of the littoral states in securing the strait Japan has felt compelled to help in securing the strait. Since the mid 90s concerns over transnational crime, specifically piracy, have led Japan to focus their foreign policy in the region by leading a regional effort to eradicate the piracy problem in Southeast Asia.[100] As a result of their concern, Japan has forwarded a number of proposals for securing the strait. At one level there are bilateral efforts that Japan has conducted with the littoral states that involve the Japanese Coast Guard conducting various joint training exercises with the Littoral States and various aid programs to help equip the maritime forces of various Southeast Asian states.[101] There are also various programs that Japan has tried to institute at the multilateral level.

These multilateral programs that were suggested prior to 9/11 include the Ocean Peace Keeping (OPK) concept, the regional coast guard body proposal and the Organization for the Cooperative Management of Safety in the Straits of Malacca and Singapore. All three of these multilateral level proposals failed for different reasons. The OPK concept was a proposal first brought up in the 1999 ASEAN+3 Summit by Japan and envisioned a standing maritime security force that would be composed of

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[99] "Frequently Asked Questions," *Cooperation Afloat Readiness and Training* http://www.clwp.Navy.mil/carat2006/CARAT%20FAQ.htm (accessed 20 February 2008).

[100] John F. Bradford, "Japanese Anti-Piracy Initiatives in Southeast Asia: Policy Formulation and the Coastal State Responses," *Contemporary Southeast Asia* 26, no. 3 (2004): 481.

[101] Ibid.

regional naval assets but failed because of its radical nature.[102] The regional coast guard body proposal was similar to the OPK concept and failed for similar reasons with only non-obligatory endorsements of cooperation being reached.[103] The Organization for the Cooperative Management of Safety in the Straits of Malacca and Singapore was a proposal to share the financial burdens of navigation safety, preventing pollution and fighting piracy by users and coastal states such as Malaysia and Indonesia. The members who were envisioned to carry out this proposal rejected it.[104]

## E. CHAPTER SUMMARY

Prior to 9/11 the littoral states have marginally increased their levels of cooperation but they continue to remain low in this period. ASEAN, the forum in which these states conduct much of their regional business continues to remain as a loose and informal grouping in many respects.[105] The littoral states prior to 9/11 have had many reasons to limit their multilateral cooperation efforts. Negative relationships with colonial powers have led them not to trust outsiders and their negative relationships among themselves have led them to not trust their regional neighbors. As developing nations they do not necessarily have the resources to have a robust military force capable of interoperability and even if they did I contend that there has been an aversion to military buildups and security cooperation frameworks in this region because these states do not want to risk the possibility of a spiraling security dilemma. Strict adherence to the norms of ASEAN in the form of the ASEAN way has also led these states to be more individualistic. These reasons, along with the littoral states' lack of a perceived common threat has led these states to deal with the issues of piracy and maritime terrorism more on an individual and bilateral, rather than collective or multilateral, level.

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[102] Toshi Yoshihara and James R. Holmes, "Japanese Maritime Thought: If Not Mahan, Who?" *Naval War College Review* 59, no. 3 (Summer 2006): 37.

[103] Bradford, "Japanese Anti-Piracy Initiatives in Southeast Asia: Policy Formulation and the Coastal State Responses," 490.

[104] Ibid.

[105] Acharya, *Constructing a Security Community in Southeast Asia*, 66.

ASEAN, STRAITREP, CARAT and working with Japan demonstrate the limited amount of cooperation in a multilateral framework prior to 9/11. Despite this, the levels of cooperation have begun to slowly expand as tensions become between these states become more relaxed and a greater unity of purpose is achieved. In the post 9/11 period, as collective threat perceptions emerge and become more salient, coupled with increasing international pressure from states such as Japan and the United States the chances for greater cooperation have a significantly greater possibility of occurring. In the following chapter the evidence shows that this is in fact the case.

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# III. POST 9/11 COOPERATION

## A. CHAPTER INTRODUCTION

Many of the reasons for constrained and limited forms of historical cooperation between the littoral states remain important in the post 9/11 period but they appear to be subsiding enough to allow multilateral forms of security cooperation. In Southeast Asia there has historically been a lack of importance placed on piracy and maritime terrorism in general. As a result there has been an aversion to cooperating on these types of issues. The perception of what constitutes terrorism and piracy is an important factor that has historically undermined overall security cooperation between the littoral states. If the states do not have overlapping interests or understandings of the problem then no real, collective solution can be brokered. The events of 9/11 and other acts of terrorism in this period have caused the littoral states to change their perceptions on different issues that were believed to not be problems for them in the past. In this period there has been a noticeable difference in the actions taken by them compared to the pre 9/11 period. The littoral states' easing of tensions with regional and extra-regional states, changing perceptions of the transnational crime problem and foreign pressure from states such as the United States and Japan have led them to increase their individual and cooperative measures against piracy and maritime terrorism. What is more, they have also begun to cooperate in a way that has been uncommon in Southeast Asia with the implementation of Operation MALSINDO (Malaysia, Singapore and Indonesia) in 2004, a cooperative framework among the littoral states to combat piracy in and around the Strait of Malacca.

## B. AN EASING OF TENSIONS AND 9/11

The end of the Cold War and the events of 9/11 are important pieces of the puzzle in determining why the littoral states are beginning to cooperate on security matters in a multilateral forum when it comes to issues of the transnational crime. During the Cold War a divide over communism in Southeast Asia hampered security cooperation but after

the Cold War these types of divisions were no longer as prevalent.[106] We can also find that without a communist threat to place much energy towards more attention could be paid towards issues of transnational crime such as piracy.[107] The end of the Cold War began the push that helped shift security priorities for these states. The events of 9/11 pushed it even further and while it is not the entire reason why the littoral states have begun security cooperation it was an important catalyst.

The events of 9/11 and its aftermath can be considered one of the defining events of the 21st century. Four airplanes were hijacked by Al-Qaeda terrorists and subsequently used as missiles against targets in the U.S. Three of the four were successful in reaching their targets. Prior to this event many in the international community were unsure as to what the post Cold War world would be like and enemies of the state were difficult to identify. One result of 9/11 was that it created an identifiable enemy for the United States and the rest of the world, specifically the western world, to unite against. This unifying effect of 9/11 has also spilled over into other areas of the world as well, including Southeast Asia, although the scope or breadth that it has affected states like the United States is not present. Motivating factors for the unifying effect, if this effect is seen in other states like Southeast Asia, may be all together different. Instead of unifying against a common enemy as the United States has these particular states are under pressure from the U.S. to be allies in its Global War on Terror (GWOT).

### 1. Regional Implications of 9/11

Southeast Asia, like the rest of the world was affected by 9/11. In regional organizations such as ASEAN, terrorism itself was for the first time, in many respects, identified as a problem that should be dealt with by its members and together as a group. Each individual state has also made concerted efforts to step up in helping with the GWOT. In 2001 for example a plan by the Kumpulan Mujahidin Malaysia to ambush a

[106] Liss, 10.

[107] Ibid.

visiting U.S. vessel was disrupted by a Special Branch of Malaysia and in early 2002 an Al-Qaeda plan to attack a U.S. ship docked in Singapore was disrupted by Singaporean intelligence.[108]

While 9/11 is a specific turning point for the U.S. in bringing about the GWOT and the reorganization of various U.S. departments under the Department of Homeland Security the littoral states did not go to such great lengths in the aftermath of 9/11. This is because of the same basic reasons that they have not moved forward on maritime security cooperation in the Strait of Malacca in the pre 9/11 period. The issue of terrorism in general and maritime terrorism specifically was not really an issue close to home because there was no real imminent threat with the exception of minor domestic insurgencies in Malaysia and Indonesia. Many people have written or spoken about the possible nexus between piracy and maritime terrorism but when it comes down to it there is little to no hard evidence or credible indications to suggest that this type of threat is imminent.[109] The possibility that a nexus exists is enough for states finding the straits important to push the littoral states to do more.

In Southeast Asia 9/11 has had a type of magnifying effect on the Strait of Malacca. The U.S. has gone as far to say that Southeast Asia is the second front of the GWOT because of the presence of radical Islamist groups in the region. While a nexus between piracy and maritime terrorism has not been specifically identified the perceived possibility of such an occurrence has increased, as terrorists appear to be capitalizing on warfare that strikes at the weak points of their enemy. In the period following 9/11 the perception of piracy and maritime terrorism by the littoral states, specifically Malaysia and Indonesia, turned from ambivalence to acceptance that there is in fact a problem. There were a number of events that hit close to home that may be likened to 9/11 and its effect on the collective psyche of the peoples of the western world.

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[108] Graham Gerard Ong, *Regional Outlook Southeast Asia 2006-2007*, ed. Russel H. K. Heng and Rahul Sen (Singapore: ISEAS Publishing): 12.

[109] Stefan Amirell, "Political Piracy and Maritime Terrorism: A Comparison between the Straits of Malacca and the Southern Philippines," *Piracy, Maritime Terrorism and Securing the Malacca Straits*, ed. Graham Gerard Ong-Webb (Singapore: ISEAS Publishing, 2006): 63.

