Target Malacca Straits: Maritime Terrorism in Southeast Asia

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The strategic and economic importance of the Straits of Malacca makes it one of the world’s major sea routes most vulnerable to a terrorist attack. The piracy problem that continues to frustrate maritime authorities in the Straits bears proof to this and, given the heightened security concerns post-9/11, has alarmed the waterway’s major users. Although international pressure has forced the littoral states—Singapore, Malaysia, and Indonesia—to up their efforts on improving Straits security, national interests and a reluctance to address the problem as a potential terror threat continues to hinder cooperation. This article attempts to look at how three neighbors in the same Straits came to have such divergent policies on combating maritime terrorism.

After 9/11 it is no longer far-fetched to imagine that some terrorists might one day try to steer a floating bomb into a port in the Straits of Malacca—the way hijackers flew commercial planes into the Twin Towers and the Pentagon in 2001. It is not unimaginable because terrorists today plan for attacks that cause maximum carnage and disruption, and the Malacca Straits—with 50,000 ships carrying all the Middle East oil bound for Asia, 2/3 of the world’s liquid petroleum gas, and 1/4 of its sea trade passing through every year—provides the potent ingredients needed to concoct just such an explosive splash.

Although no such attack has yet occurred—and even as much debate exists over whether talk of such a maritime threat is alarmist or merely prudent—there is no denying the palpable sense of terror in the air. The international community, alarmed by chilling reports of how pirates in the Straits are hijacking ships just to learn how to steer† or kidnapping crew to get diving instructions, is bearing down on the littoral states (Singapore, Malaysia, and Indonesia) to beef up security and control the piracy problem. The situation became more urgent when, in June 2005, Lloyd’s Market Association’s Joint War Committee declared the Malacca Straits—along with countries like Iraq and Somalia—an area in jeopardy of “war, strikes, terrorism and related perils” due to the “intensification of the weaponry and techniques used by the pirates in the Straits... who are now largely indistinguishable from terrorists.”²

These circumstances have prompted the littoral states to combat the piracy problem through various bilateral initiatives and by working within multilateral forums and organizations. But although the increased diligence in monitoring the Straits has led to an abatement of attacks, fundamental obstacles persist: To start, the three neighbors

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hold different views on the relationship between piracy and maritime terrorism—whereas Singapore is not discounting a connection between the two, Malaysia and Indonesia are reluctant to acknowledge that piracy can lead to or be exploited by terrorists to execute “big impact,” 9/11-style attacks. Their different positions on the definition of maritime terrorism—informed by each state’s national interests and religious landscape—has limited the scope of cooperation between the three. On an operational level as well, issues of sovereignty and differences in the states’ patrolling capabilities and maritime command structures have blunted the effectiveness of the programs already in place.

This article does not discount that there could be a dangerous overlap between piracy and terrorism. Even if the twain do not meet, the centuries-old piracy problem reveals just how easily terrorists can execute hijacks and attacks if they wanted. The main difference between them: Motive. Pirates do so for profit; terrorists can use the same methods to facilitate and fund terror activities (via kidnapping crew for ransom, smuggling drugs and weapons) or, in the worst case scenario, to make a political statement by creating chaos (via sinking a tanker, bombing a ferry or setting off weapons of mass destruction using container transport) along an internationally strategic and valuable sea route like the Malacca Straits. That this artery of world trade runs through a Muslim region where Al Qaeda–linked groups like the Jemaah Islamiyah (JI) are based makes the threat more tenable.

The littoral states have a vested interest in securing the safe passage of ships through a waterway they all share. This article aims to look at how domestic and international dynamics shaped the countries’ outlooks on maritime terrorism such that three neighbors in the same straits ended up with divergent views on combating the problem. It further hopes, by understanding how they arrived at their separate approaches, to explore how the security situation may be improved.

**Singapore**

The smallest of the littoral states, this island-city has the least area to patrol along the 621 mile-long Straits— but the most to lose if a successful terror attack took place. With its deep harbour port and strategic location at the Straits’ southern tip, Singapore is a regional oil-refining hub and home to the world’s busiest container port. If the Straits were to be blocked, say, by a sunken tanker at its narrowest point—the 1.5 mile-wide Phillips Channel in the Singapore Strait, which links the Malacca Straits to the South China Sea—ships will have to be diverted through the Sunda or Lombok Straits, adding an extra one and a half sailing days. On top of taking Singapore refineries and businesses out of the picture, such a disruption to its port operations alone, as Institute of Defence and Strategic Studies senior fellow Joshua Ho estimates, could result in a global economic loss of over US$200 million a year.3

With so much at stake, it’s not surprising that, of the littoral states, Singapore is the most pro-active and best prepared technology-wise to tackle the potential maritime threat. In the aftermath of 9/11, its government immediately created a national security secretariat to counter terrorism. New security measures were adopted. These include, inter alia:

- Having oil tankers give 24-hour notice of their arrival and the use of high-tech identification systems to track their movements;
- Strengthening security at sea checkpoints like the Singapore Cruise Centre;
- Having navy ships escort selected merchant vessels in territorial waters;
- Marking out routes for ferries and other commercial vessels to keep them clear of sensitive anchorages and installations;
• Deploying radiation detection equipment at border entry points to screen containers and personnel for radiological materials.  