In December 2001, the *M/V Kalifornia* was bombed transporting Christians in Indonesia's Maluku Archipelago, an island formation which bears east of the Strait of Malacca.[110] In October 2002 the *M/V Limburg* was struck in the Arabian Sea carrying crude oil from Iran to Malaysia and on the 12th of the same month there was a triple terrorist bombing in Bali, Indonesia.[111] In August 2003 the Jakarta Marriott was bombed and coupled with the bombings in Bali over 200 people were killed making them the worst terrorist acts in the region's history.[112] The bombing of the *Limburg* demonstrated that maritime terrorism was targeting maritime trade and the Bali bombings brought the issue of terrorism close to home in the heart of Southeast Asia. Each act, when analyzed together, has significantly altered the perception of maritime terrorism and piracy and has brought these issues to the forefront of interaction between the littoral states. Though some Southeast Asian officials remain in denial, maritime terrorism is seen as a very dangerous threat and terrorism in general has become the most important security issue in the region.[113] The Bali and Jakarta bombings themselves heralded unprecedented levels of cooperation among regional and foreign law enforcement agencies in Southeast Asia and was reinforced with subsequent bombings in 2004 and 2005 at the Australian embassy in Jakarta and Bali.[114]

## C. POST 9/11 MEASURES AND COOPERTION

The U.S. has proven to be a formidable advocate of increased cooperation between the littoral states and ASEAN as a whole in the post 9/11 period compared to that in the years prior to 9/11. While the security context in Southeast Asia remained a regional problem prior to 9/11, the attack against the U.S. began to reshape the security communities in Southeast Asia.[115] "The Southeast Asia states have come to accept the

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[110] Bradford, "The Growing Prospects For Maritime Security Cooperation in Southeast Asia," 67.

[111] Ibid.

[112] Sheldon W. Simon, "ASEAN and Its Security Offspring: Facing New Challenges," *Strategic Studies Institute*, http://StrategicStudiesInstitute.army.mil (August 2007): 3 (accessed 15 February 2008).

[113] Ibid.

[114] Simon, 3.

[115] Weatherbee, 156.

fact that terrorism and criminal activities do not respect national frontiers … yet cooperation has been limited as governments have preferred to act at a national level."[116] National level preferences of action these states from taking meaningful steps forward in addressing the maritime security issue and reflect the pre 9/11 thought processes of the states. It appears that despite a group acceptance that terrorism and criminal activities are transnational, the ASEAN Way remains an important aspect of each states identity and is reflected in the multilateral security cooperation frameworks that these states have engaged in. Operation MALSINDO, the most interesting framework, still shows signs that non-interference and sovereignty remain important but these norms appear to be subsiding enabling these states to become more flexible.

Mistrust and animosities are still present among the littoral states but these feelings are also diminishing enough to where greater levels of cooperation are not out of the question. As Malaysia and Singapore have matured politically they have begun to see that their fates are in a way intertwined and that it would be mutually beneficial for each to be more cooperative and accommodating towards one another.[117] It would not be a stretch to think that such is the case for all the states in Southeast Asia. While there may no longer be a unifying externality such as communism in the post 9/11 period, their shared sense of regional identity through ASEAN and other regional associations and groups has come a long way in shaping where their loyalties lie. While these loyalties may not be to the extent that we find between the U.S. and Japan or the U.S. and Great Britain we can see a strengthening of ties between the littoral states in their multilateral cooperation efforts.

### 1. Individual and Bilateral Measures

Despite the apparent lack of collective ASEAN interest in the events of 9/11 each individual littoral state has stepped up its efforts in tackling issues of criminal activity, both pirate activity and terrorism in general after 9/11. Malaysia and Singapore especially, because of their higher levels of intelligence sharing capabilities, have been

[116] Weatherbee, 157.

[117] Onn, 29.

able to help in the GWOT by imprisoning a number of suspected terrorists and criminals. Indonesia meanwhile, largely because of their less structured police and intelligence forces as well as their stance that terrorism is largely a U.S. problem has done little to contribute to the GWOT in the short-term after 9/11.[118] All three states have begun to bolster their own forces in assets and organization especially in the maritime domain after 9/11.

Singapore, because of its small size and center for maritime trade, is the most susceptible to acts of maritime terrorism and piracy. This is reflected in the number of individual measures that is has taken. Oil tankers, upon their arrival to Singapore, are required to give a 24-hour notice though this is not surprising as many ports have different time notification requirements for ships entering and leaving port. Singapore has also strengthened security sea checkpoints like the Singapore cruise center, escorts high value merchant vessels with its Navy in its own territorial waters, marks out routes and other commercial vessels of importance to keep them clear of sensitive areas such as anchorages and installations and Singapore also deploys equipment capable of detecting radiation at border entry points to screen containers and personnel.[119]

At Singapore's operations level it has adopted a coordinated approach among different agencies within its bureaucracy much like the U.S. has done with the creation of the Department of Homeland Security. Singapore has begun coordination efforts among its Maritime Port Authority, police, Coast Guard and Navy with each covering separate areas of maritime defense so each organization does not overlap efforts.[120] Furthermore, the Accompanying Sea Security Teams (ASSeT) were created after 2001 and board selected vessels that are transiting into or out of Singaporean ports.[121]

Singapore has also begun to work more closely with maritime organizations such as the IMO by implementing the International Ships and Port Facility Code, an

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[118] Onn, 159.

[119] Yun Yun Teo, "Target Malacca Straits: Maritime Terrorism in Southeast Asia," *Southeast Asia, Studies in Conflict and Terrorism* 30, no. 6 (2007): 542.

[120] Ibid., 543.

[121] Ho, "The Security of Regional Sea Lanes," 567.

amendment to the International Convention for the Safety of Life at Sea.[122] The ships and port facility code is a "comprehensive set of measures to enhance the security of ships and port facilities" and was implemented in response to the perceived threats to ships and port facilities after 9/11.[123]

Malaysia and Indonesia have increased their own efforts but in the case of Indonesia itself it lacks the assets and overall capability to significantly increase the effectiveness of their measures. By all accounts Indonesia is the world's largest archipelagic state. It comprises over 17,500 islands and over 50,000 miles of coastline.[124] These figures present a formidable challenge in effectively patrolling this area single-handedly.

Another issue with Indonesia lies in the fact that the Indonesian provinces are responsible and have authority over Indonesia's territorial waters that extend 12NM from the respective provinces coastline.[125] This presents a problem of decentralization. Despite all these issues Indonesia does have a plan to modernize and strengthen its maritime assets. According to the Chief of the Indonesian Navy in 2004 the Indonesian Navy is not only modernizing but it is also beginning to have a new emphasis on coastal interdiction and the increasing of patrols within its own territory.[126] Furthermore, Indonesia has created Navy Control Command Centers in Batam and Belawan with special equipment and forces that are said to be able to respond to incidents at sea.[127] Believing that some pirates and terrorists likely come from impoverished areas of the country, the Indonesia government has begun dissuasion programs that focus on alleviating poverty and increasing the general welfare of people in priority areas around the Straits of Malacca and Singapore.[128] Regular operations have also begun to be

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[122] Ho, *Maritime Counter-Terrorism: A Singapore Perspective*, 5.

[123] Newsroom, "FAQ on ISPS Code and Maritime Security," *International Maritime Organization* http://www.imo.org/Newsroom/mainframe.asp?topic_id=897#what (accessed 27 January 2008).

[124] Teo, 550.

[125] Ibid., 551.

[126] Ho, *Maritime Counter-Terrorism: A Singapore Perspective*, 4.

[127] Ibid.

[128] Ho, "The Security of Sea Lanes in Southeast Asia," 565.

undertaken by Indonesia's Western Fleet in what is known as Operation *Gurita*, a move that the IMB Piracy Reporting chief Noel Chong believes has led to a drop in the number of attacks in Indonesian waters.[129] This operation consists of the Indonesian Navy deploying maritime assets over the Strait of Malacca and other known hot spots of pirate activity.[130]

Malaysia, like Singapore has taken a number of individual measures in their fight against maritime terrorism and piracy. A number of radar tracking stations have been built along the strait and police officers have been placed onboard various small craft like tugboats and barges that traverse the straits.[131] Malaysia has also created the Malaysia Maritime Enforcement Agency (MMEA) whose responsibilities are for search and rescue, the management of maritime crime, and the collection of intelligence to ensure Malaysian maritime security.[132] The agency will bring together several maritime agencies including the Royal Malaysian Police, the Fisheries Department, Immigrations Department and the Customs and Marine Departments of the Malaysian government.[133] Malaysian Martine Police Chief, Muhamad Muda, went on record in 2002 to declare that Malaysia was on the guard against possible maritime terrorist attacks via speed boats and are monitoring incoming and outgoing traffic of all vessels entering and berthing in Malaysian ports.[134]

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[129] "Navy, Indonesia," *Jane's Security Sentinel Security Assessment* (7 February 2008) http://www8janes.com (accessed 24 March 2008).

[130] Vaudine England, "While Pirates Lie Low, Insurance Costs Don't," *International Herald Tribune* (10 November 2006) http://www.int.com/articles/2006/05/24/business/transcol25.php (accessed 25 March 2008).

[131] Teo, 547.

[132] Ibid.

[133] Ho, "The Security of Sea Lanes in Southeast Asia," 566.

[134] Ho, *Maritime Counter-Terrorism: A Singapore Perspective*, 5.

### 2. Multilateral Measures

#### *a. ASEAN*

Since the end of the Cold War and the events of 9/11, ASEAN has taken on a decidedly different stance with respect to taking collective action against piracy and maritime terrorism. The post 9/11 period marks its attempt to change its approach of terrorism from a domestic to more of a regional orientation.[135] As always there were disagreements among the states on how to combat transnational crime. These cleavages included disagreement over the extent to which they should fight terrorism collectively and how deeply states like the U.S. should be involved with the cooperation. What the members of ASEAN did do was hold a number of meetings and sign declarations that reflect their change in perception.

In November of 2001, the member states of ASEAN signed a Declaration of Joint Action to Counter Terrorism.[136] While this particular document did not tackle the issues that divided ASEAN on terrorism or lay out a plan for the member states to take explicit action on it does demonstrate that for ASEAN and its members, terrorism is a significant long term issue that should be looked at and dealt with on a regional level. In the document the ASEAN members said they believed acts of terrorism to be "a direct challenge to the attainment of peace, progress and prosperity of ASEAN" and that they are committed to countering, preventing and suppressing all forms of terrorist acts.[137] To this end ASEAN tasked their ministers to follow-up on the elements of the document and encouraged them to deepen, enhance and strengthen the cooperation ties between them.[138]

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[135] Chow, 314.

[136] Ibid.

[137] "2001 ASEAN Declaration of Joint Action to Counter Terrorism Bandar Seri Begawan, 5 November 2001," *Association of Southeast Asian Nations* http://wwwaseansec.org/16133.htm (accessed 14 April 2008).

[138] Ibid.

At the Senior Officials Meeting on Transnational Crime (SOMTC) that was held in May of 2002 in Kuala Lumpur, the attending officials determined it would be best for them to deal exclusively with the issue of piracy.[139] At the SOMTC a comprehensive Plan of Action to Combat Transnational Crime (POACTC) was approved but unlike other plans approved by ASEAN what makes this different from other plans is that this action plan has deadlines for each work program contained within it.[140] The general objective of the POACTC is to "encourage ASEAN member countries to expand their efforts in combating transnational crime at the national and bilateral levels to the regional level."[141]

The plan has a number of specific objectives as well. These objectives range from improving ASEAN Chiefs of National Police dialogue for information exchange, institutional capacity building and expanding extra-regional cooperation.[142] The POACTC totally diversifies and expands the issues that ASEAN is willing to deal with and we see that maritime terrorism and piracy are beginning to be viewed as separate but similar issues that need to be dealt with by ASEAN's members. The act of instituting the POACTC also demonstrates that ASEAN now understands that new forms of organized crime transcend national borders and political sovereignty, two of the most important and closely guarded components of the ASEAN way.

### *b. ReCAAP*

Japan, like the U.S., has a vested interest in a free SLOC in the Strait of Malacca for many, if not all, of the reasons the U.S. does. In 2001 Japan proposed the idea of a regional maritime coalition to include Japanese Maritime Self-Defense Forces.[143] This proposal, like other initiatives and proposals brought up after 9/11 for

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[139] Shie, 176.

[140] Ibid.

[141] "ASEAN Plan of Action To Combat Transnational Crime," *Association of Southeast Asian Nations* http://www.aseansec.org/16133.htm(accessed 28 January 2008).

[142] Ibid.

[143] Bradford, "Japanese Anti-Piracy Initiatives in Southeast Asia: Policy Formulation and the Coastal State Responses," 492.

extra-regional military support, failed because of the norms of the ASEAN way. Other forms of aid such as money and training have been welcome additions for the littoral states unlike foreign military presence.

A Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia (ReCAAP) was proposed in 2001 by Japan in the ASEAN+3 forum and was finalized in 2004. Together with an Information Sharing Center (ISC) based in Singapore the purpose of the ReCAAP ISC is to exchange information among its members on incidents of piracy and armed robbery, to facilitate operational cooperation among its members, analyze the patterns and trends of piracy and armed robbery and to support the capacity building efforts of its members.[144] The ISCs first head of operations is a Japanese national.[145]

ReCAAP is almost a microcosm of how the cooperation efforts of the littoral states have increased over time. ReCAAP builds on information exchange which the littoral states find comfortable but what is interesting is how they have allowed an extra-regional actor to play a large role in the cooperation scheme. In Chapter II there was a brief account of the Japanese invasion and subsequent occupation of Southeast Asia. For a long period of time afterwards Southeast Asians resented the Japanese. ReCAAP was initially a Japanese plan and it has been adopted by the littoral states. ReCAAP shows that tensions have begun to ease and cooperating with extra-regional actors is becoming not only more common, but deeper as well.

### *c. RMSI*

Perhaps the extra-regional proposed cooperation effort that has made the largest splash among the littoral states would have to be the Regional Maritime Security

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[144] "About ReCAAP ISC," *Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia Information Sharing Center* http://www.recaap.org/index_home.html (accessed 29 January 2008).

[145] Global Newsbank, "Japanese Diplomat to Head Anti-Piracy Body," *Deutsche Press-Agentur* (28 November 2006) http://docs.newsbank.com/openurl?ctx_ver=z39.88-2004&rft_id=info:sid/iw.newsbank.com:GNCT&rft_val_format=info:ofi/fmt:kev:mtx:ctx&rft_dat=115BB67FB95A95C7&svc_dat=InfoWeb:newcat&req_dat=0D0CB5FC0F5C3AD5 (accessed 14 November 2007).

Initiative (RMSI). The RMSI was initially proposed in 2004 during testimony given to the U.S. House of Representatives by Admiral Thomas Fargo, who was then the Commander of the U.S. Pacific Command.[146] In its original form RMSI intended to have U.S. Marines and other military units patrol the Strait of Malacca to act as a deterrence and counter the threat of piracy and maritime terrorism.[147] A follow on proposal consisted of three components. A situation picture of the traffic in the Strait of Malacca, a decision making structure to decide on the actions to be taken in case of emergency or clandestine action and a standby maritime force to act on the decision that was made.[148]

The basic idea was that U.S. forces would share information with the littoral states and patrol the Strait of Malacca on high-speed vessels that would conceivably deter acts of terrorism in the strait as well as be able to prosecute them when situations would present themselves.[149] While Singapore was a supporter of the RMSI, both Indonesia and Malaysia rejected it. The rejection stemmed from the basis of sovereignty over their territorial waters and their unwillingness to accept help by extra-regional powers that were out of the information sharing, training and financial assistance scope.

In 2005 when Admiral Mike Mullen became the Chief of Naval Operations for the U.S. Navy, he had a vision of a "thousand ship Navy." This thousand ship Navy would be composed of not only U.S. ships but also ships from nations around the world who were interested in protecting the safety of the world's oceans and SLOCs. Like many of the military cooperation efforts in the post 9/11 period it is like a coalition of the willing. In response to this idea a veteran of the Indonesian Coast Guard said that, "we may need a thousand ships, but not the Americans. These are our straits."[150] The government of Indonesia feels like if the U.S., or any foreign state, were allowed to patrol

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[146] Pullen and Truver, 147.

[147] Eric Frecon, "Piracy and Armed Robbery at Sea along the Malacca Straits: Initial Impressions from Fieldwork in the Riau Islands," *Piracy, Maritime Terrorism and Securing the Malacca Straits*, ed. Graham Gerard Ong-Webb (Singapore: ISEAS Publishing, 2006): 81.

[148] Ho, "Operationalising the Regional Maritime Security Initiative," 2.

[149] Pullen and Truver, 147.

[150] Mak, 153.

in its waters that would constitute an inconsistency with international law and would be harmful to its own national interests.[151] Malaysia, like Indonesia feels the same way, and given these perceptions of the potential threat posed to their national integrity Malaysia and Indonesia agreed in June 2004 to enhance and increase their naval patrols in the Strait of Malacca.[152]

The RMSI proposal in its original form did not make it past the discussion phase but it was an important catalyst for near-term cooperation arrangements between the littoral states. The U.S. may have already been pegged to act unilaterally in many cases when it sees that there is no other alternative. To prevent this from happening the littoral states stepped up and began engaging in multilateral security cooperation.

### *d. FPDA*

The Five Power Defense Arrangements (FPDA) is a number of arrangements between the United Kingdom, Australia, New Zealand, Malaysia and Singapore. The FPDA began as an arrangement providing Malaysia and Singapore security as they transitioned and developed their own national defense capabilities.[153] Over time, the FPDA has evolved a robust infrastructure for consultations among the member states and it has developed a significant exercise and training program.[154]

The first time that the members participated in a joint exercise in which all components, air, land and sea, were combined was in 1997 in an exercise called *Flying Fish.*[155] Since then, the scope of the exercises have been expanded. In a 2003 meeting of the members of the FPDA it was agreed that the FPDA would begin to incorporate non-conventional threat scenarios such as maritime security exercises and that the members of would gradually allow the inclusion of non-military agencies to join in on the

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[151] Mak, 153.

[152] Ibid., 155.

[153] Damno Bristow, "The Five Power Defense Arrangements: Southeast Asia's Unknown Regional Security Organization," *Contemporary Southeast Asia* 27, no. 1 (April 2005): 2.

[154] Ibid., 5, 7.

[155] Ibid., 8.

exercises.[156] This expansion was realized in 2004 in the exercise *Bersama Lima* which included an anti-terror sea drill and maritime interdiction operations.[157]

Just after the U.S. proposed RMSI in March 2004 members of the FPDA held a meeting and shortly after issued a statement saying that its members recognized the need to adapt to issues of transnational crime including terrorism and other non-conventional sources.[158] Here we can see that extra-regional actors have influenced what the littoral states do. The FPDA statement was released in June 2004 and Operation MALSINDO began in July 2004. This is no coincidence. Fearing that their sovereignty and credibility would be in danger the littoral states were influenced to act in a way that they have never done before.

### *e. MSSP*

Indonesia, Malaysia and Singapore have only recently arrived at a quasi security cooperation arrangement in 2004 with the initiation of Operation MALSINDO (Malaysia, Indonesia, Singapore). This operation was the first time that the littoral states committed to conducting coordinated patrols with one another in a multilateral, rather than bilateral, setting.[159] Also known as the Malacca Straits Sea Patrol (MSSP) or Malacca Straits Security Initiative (MSSI) this operation consists of the states allocating a number of vessels for coordinated patrols in the Malacca Strait and is aimed at reducing piracy and smuggling activities that occur in it.[160] When the operation came into effect in 2004 there were 17 ships assigned to it.[161] Indonesia contributed 7 ships and both Malaysia and Singapore contributed 5 ships.[162] In respecting the sovereignty of each state the ships only patrol the territorial waters of the state they are from.[163]

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[156] Bristow, 8.