In July 2005, the government even made it compulsory for small vessels like bumboats and private yachts to be fitted with tracking devices (under the international maritime code, the requirement applies only to ships above 500 gross tons)—and footed the $3.5 million bill for the first year.

On an operations level, Singapore has adopted a coordinated approach. It has three agencies—the Maritime and Port Authority, the Police Coast Guard and the Navy—each covering separate areas of maritime defense. The Port Authority regulates the ports, oversees implementation of security measures mandated by the International Maritime Organization (IMO) and handles oil or chemical spills; the Coast Guard is in charge of security within Singapore’s territorial waters; whereas the Navy oversees that of its sea lanes. These agencies are linked via the Maritime Security Task Force, which coordinates their activities. As a national defense strategy, this organization of its maritime command works fine. It is, however, quite different from that of Singapore’s littoral neighbors’—Malaysia has just recently centralized its maritime agencies into a single coast guard unit, whereas Indonesia has decentralized its patrolling operations duties to its many maritime agencies and provinces. The incompatibility of their decision-making structures can be a potential source of confusion with regards to inter-state maritime communications, and impede operations at sea. Which authority, for example, should a foreign patrol alert to get an on-the-spot response during a cross-boundary sea chase or ship interdiction? These operational details may be more difficult to iron out than expected, as shall be shown later.

As a country with a Chinese majority in Southeast Asia, most of whose population is Muslim, Singapore has especial reason to be concerned by terrorist groups like the regional Al Qaeda affiliate, Jemaah Islamiyah, as the latter’s aim—in particular—is to create a pan-Islamic super-state (Daulah Islamiyah Nusantara) covering much of Malaysia, the southern Philippines, and Singapore in a larger Islamic Indonesia. But with Malay Muslims making up 13.9 percent of its own population, the government is careful not to point fingers and tries to tackle the terrorism problem domestically by talking up racial integration and by urging leaders in the Islamic community to speak out against violence. Religious sensitivity has also prevented the region from tackling terrorism and, ipso facto, maritime terrorism square on. The littoral states have cooperated with fellow members of ASEAN (Association of Southeast Asian Nations) to address piracy and terror, but the two are treated as separate issues and, again, care is always taken not to present any initiatives as being anti-Muslim. ASEAN is adamant not to link terrorism with any religion or race due to the organization’s collegial approach that stresses consensus and unity within the group. Understandably, the countries do so as they want to avoid inflaming religious and racial sentiments that can lead to riots and killings, which still plague the region from time to time. But although no-one doubts that the terror issue should be handled with utmost sensitivity, one wonders how effectively the “sickness” that is terrorism can be cured when the states do not broach its root cause in the region: militant Muslims. Fixing the problem (in this case, maritime terrorism) by fighting its symptoms—like piracy—may be effective in the short-run, but the remission that results can only be temporary. Any antiterrorism strategy can only be effective if carried out alongside a parallel ideological plan by the governments to beat the extremist elements at winning the hearts and minds of Muslims.

For now, the region has had much success in combating, at least, land-based terrorism using a security approach—the cooperation between Southeast Asia’s police and intelligence agencies has led to the notable arrests of JI bomb-maker Fathur Rohman.
Al-Ghozi in the Philippines, fugitive Singapore JI leader Mas Selamat Kastari in Indonesia, and the capture of Hambali—JI’s key link with Al Qaeda—in Thailand.\textsuperscript{11} Independently, the littoral states have also been working hard to clamp down on JI. Both Malaysia and Singapore have detained suspected Islamic activists under the controversial Internal Security Act,\textsuperscript{12} which allows the indefinite detention of those deemed as threats to national security: As of year end 2005, Malaysia has rounded up at least 68 JI suspects,\textsuperscript{13} whereas Singapore has 36 under detention. Indonesia does not have the ISA, but has arrested around 260 JI militants, brought 160 to court for attacks, and sentenced 5 to death for their crimes.\textsuperscript{14}

The region, however, lags behind in its security measures against maritime terrorism. This is because operational efforts are complicated by the dicey issue of sovereignty. At sea, territorial boundaries mark the geographical limits of foreign patrols, along with fishing rights. Although ships have the right of free passage through the Straits under the United Nations Convention on the Law of the Sea, waters out to 12 nautical miles remain under the sovereignty of the coastal states. And, as the international legal definition of piracy applies only to international waters, maritime attacks in the majority of straits are considered crimes—or “armed robbery”—under domestic law.\textsuperscript{15} This means pirates can hijack or attack a ship in Singapore waters and escape prosecution once they enter Malaysian or Indonesian waters. An answer to this problem would be the 1988 Rome Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA). The protocol extends coastal state jurisdiction to foreign territorial waters, and provides guidelines for the extradition and prosecution of maritime crimes committed in another state’s waters. In 2003, the 24 participants of the ASEAN Regional Forum (ARF) committed to become parties to SUA. But to date, Singapore, Brunei, Myanmar, Philippines, and Vietnam are the only ASEAN signatories of the convention, so the same jurisdiction is yet to be extended to Indonesian or Malaysian waters.

Sovereignty concerns also hinder the operational effectiveness of sea patrols. As much as Singapore embraces collaboration, even it draws the line when doing so infringes on its territorial rights, a preoccupation shared by its littoral neighbors. An important consequence of this is the preclusion of “hot pursuit”: This means that one country giving chase at sea to pirates or terrorists cannot cross into the territorial waters of another’s. It is a source of potential confusion and inefficiency, and an important weakness that terrorists can easily exploit. Captain Pottengal Mukundan, director of the International Maritime Bureau, described how sea criminals do this by operating close to the borders. He said, in an interview for this article: “When they (pirates) see the Malaysians approach, they just cross over and stand about two miles out because they know the Royal Malaysian Navy can’t follow them.”\textsuperscript{16}

To compensate, Singapore seeks out more international solutions. Apart from signing the SUA convention, it has implemented the International Ships and Port Facility Security (ISPS) code—a comprehensive set of measures to enhance the security of ships and port facilities that was developed in response to the 9/11 attacks—that came into effect in July 2004. The country is also an elected council member of the IMO, a United Nations agency that facilitates cooperation between governments on legal and technical matters affecting international shipping, including maritime safety. In August 2005, Singapore hosted the Proliferation Security Initiative (PSI), a 5-day interdiction exercise involving 13 countries that practiced procedures to disrupt trafficking of weapons of mass destruction at sea. (Malaysia was only an observer and Indonesia did not take part.)\textsuperscript{17} The PSI is a U.S. campaign to combat the spread of weapons of mass destructions and, so far, only three Asia-Pacific nations are core participants—Japan, Australia, and Singapore. Then, there
is the annual Singapore-based Shangri-la Dialogue, which has now become an important part of Asian defense diplomacy. During its last session in June 2005, the idea for the “Eyes-in-the-Sky” program—the joint patrolling of the Straits by the littoral states using military surveillance planes—was floated. The project was launched three months later in September, with the Philippines also a participant. In December, another concerned regional player, Australia, also reached an outline agreement with the littoral states to add Australian maritime aircraft—with each flight carrying observers from one of the three littoral states—to the air patrols.18

As a small country, Singapore is also keen to harness the resources of major Straits users to avert the terror threat at sea. Japan, who has 80 percent of its oil supply and other trade passing through the Straits, is a major power who has offered time and again to help tackle piracy. It holds regular bilateral anti-piracy exercises with Singapore. And at the 1999 ASEAN+3 summit—which links the 10-member ASEAN with Japan, China, Korea, Bangladesh, India, and Sri Lanka—it suggested that the Japanese Coast Guard hold joint patrols with the Southeast Asian maritime forces, and put forward the establishment of a “regional coast guard body.” But the proposals died quick deaths after Malaysia and Indonesia balked at the prospect of allowing foreign patrols into their waters, and when Beijing questioned the need for cooperation against piracy.19 At the 2001 ASEAN+3 summit, Japan tried again to initiate multilateral cooperation. This time, Prime Minister Junichiro Koizumi proposed setting up the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), which aims to provide a legal framework for regional cooperation to deal with, specifically, the piracy threat in the Malacca Straits. The text for the agreement was adopted in November 2004 but, to date, only four states have signed it (Japan, Singapore, Laos, and Cambodia) and none have ratified the Agreement. At the same summit in 2001, Japan also agreed to establish a primarily Japanese-funded, multinational staffed piracy Information Sharing Centre in Singapore, due to be set up in 2006.

Another country Singapore has worked closely with is the United States. Unlike Japan, the United States is more concerned about terrorism and sees the piracy problem as an entry point to preventing and managing potential maritime terror threats. Indeed, the United States’s focus on terrorism in the Southeast Asia region became so intense the region was labeled by some as “the second front” in its global war on terror in 2002.20 To overcome maritime security problems in the Pacific and Indian Oceans, the U.S. government came up with the ambitious Regional Maritime Security Initiative (RMSI). This included plans to encourage the formation of a partnership of littoral states in the Malacca Straits. Indonesia and Malaysia, however, rejected these initial U.S. advances for cooperation. Put off by press reports speculating that the RMSI21 included plans for unilateral U.S. action against vessels used by terrorists, they invoked sovereignty and refused “foreign intervention.” Singapore, on the other hand, warmly welcomed U.S. presence—as it generally does. The island state sees the superpower as a stabilizing force in the region: A counterpoint to its bigger neighbors. And, without the political baggage of being a Muslim country like Malaysia or Indonesia, Singapore also faces fewer constraints in working with its long-time ally, who has much to offer in terms of intelligence and other assistance. Thus, it was the first Asian country to join the U.S.-led Container Security Initiative in 2003, a scheme to pre-screen U.S.-bound containers. On 12 July 2005, the two signed a strategic framework agreement on security and defense that further cemented the defense partnership.22