[157] Ibid.

[158] Ibid., 2.

[159] Teo, 546.

[160] Ho, "The Security of Sea Lanes in Southeast Asia," 571.

[161] Ibid.

[162] Ibid.

[163] Ibid.

In 2005, to augment Operation MALSINDO, the littoral states agreed to the "Eyes in the Sky" (EiS) Initiative.[164] Those participating in the EiS initiative contribute two patrols a week with Maritime Patrol Aircraft (MPA) and these craft are allowed to fly no closer then 3NM from land of the EiS states.[165] A military officer from each state is onboard during missions and is charged with alerting their respective monitoring agencies with any suspicious contacts.[166] The MPAs conduct two patrols a week along designated areas along the Straits of Malacca and Singapore.[167]

In the evolution of the MSSP, a number of important changes have been implemented. Hot pursuit in the earlier iteration of the program was strictly not allowed but as time has passed it has been incorporated into the initiative. The catch for hot pursuit is that the states rely on bilateral agreements between them on whether or not they are allowed to pursue a vessel into another state's territorial waters.[168] The littoral states have also created a hotline in the case that a warship of one state does have to pursue a vessel into the territorial waters of another participating state.[169]

In late April of 2006, a historic meeting on expanding the MSSP took place between the littoral states in Batam, Indonesia. At the meeting they finalized and singed a Standard Operating Procedure for the MSSP.[170] What's more, an agreement to establish a Joint Coordinating Committee (JCC) was also established whose task is to

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[164] Ho, "The Security of Sea Lanes in Southeast Asia," 571.

[165] Pullen and Truver, 153.

[166] Ibid.

[167] Graham Gerard Ong-Webb, *Piracy, Maritime Terrorism and Securing the Malacca Straits*, ed. Graham Gerard Ong-Webb (Singapore: ISEAS Publishing, 2006): xxx.

[168] "Three Nations Sign SOP on Malaca Strait Security Maintenance," *Antara News* (22 April 2006) http://www.antara.co.id (accessed 22 October 2007).

[169] Pullen and Truver, 153.

[170] "Three Nations Sign SOP on Malaca Strait Security Maintenance," *Antara News* (22 April 2006) http://www.antara.co.id (accessed 22 October 2007).

oversee the MSSP.[171] Parts of its mission include being a common organization that is central to the communication, intelligence exchange and coordination for operational measures dealing with the patrols.[172]

## D. CHAPTER SUMMARY

In the post 9/11 period, the levels of security cooperation among the littoral states has been increasing steadily. The events of 9/11 have led to a "reorientation in the way Southeast Asian states interact with each other."[173] This growth and evolution in cooperation can be attributed to three things. The first is an easing of tensions, the second is the formation of a common threat perception of piracy and maritime terrorism and the third is pressure from extra-regional actors.

Extra-regional pressure in the post 9/11 period was greater then it was in the pre 9/11 period. Japan has consistently been an advocate of increasing the capabilities of the littoral states since the 1980s and 90s and it was only until after 2001 did Japan's proposals begin making any forward progress. The ReCAAP and associated ISC are far better then any type of maritime information sharing networks that were present in the straits prior to 9/11.

The U.S. has not historically held Southeast Asia in high regard but after 9/11 this outlook changed. Southeast Asia was said to be the second front on the GWOT. States like the U.S. and Japan do think that threat of maritime terrorism is real despite there being no hard evidence that a nexus between maritime terrorism and piracy exists. Because piracy attacks in the straits have remained at relatively high levels compared to the rest of the world, the U.S. has taken a vested interest in maintaining the safety and stability of the region, especially its SLOCs. The RMSI proposed by the U.S. reflects this concern and was one of the major catalysts for maritime security cooperation among the littoral states.

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[171] Ong-Webb, xxxi.

[172] Ibid.

[173] Weatherbee, 281.

The perception of piracy and maritime terrorism is also a catalyst for maritime security cooperation. The events of 9/11 had its effects on the world community, specifically with the U.S. and its closest allies. Agencies within the U.S. were brought under an umbrella organization in the Department of Homeland Security, airport and port security was increased and the U.S., as a part of its overall strategy to prevent future terrorist attacks, forwarded a number of different initiatives. In the maritime realm these initiatives include the Container Security Initiative and the Proliferation Security Initiative. The Container Security Initiative aims at protecting ports from possible weapons hidden in shipboard containers and the Proliferation Security initiative is an initiative whose aim is to interdict vessels suspected of carrying weapons of mass destruction and the materials required for creating them.

The terrorist bombings of the *M/V Kalifonia* and *M/V Limburg* as well as the triple Bali bombings in the post 9/11 period also marked a significant shift in the perceptions of the littoral states, especially for Indonesia and Malaysia. These events marked a divergence from previous positions they had held prior to their occurrences. Malaysia was also shocked by the kidnapping of tourists and Malaysian citizens from the resort island of Sipidan by the ASG.[174] This event was a threat to Malaysia's own sovereignty, something it holds in high regard. After continued pressure from extra-regional actors the littoral states finally agreed to begin maritime security cooperation in the Strait of Malacca.

[174] Mak, 152.

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# IV. MARITIME ASSETS AND COORDINATION

## A. CHAPTER INTRODUCTION

This chapter briefly gives an overview of and examines the maritime assets of Indonesia, Malaysia and Singapore to include sea and air assets. While the tendency for increased cooperation between the littoral states is important, an analysis of the each state's maritime assets and the coordination aspects of the MSSP in the current literature on them is lacking. The goal of this chapter is to examine the different maritime assets of each state, the maritime asset procurement plans of each state and how they can be contributed to securing the Strait of Malacca. This chapter will also discuss a few coordination aspects of the MSSP. In analyzing the assets and aspects of coordination, recommendations resulting from this analysis may help in bolstering the cooperation efforts between the littoral states.

## B. INDONESIA

The Indonesian military's naval arm is called *Tentara Nasional Indonesia – Angkatan Laut* (TNI-AL). Indonesian military doctrine in the maritime sphere stresses the vital importance of maintaining the integrity and unity of its islands and maritime territory.[175] Considering the vast area that is required to be patrolled by its maritime force, it would seem safe to assume that Indonesia has a substantial number of maritime assets and places a great deal of importance on its maritime security. This general assumption is not the case. The TNI-AL does not have sufficient vessels or assets to patrol its more than 17,000 islands and 54,000 km of coastline.[176] At the present time Indonesia maintains approximately 80 patrol craft, but these craft are outdated and

[175] Mak, 152.

[176] NOTE: Number of islands and length of coastline taken from "Indonesia Factbook," *The CIA World Factbook* (6 March 2008) https://www.cia.gov/library/publications/the-world-factbook/geos/id.html (accessed 12 March 2008).

insufficient for security patrols along the archipelago.[177] In 2004, former naval Chief of Staff Admiral Sondakh informed the Indonesian parliament that the majority of ships in the TNI-AL were non-operational because of deficiencies in funding, maintenance, and spare parts.[178] It is believed that only 25 ships in the Navy are operational at any given time, and more pessimistic analysts believe there are only 20 functioning patrol craft and one or two functioning aircraft to combat terrorism, piracy, and other illegal or illicit activities.[179]

Admiral Sondakh said that in order to secure Indonesia's vast maritime expanse it would require 762 ships.[180] 762 ships, even if they are all patrol craft, is a large number that would cost a great deal of money to procure, maintain and man. Another Indonesian official told the Antara news agency in 2004 that the Navy would require at least 300 warships and 170 aircraft to properly manage its waters.[181] Knowing that these large numbers of assets are out of the question Indonesia has begun a modernization and procurement program for its Navy so that it may become a more operationally and cost-effective force. Indonesia's naval air capabilities, like its surface fleet, are questionable though efforts have been made to update its aircraft with more modern versions. Despite this, covering upwards of 54,000 km of coastline is difficult, if not impossible, and requires smart decision making on the part of Indonesia's Navy.

### 1. Maritime Assets

#### *a. Surface Fleet*

Indonesia's surface fleet consists largely of frigates, corvettes, patrol craft and amphibious landing ships. Of the four types of surface ships patrol craft are the most

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[177] "Navy, Indonesia," *Jane's Sentinel Security Assessment* (7 February 2008) http://www8.janes.com (accessed 24 March 2008).

[178] Ibid.

[179] Liss, 7 and Teo, 550.

[180] "Navy, Indonesia," *Jane's Sentinel Security Assessment* (7 February 2008) http://www8.janes.com (accessed 24 March 2008).

[181] Teo, 550.

numerous. Classes of patrol craft include the Kal Kangean, Todak (PB57 MkV), Singa (PB57 Mk 1 and II), PC-36, Sibarau and Kakap (PB57 Mk III and IV) classes.[182] Of these the Kal Kangean class makes up the bulk of the patrol craft fleet with 65 in service, but with a maximum speed of 18 such vessels are too slow to catch pirates should pursuit be required.[183]

The Todak, Singa, and Kakap classes are the most useful. Each vessel can attain a speed of 27 knots and in the case of the Kakap class 28 knots.[184] These patrol craft have capable weapon systems with various types of crew-served weapons that can neutralize any small vessel should it be required and they have sufficiently long legs, approximately 6,100 NM at a cruising speed of 21 knots.[185]

### *b. Naval Aviation*

Indonesia's naval aviation fleet consists of three main types of MPAs. They are the N22B Nomad Missionmaster, Searchmaster B and Searchmaster L respectively. The Indonesian Navy has 15 Missionmasters, 10 Searchmaster B and 6 Searchmaster L currently in service.[186] All of these aircraft are designed and built by Australia's Government Aircraft Factory known as the Aerospace Technologies Aerospace.