On the flip side, Singapore’s close military relationship with the United States is often met with disapproval and suspicion by its neighbors. Worse, it sets the island up as an attractive terrorist target. In 2001 and 2002, the Singapore police arrested 15 and 31 local
JI operatives respectively, who were planning attacks on a range of targets including the United States embassy and U.S. naval ships. The full scale of the group’s terror plans was revealed in 2003, when the Home Affairs Ministry released a White Paper detailing their preparations for a sea attack. According to the report, markings on a map the Internal Security Department had acquired “identified a strategic kill zone where the channel was narrowest (the Phillips Channel) and where the naval ships would have no room to avoid a collision with a suicide vessel.” For the world’s 19th largest trading nation and the 5th most trade-dependent country, it was clear such similar plans had to be prevented at all costs.

Malaysia

Malaysia has been slow to respond to the threat of maritime terrorism because, unlike Singapore—which has not discounted the possibility that terrorists may collaborate with pirates—it is reluctant to believe there is any credible evidence to suggest a “nexus” between the two. Neither piracy nor maritime terrorism ranks high on its national agenda, and most analysts there consider the latter only a remote possibility. Some even think the issue is just a U.S.—and Singapore—excuse to justify U.S. navy presence in the Malacca Straits. This explains why, when the number of pirate attacks in the Straits—and the world—took a sharp spike at the turn of the millennium, it was only in July 2004 that the littoral states stepped up their efforts and established the trilateral Malacca Straits Coordinated Patrol (Malsindo). The move is not exactly new: Singapore and Indonesia have held coordinated patrols since 1992 (Indo-Sin Coordinated Patrols), as have Malaysia and Indonesia (Malindo). But the former was held only every three months; the latter, four times a year. Malsindo marked the first time the three countries committed to coordinated patrols as a group. The move was a success: It reduced pirate attacks by about 25 percent the next year. Under the agreement, each country contributes up to seven ships, of which five to seven will patrol the Straits at any one time. The project is coordinated via a hotline linking the three naval command centers in Batam, Lumut, and Changi. Thanks to the joint effort, merchant vessels can now also access radio frequencies used by navy vessels in the area that enable them to call directly for help when required. However, the “hot pursuit” problem persists: The coordinated patrols are conducted only in each state’s territorial waters, with the individual patrol ships under each country’s separate command. The ideal solution of “joint patrols,” of course, would have the ships operating without territorial restrictions and under only one command.

But the littoral states’ stubborn but united position to jealously guard their sovereignty is hard to overcome. This is natural because the relationships between the three are colored by past and present bickering between themselves over territorial boundaries and other disputes. With Singapore, Malaysia had previously taken issue with its land-reclamation activities. This has since been settled but other differences remain, including claims over the island Pedra Branca and the price of water Malaysia sells to Singapore. With Indonesia, relations soured so badly in March 2005 over a border row in the Sulawesi Sea over the resource-rich area near Ligatan and Sipadan islands off the coast of Borneo—where the countries have separately awarded offshore exploration contracts—that both sides sent warships to the contested area to stake their claims. Another thorny issue is the charge that Indonesia’s naval patrols are harassing Malaysian fishermen along the two countries’ borders, an accusation that is pointed both ways in this long-running dispute. At the ASEAN Regional Forum in Singapore in March 2005, the United States proposed that
the littoral states participate in a security initiative called the Maritime Domain Awareness (MDA), which will provide “early warning” of hostile elements like maritime terrorists to ships crossing the Straits. However, as this meant creating a Common Operational Picture—having the countries’ enforcement agencies share and integrate information on their operations in the Straits, such as by revealing the location, patrol pattern, number of ships deployed, and the duration of each country’s patrols in the Straits—Malaysia’s response to the plan has been ambivalent.28 (Similarly, Indonesia remains cautious about surrendering such security information to other participants, leaving Singapore the only party enthusiastic about the proposal.)

As these issues prevent further measures to be taken to address the maritime terror threat, evidence of a potential attack—whether by pirate-trained terrorists, terrorist-sponsored pirates or otherwise—continued to mount. As early as 2001, U.S. forces in Afghanistan found a video tracking the movements of Malaysian naval vessels. This was followed by revelations by Al Qaeda’s chief of maritime operations, Abd al Rahman al Nashiri, after his capture in 2002 that the masterminds of the 2000 U.S.S. Cole attack in Yemen had actually planned another attack on a U.S. ship visiting a Malaysian port.29 This was worrying as JI, which has bases in all three littoral states, has Al Qaeda links and, as is well-known, the latter has a successful record of sea attacks—after the U.S.S. Cole, Al Qaeda operatives rammed the French oil tanker Limburg in 2002, killing one crew member and injuring 12 others.

In 2004, Aegis Defence Services noted a dramatic rise in the kidnappings of senior sailors by hijackers, particularly in the Malacca Straits. This raised the queries: Were they taken because kidnappers wanted their knowledge? What if they were forced at gunpoint into steering vessels for terrorists?30 These fears may not be unwarranted: The JI-linked Abu Sayyaf group from the Philippines kidnapped a marine maintainance engineer in 2000 who was on holiday on the Malaysian island resort of Sabah. On his release three years later, the engineer revealed the kidnappers knew he was a diving instructor and had wanted training in diving operations.31 These incidents are probably only the tip of the iceberg. Most analysts believe the reported numbers of sea attacks are at least half the real figures. It is believed many shipowners opt not to inform the authorities and settle matters themselves—such as by paying the pirates ransom for their kidnapped crew—so their insurance rates will not be affected. At the same time, one had to be wary of the veracity of some alarmist reports warning of would-be terrorist plots. As fears of an attack heightened, threats were also perceived in every small incident. The Dewi Madrim hijack in 2003, in particular, was an example of a normal pirate attack blown out of proportion. Media reports made much about how 10 armed men had hijacked a chemical “supertanker” off the coast of Sumatra and, instead of stealing cash and goods, went straight to the bridge to learn how to steer the ship for an hour—a seemingly chilling reminder of how the 9/11 hijackers had taken lessons at Florida flight schools. The story turned out to be inaccurate on a few counts: Mainly that the vessel was really a small 737 GRT vessel hit upon by pirates—who stole U.S.$1,000 worth of personal effects—for purely financial reasons.32

In any case, it was clear Malaysia had to allay fears. In 2000, a special antipiracy task force was set up with 20 fast-strike crafts and four rigid inflatable boats by Royal Malaysian Marine at the cost of RM15 million. Sixty marine police officers were also trained as a marine police tactical unit. They were to be assisted by two elite forces in the Police who will accompany them to patrol the Straits.33 Malaysia also built a string of radar tracking stations along the Straits to monitor traffic and, since April 2005, armed police officers have been placed aboard selected tugboats and barges traversing the waterway. In November, this “visible deterrence strategy” crystallized into a coast guard unit called
the Malaysian Maritime Enforcement Agency, a centralized operation responsible for the search and rescue, managing of crime, and collecting of intelligence to ensure the security of the Malaysian maritime zone in peacetime. The appointment in 2005 of Malaysia’s Chief of Navy as the Chief of the Malaysian Armed Forces also reinforced and signaled to the world the importance that Malaysia was starting to place on maritime defense. The change is a perhaps a tacit acknowledgement that Malaysia’s “primary geopolitical and strategic interests lie at sea.”

A more outward-looking security policy with a parallel increased role for the new coast guard promises to follow. Other factors, no doubt, which prompted Malaysia’s shift in military focus were the change in Lloyd’s “war list” in June 2005, which pushed up the insurance premiums of ships travelling through the Straits, and the British underwriters’ subsequent decision in November to re-categorize piracy as a war risk (after the violent ambush of a cruise ship off Somalia that was heading for the United States in September).

Even as these events blurred the line between piracy and terrorism, it remained Malaysia’s preference to stay as self-reliant as possible when it comes to defense-related matters. This is no surprise because, as early as in 2002, when the U.S. Federal Bureau of Investigation identified the country as a “primary operational launchpad for the Sept 11 attacks,” then Prime Minister Mahathir Mohamad responded by cracking down heavily on suspected terrorists to show the world that Malaysia can manage the problem independently. With regards to piracy, a scourge whose transnational nature forces Malaysia to cooperate with the other littoral states, the government has made clear that its preferred solution is a regional one—such as by working within ASEAN. As with combating land-based terrorism, the organization has made much progress on managing piracy, especially under the ARF. Apart from the SUA convention, ARF participants also adopted the Statement on Cooperation Against Piracy and Other Threats to Maritime Security at its ministerial meeting in June 2003. They have since undertaken a series of measures to improve information sharing, cooperation, and training in antipiracy measures, to provide technical assistance and capacity building to states in need, and to cooperate with UN agencies, the IMB and the IMO. But these moves are aimed specifically at piracy. The trouble is, if the littoral states do not tackle piracy and terrorism together, their enforcement agencies may face gaps in their information chains for a truly effective strategy to fight maritime terror would drag in existing legally and politically contentious issues like illegal entry and the illicit arms trade that ASEAN members are reluctant to broach as a package. Again, this is so due to the emphasis the group places on consensus-building. Cooperation is limited by the concern that it may violate the organization’s founding principles—mutual respect for each country’s independence, sovereignty, territorial integrity, and non-intervention in the internal affairs of another state. As a result, an arrangement on a common response in case a ship is hijacked, loaded with WMD and headed for a regional port has yet to be discussed.