These aircraft platforms come from the same family of Nomads and therefore all have the same general functionality. The N22B Nomad Missionmaster is a twin turbo-prop short take-off and landing aircraft.[187] It has a maximum range of

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[182] "Navy, Indonesia," *Jane's Sentinel Security Assessment* (7 February 2008) http://www8.janes.com (accessed 24 March 2008).

[183] Ibid and "Kal Kangean Class (Coastal Patrol Craft) (WPB,." *Jane's Naval Auxiliary Service* (12 February 2008) http://www8.janes.com (accessed 26 March 2008).

[184] NOTE: Speeds taken from Jane's Sentinel Security Assessment.

[185] NOTE: Ranges taken from Jane's Sentinel Security Assessment.

[186] "Navy, Indonesia," *Jane's Sentinel Security Assessment* (7 February 2008) http://www8.janes.com (accessed 24 March 2008).

[187] "ASTA (GAF) Nomad," *Jane's Research Tools* (23 July 2007) http://www8.janes.com (accessed 25 March 2008)

580NM at sealevel and 730NM at altitudes of 10,000 ft.[188] The Searchmaster versions of the Nomad aircraft are short fuselage military versions whose mission is forward area support, maritime surveillance, personnel and equipment transport.[189]

### *c. Command and Control*

One of the major problems with the naval arm of the Indonesian maritime arm is the number of agencies responsible for the security and law enforcement of the sea. At present there are ten different agencies that in some way responsible for maritime security with much of the responsibility lying with the TNI and police force.[190] To help in the coordinating aspects of maritime security the Indonesian government has begun to establish the Indonesian Maritime Security Coordinating Board or *Barkorkamla*.[191] The mission of the *Barkorkamla* is five fold and include the formulating and determining of general policy in the field of security, the coordination of activities and maritime security operations in Indonesian waters, the formulating and determining of technical and administrative support, the assisting of the enhancement of the institutional capabilities in maritime security and finally to motivate the improvement of community participation in the field of maritime security.[192]

### *d. Procurement*

There have been a number of calls for reform of Indonesia's maritime force structure from within the state. There have been proposed reforms to modernize the Navy, to focus on coastal interdiction, to build up rapid reaction forces and set up a reliable early warning system for attacks.[193] Over 2 billion U.S. dollars are being spent on the procurement program and analysts suggest that the upgrade will consist mostly of

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[188] "ASTA (GAF) Nomad," *Jane's Research Tools* (23 July 2007) http://www8.janes.com (accessed 25 March 2008)

[189] Ibid.

[190] Liss, 7.

[191] Ibid.

[192] "Duty Function," *Indonesian Maritime Security Coordinating Board* (2007) http://www.bakorkamla.go.id/tugasfungsi_eng.php (accessed 24 March 2008).

[193] Teo, 554.

submarines and frigates that have been decommissioned from European navies.[194] Over the next decade Indonesia plans to purchase up to 60 modern patrol vessels.[195]

## C. MALAYSIA

Like Indonesia, Malaysia's peninsular geography provides it with special circumstances that other states do not have to necessarily deal with. Its two coasts, totalling 4,675 km in length provide it with a diversity of maritime threats and priorities.[196] Unlike Indonesia, there is no question that maritime coordination activities stem through the Navy and the MMEA. These two organizations are overall responsible for maritime security in Malaysia. The Navy's official primary peacetime roles are, among others, to protect offshore resources and assist civil agencies in anti-piracy and EEZ protection.[197] The role of the MMEA was discussed in Chapter III. In addition to establishing the MMEA as a coordinating agency Malaysia has also set up new naval stations in areas of heightened security concerns.[198]

### 1. Maritime Assets

#### *a. Surface Fleet*

The Malaysian surface fleet primarily consists of frigates, corvettes and fast attack craft. The combined number of these combatants in the surface fleet is 31 of which 14 are fast attack craft. All the patrol craft are generally similar and have speeds

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[194] Robert Snoddon, "Piracy and Maritime Terrorism: Naval Responses to Existing and Emerging Threats to the Global Seaborne Economy," *Violence at Sea: Piracy in the Age of Global Terrorism*, ed. Peter Lehr (NY: Routledge, 2007): 234.

[195] "Indonesian Navy Plans Fleet Expansion," *ABC News Online* (12 February 2005) http://www.abc.net.au/news/newsitems/200502/s1301509.htm (accessed 24 March 2008).

[196] "Navy, Malaysia," *Jane's Sentinel Security Assessment* (15 February 2008) http://www8janes.com (accessed 24 March 2008). Malaysian coast line figure taken from "Malaysia Factbook," *The CIA World Factbook* (20 March 2008) https://www.cia.gov/library/publications/the-world-factbook/geos/my.html (accessed 24 March 2008).

[197] "Navy, Malaysia," *Jane's Sentinel Security Assessment* (15 February 2008) http://www8.janes.com (accessed 24 March 2008).

[198] Liss, 6.

of approximately 25 knots.[199] The *Handalan*, *Perdana* and *Jerong* fast attack craft have the same types of capabilities and with ranges in excess of 1500NM at cruising speeds of 15 kts and are capable of patrolling Malaysia's coastal waters and intercepting ships engaged in illicit activity.[200] The frigates and corvettes in the Malaysian fleet are all capable surface assets and have helicopter platforms to extend the search range of these ships.

### *b. Naval Aviation*

Malaysia's maritime air patrol assets are composed of one type, the King Air 200TB. The 200TB is a twin-turboprop aircraft with ranges of approximately 1500NM depending on the given cruising altitude.[201] It is a multi-sensor surveillance aircraft that is capable of using forward-looking infrared radar (FLIR), optical sensors and cameras.[202]

### *c. Procurement*

The Malaysian military has a wide range of military platforms all procured from different countries and this is a cause internal operability problems.[203] Not only are logistics and other support mechanisms constrained due to operating platforms acquired from multiple countries but operational problems in the Malaysian military are evident as a result of this problem.[204] As a result an emphasis has been placed on joint service operations.

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[199] "World Navies Today: Malaysia," *Hazegray* (23 March 2002) http://www.hazegray.org/worldnav/asiapac/malaysia.htm (accessed 25 March 2008).

[200] "Warships, Malaysia," *World Warships* (2 December 2007) http://www.worldwarships.com/warships_malaysia_htm (accessed 25 March 2008).

[201] "Beech," *Jane's Aircraft* (14 March 2008) http://www8.janes.com (accessed 25 March 2008).

[202] "Raytheon Beech King Air B200T Hughes Integrated Synthetic Aperture Radar Special Mission Variant," *Jane's Radar Surveillance/Multisensor Systems* (17 June 2004) http://www8.janes/com (accessed 25 March 2008).

[203] "Procurement, Malaysia," *Jane's Sentinel Security Assessment* (20 March 2008) http://www8.janes.com (accessed 25 March 2008).

[204] Ibid.

Malaysia plans on modernizing and procuring new platforms for its surface fleet. Current plans call for six offshore patrol vessels centered around the New Generation Patrol Vessel and the acquisition of two Batch 2 *Jebat* class frigates as well as the upgrading of two of its *Katsuri* class corvettes.[205] Malaysia has also begun to upgrade its small MPA fleet and has concluded an agreement that covers all four of its King Airs. This upgrade involves the installation of an Airborne Maritime Situation Control System that consists of a new tactical command system, ocean master surveillance radar and updated FLIR system.[206] Perhaps the most impressive part of this upgrade is the ocean master surveillance system that will give these aircraft increased capabilities for detection, tactical processing, situation display, navigation and weather avoidance.[207] The system has a range of 200NM and can track up to 32 targets automatically.[208]

## D. SINGAPORE

Of the three littoral states Singapore is best known for its economic success as one of the East Asian Tigers. Since acquiring statehood it has made tremendous economic progress and has become one of the world's most formidable and technologically advanced economies. As a result of this success the Republic of Singapore Navy (RSN) has a modern and well-maintained force of submarines, frigates, corvettes and fast attack craft. Singapore, because of its small size (only 193 km of coastline) and relatively large GDP, has the ability to field and train a modern and complete naval force.[209] Malaysia and Indonesia do not possess the same operational, technological or financial capacity as the Singaporeans to combat piracy in areas historically prone to pirate attacks and political unrest.[210]

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[205] "Procurement, Malaysia," *Jane's Sentinel Security Assessment* (20 March 2008) http://www8.janes.com (accessed 25 March 2008).

[206] Ibid.

[207] "Ocean Master," *Jane's Airborne Surveillance, Maritime Patrol and Navigation Radars* (11 May 2007) http://www8.janes.com (accessed 25 March 2008).

[208] Ibid.

[209] Singapore coastline length taken from "Singapore Factbook," *The CIA World Factbook* (15 April 2008) https://www.cia.gov/library/publications/the-world-factbook/geos/sn.html (accessed 19 April 2008).

[210] Rahman, 195.