But Malaysia has not completely eschewed working with non-regional partners to enhance its antiterrorism capabilities. It has said it takes seriously its role in multilateral defense frameworks—in particular, the Five Power Defence Arrangement (FPDA) that comprises Malaysia, Singapore, Australia, New Zealand, and Britain. The FPDA hold exercises that focus on counterterrorism as a theme. In 2004, the group conducted an antiterror drill at sea by hunting down and boarding a “hijacked ship” in the South China Sea in an exercise codenamed Bersama Lima. The country is also warming to the idea of accepting international assistance. When the United States offered in 2004 to deploy forces on high-speed vessels to help patrol the Straits, Malaysia and Indonesia objected vociferously. They also rejected Japan’s Land, Infrastructure, and Transport Ministry’s
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repeat offer in March 2005 to have the Japanese Coast Guard patrol boats help patrol the straits. But at the June 2005 Shangri-la Dialogue, Malaysian Defence Minister Najib Razak was urging Washington and other governments to provide the necessary equipment to combat terrorism, conceding that Southeast Asian states “should definitely expand our cooperation with the US” with regards to intelligence and surveillance technology. He even made the ground-breaking suggestion that an “open mind” should be kept about possibly turning coordinated patrols into a regional joint patrol—allowing for inter-territorial pursuit. This, if it materializes, would finally address the “hot pursuit” problem.38

But co-operating with the United States—whose global war on terrorism seems focused only on Muslim militants—remains a tricky issue for the moderate Muslim state. Although U.S. expertise would greatly aid Malaysia’s antiterrorism/piracy operations, this continues to be outweighed by suspicions—a carry-over from the “Mahathir-era,” when the government under Dr Mahathir took a belligerently anti-U.S. stance, notably after the Asian financial crisis in 1997/8—about U.S. motives and concerns over joining any U.S.-led project. Some in Malaysia suspect that, to the United States, the Malacca Straits is but a means to contain China and that the United States is blowing up the terrorism threat in order to “start an inspection regime that will have the effect of limiting China’s access to oil, other raw materials, technology and industrial equipment.”39 This may sound far-fetched, but Straits security is vital to China’s economy. Chinese president, Hu Jintao, said himself in early 2005 that the “Malacca dilemma” is the key to China’s energy security. Zhao Yuncheng, an expert from China’s Institute of Contemporary International Relations, went even further and suggested that whoever controls the Straits of Malacca and the Indian Ocean could threaten China’s oil supply route. For now, 60 percent of its oil import from the Middle East and Africa pass through the Straits. The figure is expected to increase as China’s fuel consumption increases in tandem with its growing economy. As a precaution, the Asian giant is said to be adopting a “string of pearls” strategy—building up military forces and setting up bases—along the sea lanes from the Middle East to project its power overseas and protect its oil shipments, according to an internal report prepared for Defense Secretary Donald Rumsfeld.40 The same report claimed that China believes the Malacca Straits is “controlled by the US Navy.” But while its military officials have allegedly criticized the RMSI as an example of U.S. unilateralism, its foreign ministry officials do not object to U.S. plans to assist the littoral states in enhancing maritime security.41 For sure, China has stated that it would use its naval might to ensure that important sea lanes like the Malacca Straits remain open. Otherwise, Beijing is keeping a low profile on the matter and working on increasing its influence in Southeast Asia, mainly by quietly continuing to give its support for the sovereignty of the states.42

Given the competing foreign interests in the Straits, it would seem to be in the littoral states best interests to balance the pressures from the United States and China by ensuring the waterway remains open to international navigation in line with the principles of international maritime law—that is, by allowing ships of all countries “transit passage” for international navigation—and to beef up security so international users have no excuse to demand intervention. Keeping foreign powers, especially the United States, physically out of the Straits is important to Malaysia as it fears that any help—however well-meaned—could spark a religious backlash and even precipitate an attack. The Malaysian public, like some in its government, generally views U.S. intentions with great suspicions because of its preemptive, unilateralist approach to conflict resolution under current President George W. Bush. Many Muslims in the country, as with elsewhere in the world, are outraged at the U.S. invasion of Afghanistan and Iraq. Tun Razak described Malaysia’s dilemma thus to
Malay-language Mingguan Malaysia newspaper in April 2005: “The presence of foreign troops in our waters would trigger public anger and breathe new life into terrorist groups.” But in this statement also lies Malaysia’s present solution: It does not mind collaboration and receiving practical assistance (training, technology transfer, supply of equipment), as long as the deployment of foreign troops in the straits is not entailed. Responsibility for Straits security, Malaysia continues to insist, should rest solely with the littoral states.

**Indonesia**

With its long list of internal problems—poverty, simmering ethnic and national divisions, precarious economy, widespread corruption—Indonesia has, arguably, more important fires to fight before it can afford to put out the threat of maritime terrorism. Despite having the largest navy in Southeast Asia, the world’s largest Muslim-majority state and fourth most populous nation (230 million people) is the obvious weak link in the antiterrorism efforts in the Malacca Straits. The IMB believes from eyewitness testimonies that the majority of pirates in the Straits are Indonesian. In 2004, one-third (94) of pirate attacks in the world occurred in Indonesian waters (28 in the Straits). In 2005, the attacks stopped for a respectful two months after the tsunami struck, but soon resumed and, by the time the year was out, the percentage rose to about the same as the year before: 79 Indonesian incidents out of 276 worldwide (12 in the Straits).

To be fair, monitoring the waters around the archipelagic state is a huge task, one the country cannot afford, no less because it spans over 17,500 islands and 50,000 miles of coastline. The Straits—with its shallow reefs that slow down sea traffic and thousands of getaway islands—is but one of four chokepoints, or narrow waterways, under Indonesia’s maritime jurisdiction. Not only is it hard to patrol, enforcement efforts against pirates—much less terrorists—are weak as the Straits serves only the eastern coast of Sumatra, which is relatively undeveloped and has no major ports along the Indonesian coast of the waterway. Curbing illegal fishing, for example, ranks higher on Indonesia’s maritime agenda. Some experts on the country’s armed forces have even said that the “Navy is more concerned with Eastern Indonesian waters (where illegal fishing is rampant), and territorial integrity in Aceh and Papua, than it is with the Straits of Malacca.”

Most of all, the Indonesian political elite does not seem too concerned about maritime security. A senior Indonesian official reportedly said that “not one percent of the traffic in the Strait of Malacca” is composed of Indonesian trade. He could not have been more wrong about the Straits’ importance to Indonesia. Even though the waterway, several hundred miles from the country’s capital in Java, is not as important economically as it is for Singapore and Malaysia, the majority of Indonesia’s trade via containers passes through Singapore and, thus, at least part of the Straits. Going by its total annual traffic—525 million metric tons of goods worth about U.S.$390 billion, based on 1990’s figures—that “one percent” the official so disdainfully dismissed would amount to over U.S.$10 billion. This nonchalant attitude on maritime matters has cost Indonesia dearly: In 2002, the International Court of Justice in Holland “ruled in favour of Malaysia over Indonesia in awarding ownership of Ligatan and Sipadan to Malaysia based on the principle of continued exercise of authority over the islands.” Indonesia lost the contested islands to Malaysia because it did not much bother with them until the dispute. Its weak political will aside, Indonesia also lacks the capacity to secure the Straits. An Indonesian navy official told Antara news agency in 2004 that the navy would require at least 302 warships and 170 aircraft to properly monitor its territorial waters. The Economist
estimated that, of this requirement, Indonesia has only “20 functioning patrol boats and one or two functioning airplanes to... combat terrorism, piracy, illegal fishing and smuggling” altogether. As of February 2005, navy chief Admiral Bernard Kent Sondakh said they had only 129 patrol vessels. He added: “Other Asian countries have smaller fleet strengths, but their warships are newer and have a higher mobility while ours are almost obsolete and some are second-hand.” The navy said then that it may buy up to 10 ships every year—but only if Indonesia’s economy strengthens. With the country still recovering from the tsunami’s devastation, coupled with its myriad other internal problems, this seems unlikely. Defense Minister Juwono Sudarso told the *International Herald Tribune* that “allocations from the state budget would continue to fall short of what the military needed” and estimated that U.S.$5.6 billion is necessary to meet the salary, operational and equipment costs of an effective military. The official defense budget for 2005 was U.S.$2.33 billion.

Poor pay and morale is a direct result of the funds shortage to deal with maritime problems, and it has led many to suspect that some in the Indonesian Navy and Marine Police may be complicit in maritime crime. Certainly, weak institutions and the country’s culture of corruption—Indonesia is joint 137 with 6 others out of 159 countries ranked by Transparency International’s 2005 list—contributes to this reputation. Why else would pirates, for example, seem to know the time schedules of Indonesian navy patrols? Some villages along its and Malaysia’s coasts are known to welcome pirate business and provide them with food and shelter. Pirates have other connections too: They know how to obtain false identity papers for crew and vessel and have access to networks to re-sell stolen goods.

On top of the possible errant officers within its enforcement ranks, Indonesia’s efforts to secure its waters are hampered by the decentralized and complicated network of its maritime command: Nine agencies—the most prominent being the Navy, the Sea Communications Directorate and the Marine Police—claim jurisdiction in the sector. These agencies reportedly “do not share intelligence or resources, and often fail to communicate with each other.” They also compete with each other—as well as with the armed forces and the Indonesian police—for already-meager funds. The Sea Communications Guard and Rescue Directorate, (KPLP) is in charge of port security and Indonesia’s main point of contact on piracy issues, such as with the IMO; whereas the Marine Police, KPLP, and the Navy all share maritime law enforcement duties. On top of these agencies, local authorities also figure in the picture. As a result of post-Suharto decentralization, Indonesian provinces (there are 30) now have the authority for up to 12 nautical miles of sea, whereas regencies (357 of them, the most important being the 7 that border the Singapore and Malacca Straits: Rokan, Hilir, Bengkalis, Siak, Palawan, Indragiri Ilir, and Karimun) are responsible for up to 3 nautical miles. In short, Indonesia does not have a coordinated plan for maritime security, a weakness happily exploited by wily pirates in the Straits who are mostly based in Indonesian waters. The confusing web of its maritime command structure will also make it difficult for other countries to work with Indonesia—given the agencies’ competing interests and overlapping authority—on enhancing cooperation in the Straits.