### 1. Maritime Assets

#### *a. Surface Fleet*

The Surface Fleet of the RSN incorporates assets that reflect the security threats that Singapore believes that it faces or could face in the future. The RSNs primary role is to protect Singapore's SLOCs as the Singaporean economy is highly dependent on trade in and out of its port.[211] It consists of modern frigates, patrol vessels and minehunters as well as amphibious landing craft. The main force consists of a total of 33 frigates, corvettes and fast attack craft with the fast attack and patrol craft making up the largest numbers with 23.[212] Singapore also has 14 FB31-42 class patrol craft in service.[213]

The most modern of these vessels are the Formidable class frigates and Fearless class patrol craft. The Formidable class frigate design is modeled after the French La Fayette class frigate and has a low radar, acoustic, infrared and electromagnetic signature making it a stealthy design.[214] It uses the Terma Scanter 2001 surface search and navigation radar and also boasts a Herakles multi-function radar that is the frigate's primary surveillance radar.[215] The Herakles radar can track in excess of 500 air and surface contacts simultaneously and has a range up to 80 km.[216] As a surface navigational radar the Terma Scanter can be used as surveillance radar, albeit at short ranges, but is normally used for the navigation of the vessel.

The Fearlass class patrol craft are the most modern of the fast attack/patrol type vessels in the RSNs inventory. The first six patrol craft that were delivered

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211 "Navy, Singapore," *Jane's Sentinel Security Assessment* (7 February 2008) http://www8.janes.com (accessed 25 March 2008).

212 Ibid.

213 Ibid.

214 "Fomidable Class Multi-Mission Frigates, Singapore," *Navy Technology* http://www.naval-technology.com/projects/formidable/ (accessed 25 March 2008).

215 Ibid.

216 "Herakles Multifunction 3-D Radar," *Jane's Naval/Coastal Surveillance and Navigation Radars* (12 December 2006) http://www8.janes.com (accessed 25 March 2008).

specialized in Anti-Submarine Warfare.[217] Subsequent versions are to be fitted with surface-to-surface missile systems. The main sensor suite is Elta's EL/M-2228X radar. Its maximum surface range is dependent on the radar's horizon and it can track up to 400 surface targets simultaneously.[218] It is specially designed to detect small and medium sized targets making it especially useful for detecting types of ships pirates would most likely conduct operations from.

### *b. Naval Aviation*

In the late 1990s, Singapore procured five modified Fokker-50 aircraft. These aircraft serve as MPAs for Singapore's Navy. They have effectively phased out the previous generation Singapore MPA in the Skyvan. The Fokker-50 is capable of cruising speeds in excess of 150 knots and is equipped with a surface surveillance radar and an infra-red detection system that allows it to detect contacts in low visibility conditions.[219]

### *c. Procurement*

Singapore maintains a defense-spending cap of 6 percent of GDP per the Singaporean government. Singapore continues to modernize and procure additional Formidable class frigates and Fearless class patrol craft. Both vessels are well ahead of their regional counterparts in terms of capabilities. There are no reported plans of procuring additional MPAs but additional helicopters are being procured to be used with their helicopter capable surface platforms.

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[217] "Fearless Class (PCM/PGM)," *Jane's Patrol Forces, Singapore* (20 September 2007) http://www8.janes.com (accessed 25 March 2008).

[218] "EL/M-2228X," *Jane's Naval/Coastal Surveillance and Navigation Radars* (3 July 2007) http://www8.janes.com (accessed 25 March 2008).

[219] "Maritime Patrol Aircraft Achieves Full Operating Capability Status," *Singapore Ministry of Defense* (19 February 1997) http://www.mindef.gov.sg/imindef/news_and_events/nr/1997/feb//19feb97_nr.html (accessed 20 April 2008).

## E. COORDINATION

The continuing issue of coordinated versus joint patrols in the MSSP prevent the littoral states' current assets from being deployed in a more efficient fashion. Coordinated operations require each force to use a chain of command that is country specific. For example, if assets from each of these states were on a patrol and an Indonesian vessel were to site a ship involved in pirate activity it would take action but report the incident up its own chain of command. This information would then be disseminated to the other units through their own chains of command making this type of arrangement inefficient and time consuming. Figure 2 gives an example of the reporting procedures in this coordinated architecture. In the figure we can clearly see that the standard procedure is to first report incidents to a shore reporting station. This shore station takes that information, analyzes it, and then reports it to surrounding units for action if the information is deemed relevant and important enough to act on.

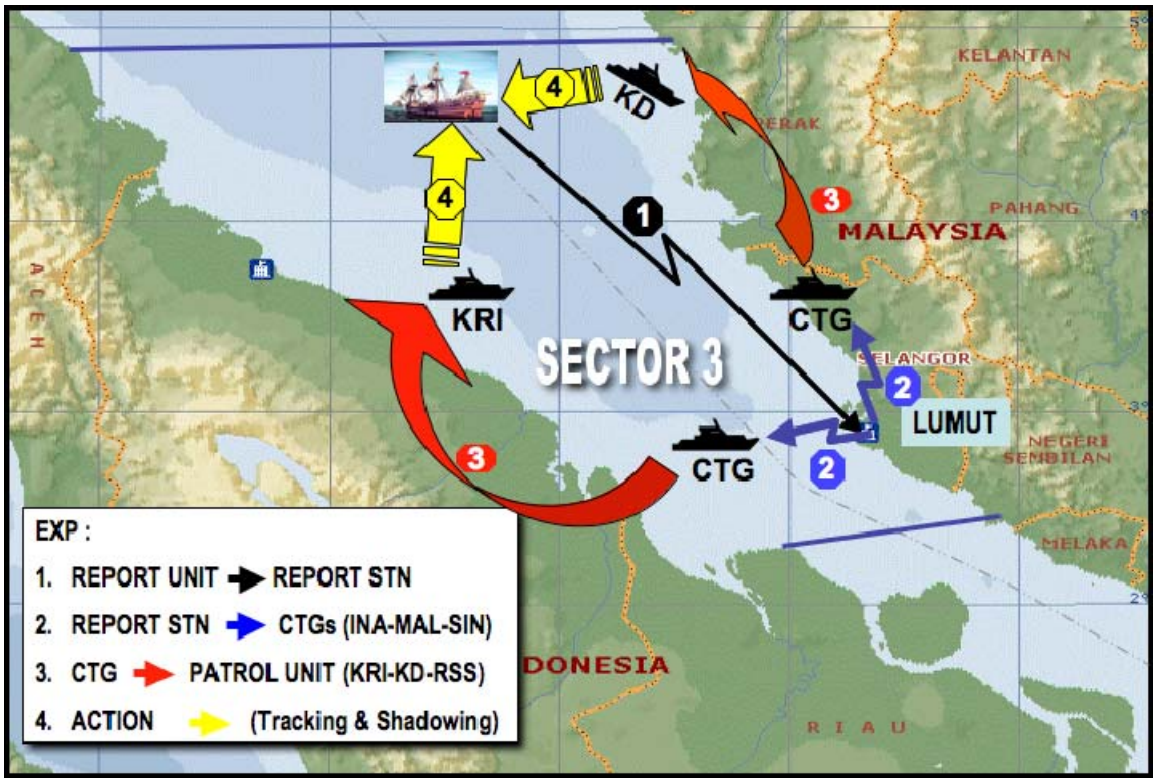


Figure 2. Illustration of Coordinated Reporting Procedures[220]

This method of coordination is reflected in the command and control structures illustrated in Figure 3. In this figure we can see that operations are coordinated through the individual states' command and control structures. This type of organization is inefficient. In this type of organization information may be lost and unable to find its way to appropriate assets. This type of organization may also help reinforce norms of sovereignty. Assets may think it is only appropriate for information to be held by members of their own chain of command leaving out the other states. If the assets were under the umbrella of one, unified command and control structure the assets could be quickly diverted to trouble spots as they are reported.

[220] Figure taken from Assistant Chief of Staff Indonesian Navy for Panning and Budgeting at the MILOPS Conference Thailand 2006, "The Role of Indonesia to Secure the Malacca Strait," Powerpoint Presentation. Bangkok, Thailand, 17-19 July 2006.

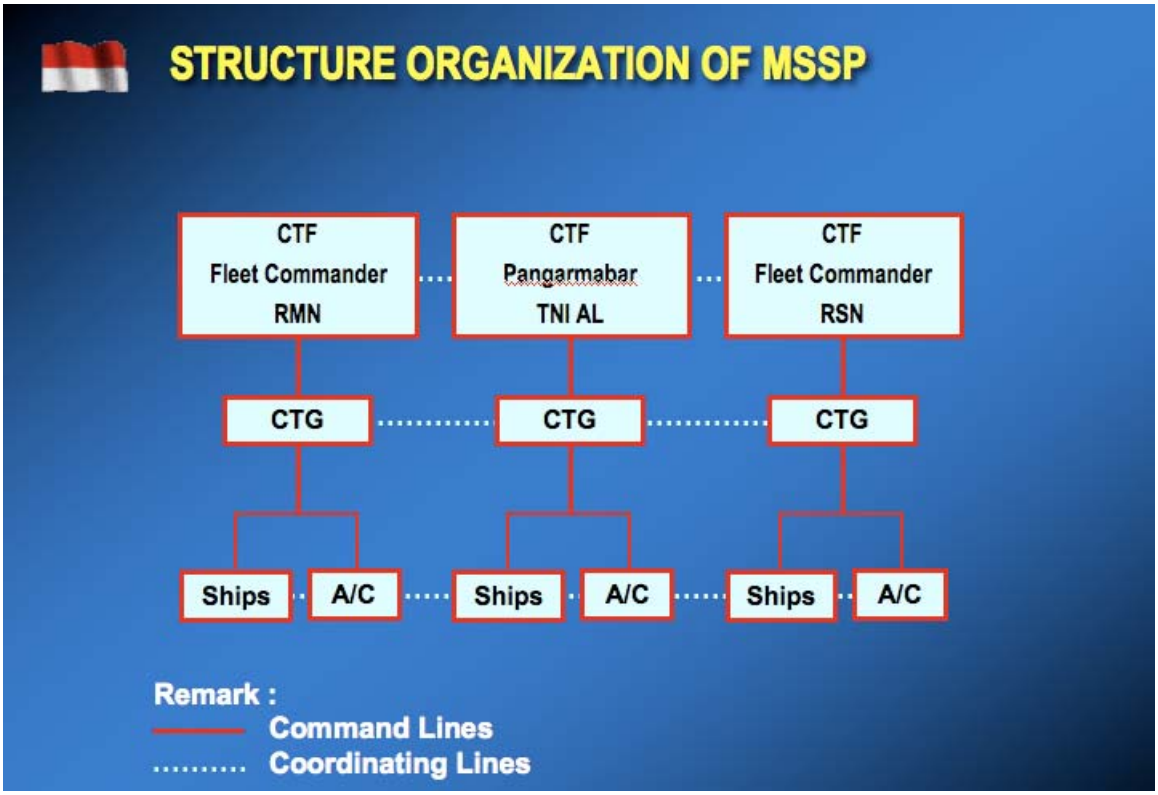


Figure 3. MSSP Organizational Chart[221]

These efforts can be made more efficient by bypassing the shore reporting station in the initial step of the procedure. Units could use available communications equipment including bridge-to-bridge radios or other systems with greater ranges to notify participating units of the incident in order to expedite assistance. In this instance a type of chat system would be useful. Chat is basically an open discussion board that is in real time and used to make reports or pass on information to various units. All members signed into the chat room can see what the information being passed along. The U.S. Navy uses chat and it has been a tremendous help in coordinating events, forwarding reports and receiving commands. This type of architecture may alleviate some of the problems with hot pursuit in that units will be able to react more quickly to vessels in

[221] Assistant Chief of Staff Indonesian Navy for Panning and Budgeting at the MILOPS Conference Thailand 2006, "The Role of Indonesia to Secure the Malacca Strait," PowerPoint Presentation. Bangkok, Thailand, 17-19 July 2006.

distress and pursue the suspected hostile vessels. As it stands now, in accordance with the new SOP signed by the littoral states, hot pursuit is allowed up to 5NM of another country's territory.[222] Chat however requires technology that may not be readily available to the littoral states as this type of communication is passed through a satellite system.

A high frequency (HF) communication system may also be useful in the instance that more advanced technologies are unavailable. HF systems, because of their wave propagation properties, have very long ranges. The U.S. uses this type of technology in its submarines and some air platforms including helicopters for long-range communications when other types of communication are unavailable. This type of modification would be simple and the use of the system is relatively easy to maintain and operate.

## F. SMALL SHIPS AND SECURITY COOPERATION

A recent study by the RAND Corporation examines the feasibility of using small ships in theater security cooperation (TSC) for the United States. TSC shares similar operational requirements of the MSSP in that the TSC goal is for U.S. military assets to work in concert with the military assets of other states. The study looks at a number of different small sea platforms to determine which platform, if any, would be optimal in supporting the TSC strategy. The research is based on finding the optimally capable vessel based off of their ability to operate freely in shallow water, operate from minor ports, operate in difficult sea states, operate for long periods and their ability to develop a surface picture, conduct boarding operations and engage hostile contacts.[223]

The three small ship categories in the study are the nearshore, coastal and offshore patrol vessels and are categorized based on tonnage, logistical requirements and command, control, communications and intelligence (C4I) capabilities.[224] The nearshore

[222] Ian J. Storey, e-mail message to author, 3 February 2008.

[223] Robert W. Button, Irv Blickstein, et al., *Small Ships in Theater Security Cooperation* (Santa Monica, CA: RAND Corporation, 2008).

[224] Ibid.

patrol vessel is dismissed based on these considerations but the study does not make a definitive recommendation on which type of vessel to be used. The coastal and offshore patrol vessels are more promising in that they offer better survivability, greater endurance and improved habitability.[225] The offshore patrol vessel is the most versatile in that it is able to undertake longer patrols and would have the greatest amount of independence. The study does recommend that when procuring any of these platforms it would be wise to procure a great number of them because there is value in quantity; these vessels would be able to support one another and provide the necessary C4I structure for operations.[226]

## G. CHAPTER SUMMARY

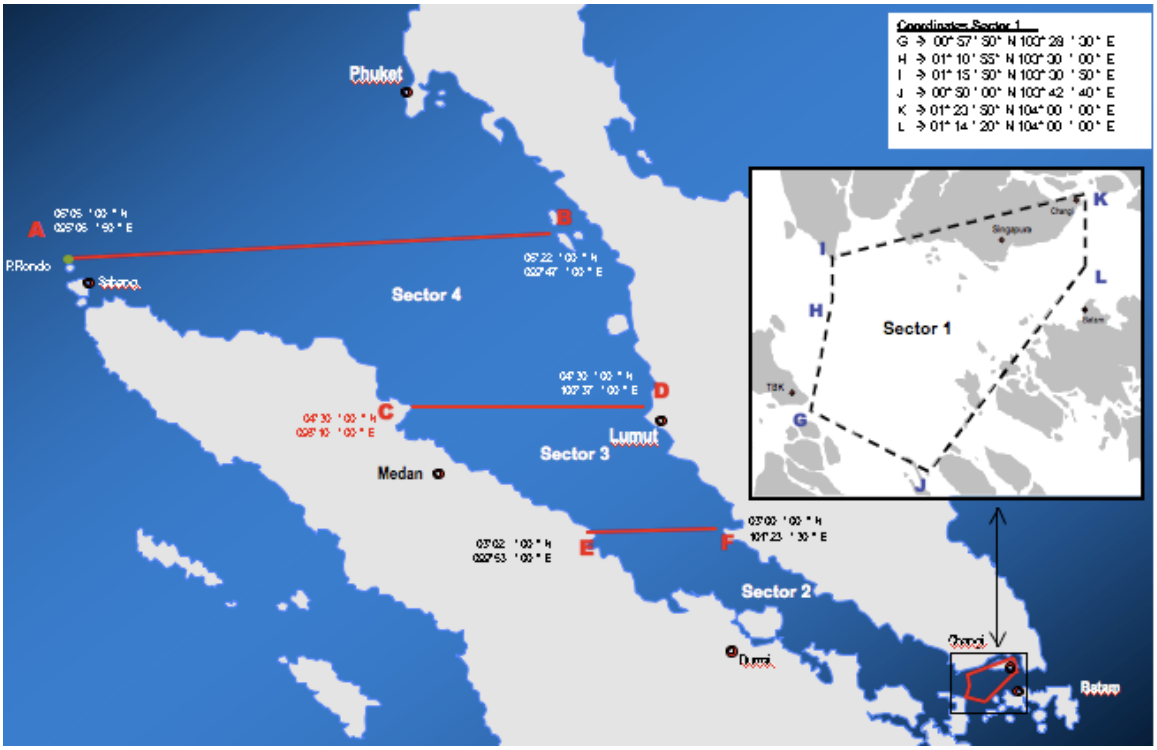


Figure 4. MSSP Operating Area[227]

[225] Button.

[226] Ibid.

[227] Figure taken from Assistant Chief of Staff Indonesian Navy for Panning and Budgeting at the MILOPS Conference Thailand 2006, "The Role of Indonesia to Secure the Malacca Strait," Powerpoint Presentation, Bangkok, Thailand. 17-19 July 2006.

All three littoral states, in their military missions and roles, have pointed to piracy as a problem and have allocated maritime assets to address that need in the MSSP. Despite the importance placed on this type of activity, Malaysia and Indonesia have a limited capability relative to the areas they need to patrol. Figure 4 shows the extent of the MSSP operating area. Based on these latitudes the littoral states will have to patrol in excess of 90NM on both the Indonesian and Malaysian coasts as well as the area of water between the two landmasses. This type of operation is very challenging. If there were only a limited number of vessels dedicated to the MSSP, then information would be the most important component of the operation. Intelligence would have to be collected and disseminated in order to properly position ships in areas where pirates are going to conduct operations or most likely to conduct operations.

The MPA assets of each state are significantly lacking. The U.S. uses several platforms when conducting similar counter-narcotic missions in the Caribbean and the Eastern Pacific. These assets include P-3s and KC-130s. These aircraft have relatively long legs in that they can patrol a large area. Depending on the speed at which these aircraft operate, their on-station times are generally 2-4 hours. This is the type of asset that the littoral states need to incorporate into their own forces. This would require not only procurement of the platforms but training as well. The U.S. and Japan have these types of platforms and could train the operators for these platforms. This type of aid would not be intrusive on the sovereignty of these states and may help in fostering better relations for the future.

Based on the study conducted by the RAND Corporation the types of patrol craft that are most prevalent in the inventories of the littoral states are considered nearshore patrol craft, the type of craft that are generally not effective for a MSSP type operation. These nearshore patrol craft would be most useful in defending ports and in traveling small distances away from their base of operations. The frigates and corvettes each state possesses, as well as Singapore's Formidable class patrol craft, can be considered offshore patrol vessels. These vessels do not need to be close to their base of operations and can patrol areas for longer periods of time because they do not require the logistics

required in supporting nearshore patrol craft. If the littoral states are not using these offshore vessels presently in the MSSP they should start. It would be beneficial to have long on-station times.

# V. CONCLUSION

## A. CHAPTER INTRODUCTION

Piracy will continue to be a contentious issue in the international community as long as pirates continue to prey on vessels traveling on both the high seas and in SLOCs, such as the Strait of Malacca. This is evident from the continuing problems we see in the Horn of Africa and the establishment of a U.S. Navy joint task force to curb the activity of the pirates. Table 1 shows that the number of attacks, both actual and attempted, have steadily decreased since 2001 in the Strait of Malacca. In 2007, the total number of attacks in Southeast Asia numbered 70, a decrease of 13 from the previous year.[228] This data clearly shows that something changed from the period prior to 2001 and the period after it. It could be that there has just been a decrease in pirate activity based on simple economics. Maybe the pirates have found other ways to make money or piracy has become less lucrative. Maybe many of the pirates have been captured and imprisoned. I believe these scenarios are unlikely given the sustained pirate activity throughout the world. Pirates continue to seize, harass and board vessels in the Strait of Malacca to this day though the actual numbers are lower than previous years. What then has changed in Southeast Asia such that the numbers have decreased so dramatically from their recorded high in 2001? As this thesis has shown, multilateral cooperation among the littoral states has increased significantly since then and is the main reason that the number of pirate attacks in the Strait of Malacca and its surrounding areas has declined.

Multilateral security cooperation among the littoral states was not something that was routine in Southeast Asia. In fact, this type of activity was taboo for Southeast Asian states for a greater part of their existence as independent states. Despite their strong aversion to multilateral security cooperation, in 2004 the littoral states began Operation MALSINDO, which subsequently came to be called the MSSP and incorporated

[228] ICC International Maritime Bureau, *Piracy and Armed Robbery Against Ships Annual Report 1 January -31 December 2007* (Barking, United Kingdom: International Chamber of Commerce, January 2008).

maritime patrols on the sea and in the air. The question that is most interesting then is why these states have begun this type of cooperation when in the past it was negligible or non-existent. To answer this question, this thesis conducted a comparison between the cooperation efforts in the pre- and post-9/11 periods. What we find is that an easing of tensions with each other and with extra-regional actors, changes in threat perception coupled with extra-regional pressure for these states to do more has led them to cooperate in a multilateral security framework.

While the MSSP represents a step forward of security cooperation communities in Southeast Asia, we find that the maritime assets available, both sea and air, for these patrols are inadequate. In researching the types of maritime assets of each state, we can see that their lack of numbers, capabilities and interoperability present a challenge to patrolling each states' own maritime areas. This is especially true for the large states of Indonesia and Malaysia, which border on multiple bodies of water and encompass a number of small islands. Current assets are also not conducive to developing more capable, joint cooperation capabilities among the littoral states because of their insufficient on-station times and because they are procured from different sources that does not allow for interoperability and sufficient communication. If the littoral states were able to coordinate their efforts in buying off-the-shelf equipment for communications and command and control, this would go a long way toward making the MSSP more effective.

## B. EASING OF TENSIONS

Indonesia, Malaysia and Singapore have all had their shares of problems with one another in some way ever since each gained independence following the Second World War. Indonesia and Malaysia have struggled to have good opinions of one another and the Indonesian "confrontation" of Malaysia did not help. Singapore, having once been a part of Malaysia, has also had a series of nagging issues between it and Malaysia that continue until this day. The water issue and Pedra Branca have been a cause of concern for both states and Singapore's land reclamation project has upset not only Malaysia but Indonesia as well.

Though the water issue and Pedra Branca have continued to linger, what is important is that these issues are being handled in a responsible manner in that there have not been violent acts committed by any party against another. These issues have been handled well considering the historical animosities and mistrust that these states share. The reason for the relatively peaceful nature of conflict resolution in these cases can be contributed to ongoing participation in regional organizations, specifically that of ASEAN. An institution like ASEAN remains the cornerstone for Malaysian foreign policy and has been a trend that has remained consistent since its independence in 1957.[229] Indonesia and Singapore also see ASEAN as a cornerstone of their foreign policies. Of the three states, Singapore is the most flexible when it comes to ASEAN norms of non-interference and regional solutions to regional problems. This can be attributed to the fact that Singapore is a city-state whose small size does not allow it some of the advantages that Indonesia and Malaysia have with regard to foreign and national policies.

These states are also among the five founding members of ASEAN and were all deeply involved in shaping the association's norms. We can already see that these norms are deeply embedded into the characteristics of these states in how they act and deal with each other. In subscribing to the ASEAN way and in signing the TAC, these states have committed themselves to solving regional problems with peaceful, regional solutions. Over time, and as these states have become more comfortable with one another through consistent interaction, this type of commitment has lessened the tensions among them and have made a significant contribution to their ability to participate in multilateral forms of cooperation.

## C. PERCEPTIONS

As tensions have eased among the littoral states, their perceptions on what is important regarding some foreign policy issues have converged. This can be seen in their newfound emphasis on combating terrorism and piracy. Prior to 9/11 there was no real sense that these types of issues were something that needed to be tackled collectively.

[229] Lanti, 165.

Rather, each state chose to tackle the issues of piracy and terrorism on more of an individual basis. The events of 9/11 were the catalyst of the change but were not in itself the only reason for the change in the thinking and threat perceptions of the littoral states as a group.

Other events also changed the perceptions of the national security issues for these states and formed the basis of a convergence in national security threat perceptions. The bombing of the *M/V Limburg* and the *M/V Kalifornia* brought threats of maritime terrorism to the fore for the littoral states. Until the triple Bali bombings in 2003, Indonesia did not believe that terrorism in general was a threat that required cooperation with other states but after the bombings they changed their stance and began increasing their efforts.

## D. EXTRA-REGIONAL PRESSURE

Pressure from extra-regional actors to do more when it comes to curbing the problem of piracy and the threat of maritime terrorism has helped push the littoral towards their current levels of cooperation. Japan advocated greater cooperation in this area prior to 9/11 with the OPK concept, various other programs and aid to these states for maritime security in Southeast Asia. The United States began a strong push for maritime security in the Strait of Malacca after 9/11 and was harshly criticized by Indonesia and Malaysia for its RMSI concept. India also took part in pressuring the littoral states to do more when it began anti-piracy and anti-terrorism escort and patrol duties in tandem with the U.S. Navy after 9/11.[230]

The efforts of the U.S. and Indian navies just after 9/11 in the Strait of Malacca was a great cause of concern for the littoral states as they directly threatened the norms of the ASEAN way. Indonesia and Malaysia believed that the U.S. presence alone in the strait would attract terrorist attacks.[231] Malaysia's Defense and Deputy Prime Minister,

[230] Mark J. Valencia, "The Politics of Anti-Piracy and Anti-Terrorism Responses in Southeast Asia," *Piracy, Maritime Terrorism and Securing the Malacca Straits,* ed. Graham Gerard Ong-Webb (Singapore: ISEAS Publishing, 2006): 90.

[231] Ibid, 92.

in reaction to these incursions by extra-regional actors said, "We (Malaysia, Indonesia and Singapore) must tighten cooperation as it is our own responsibility to convince the international community that the straits will not be exposed to possibilities (maritime terrorism)."[232]

## E. LOOKING FORWARD

### 1. Littoral States

The littoral states have made great strides in recent years cooperating on security related matters. In terms of maritime security, specifically these cooperation efforts have been effective in decreasing the number of pirate attacks in and around the Strait of Malacca but more could be done. As tensions ease even more, the framework they have established can be broadened and eventually transformed into a joint, rather than cooperative, framework. This transformation would surely make their efforts more effective and could possibly eradicate piracy in the Strait of Malacca and significantly deter the possibility or prospects of maritime terrorism. As the level of cooperation rises, these states must also look towards procuring maritime assets that can effectively conduct the mission of maritime patrols and interdiction as well as providing an interoperable capability among each other's forces.

The current course of the littoral states is very promising and provides a base for increasing their cooperation efforts. Continued participation in ASEAN as well as other regional forums is important, because it provides a good way for them to establish enduring, peaceful relations. Participation in each other's officer education and training programs has become increasingly commonplace among ASEAN armed forces.[233] This type of program provides each state with valuable experience and helps to create a sense

[232] Mark J. Valencia, "The Politics of Anti-Piracy and Anti-Terrorism Responses in Southeast Asia," *Piracy, Maritime Terrorism and Securing the Malacca Straits,* ed. Graham Gerard Ong-Webb (Singapore: ISEAS Publishing, 2006), 93.

[233] Acharya, *Constructing a Security Community in Southeast Asia*, 168.

of trust among each other. Furthermore, this type of intra-military education can provide each state a sense of how each other's military works helping to expand the joint cooperation efforts of the MSSP.

### 2. United States

The U.S. Navy continues to have the most dominant and powerful Navy in the world. For many years it has been the guarantor of freedom of the seas and has maintained open SLOCs for world commerce and travel. The oceans are vast and certain areas require special attention because of various issues including piracy, narcotics and human smuggling. As a result it would be in the best interest of the U.S. to have partners in its fight against these types of transnational activities. The MSSP is a good example of the sort of multilateral cooperative effort that is in the U.S. interest to support.

In studying the emergence and evolution of the MSSP, the U.S. can take away a number of lessons. The first lesson is that cooperation efforts not involving the U.S. can make a tangible difference. In the Strait of Malacca, we see a dramatic decrease in the number of actual and attempted pirate attacks. The second lesson is that putting political pressure on states to do more can, over time, affect the efforts that they put forward on particular issues. The third lesson is that perceptions on a certain subject can affect the amount of effort put towards it. The fourth lesson is that many states, notably those in Southeast Asia, do not always see U.S. involvement as a good thing, especially when it comes down to issues of sovereignty. Engaging these states through methods other than direct intervention, such as monetary aid and training, can go a long way toward creating an atmosphere conducive to greater cooperation. Using these lessons learned will help the U.S. in solidifying and building on cooperation agreements between states as well as creating new cooperation agreements with states that have yet to begin the process.

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