Of the littoral states, Indonesia is the most reluctant to make links between piracy and terrorism. This, even though it alone has experienced the horror of terror up close: The Marriott Hotel bombing in 2003 took 12 lives, whereas the Bali attacks in 2003 and September 2005 killed over 180 and 26, respectively. For years, the country has had to fight homegrown terrorist and separatist groups. Not all have remained on the fringe: The Free Aceh Movement (GAM)—a separatist group and radical Islamic movement that has been linked to ship hijacking, the kidnap of crews for ransom, and other sea crimes in Indonesian waters and the Northern Malacca Straits—signed a peace accord with Jakarta in August 2005 and became a legitimate political party; while the shortlived Laskar Jihad,
a violent group formed in 2000 to eliminate Christians from Indonesia’s Moluccas and Sulawesi Island (but allegedly set up by disgruntled hardline military officers to destabilize the nation), wound up in October 2002 because of a said internal dispute over the way jihad or holy war was waged by the group’s leader, Jafar Umar Thalib.

But where they have left off, JI has taken over. To defy capture, the group has morphed into “loose webs of dispersed individuals and small groups.”\(^59\) It is still of debate whether JI has extended its operations seaward, but former Indonesian state intelligence chief Hendropriyono warned in August 2004 that captured JI members had confessed to planning maritime attacks in the Straits.\(^60\) A senior Al Qaeda operative, Omar al-Faruq, now in U.S. custody, is also said to have confessed to making scuba attack plans on a U.S. naval ship in Surabaya, Indonesia’s second largest port.\(^61\) In March 2005, a Philippines military report based on the interrogation of Abu Sayyaf guerilla Gamal Baharan\(^62\) confirmed the underwater attack plans of the region’s militant Muslims.\(^63\) In it, he said that he was told to attend scuba diving instruction in the country’s Palawan province and that, during this time, he regularly received cell phone messages from Abu Sayyaf leader Khadafi Janjalani “asking how many fathoms he would be able to dive.”\(^64\) More importantly, Gamal further confessed that the southern Philippines separatist group—which bombed a ferry in 2004, killing over 100 people in Manila Bay to make it the region’s only successful maritime terrorist attack to date—had been working with JI to give guerillas diving instructions to prepare for hitting unspecified targets in the region. The relationship was probably quid pro quo as JI is believed to have financed the Abu Sayyaf at least U.S.$18,500 in return for explosives training in 2004. According to the Aegis report on which Lloyds based its “war list” in 2005, the JI is said to have also considered plans to seize a vessel with the help of local pirates. The group is known to be trained in sea-borne guerilla tactics like suicide diving and ship ramming.

Fortunately, despite these tell-tale developments, there has yet to be a terror attack in the Straits the scale of the Abu Sayyaf ferry blast. However, of concern is the rise of the violence of pirate attacks in recent years. Not only are many of these gangs better equipped than naval authorities—weapons like rocket-propelled grenades, machine guns, and radar-tracking equipment are being increasingly employed\(^65\)—pirates nowadays seem more willing to resort to violence. And because pirates are profit-motivated, their increasing lack of aversion to bloodshed is worrisome: This means they are less likely to flinch if approached by terrorists for bloody blow-up jobs or lessons in hijacking, especially if well compensated.\(^66\) However, such scenarios involving agents outside the terrorist networks are unlikely given the secretive nature of terrorist operations.\(^67\) What is frightening, however, is that it will certainly be no harder for terrorists than it has been for pirates to seize a ship along the Straits, especially ferries. These are not only easy to sink due to inherent design faults,\(^68\) but the often insufficient port-side security—compared to that for international cruise liners that undergo security checks almost as stringent as those at airports—and the potentially large victim count on board make them attractive targets. But terrorists may not even need to target steaming ships: There are many gas and oil-laden ships docked at shore-based facilities managed by U.S. companies in Aceh and Riau, both located on the Indonesian side of the Straits.

On the political front, however, it has also not been easy for the government to clamp down on terror suspects in Indonesia as separatists and Muslim extremists alike have their sympathizers. When cleric Abu Bakar Bashir—JI’s spiritual leader who is believed to have approved the first Bali bombings and incited the Marriott Hotel blast—was arrested in 2003 and again in 2004, police had to quell riots protesting his capture. Protesters accused the government of bowing to U.S. and foreign pressure. As in Malaysia, many
Indonesians regard U.S. intentions with suspicion and see the its terror campaign as a war against Islam. They complained that Bashir was incarcerated only to pacify the international community that it was doing something to clamp down on the terror elements in the country. Although most Indonesians have little sympathy for bombings, they regard the increased terrorist activity in the country in recent years as a reaction against U.S. foreign policy. Many of Indonesia’s corporate elite and military are also hostile to foreign intervention, a resentment built up over the years following the imposition of economic restructuring by the International Monetary Fund in 1998 and heightened by the deployment of a United Nations force led by Australia into East Timor in 1999. On the other hand, there were those who felt Bashir’s 30-month sentence (which was cut by 30 days in October 2005, to the protest of states like Australia who lost many in the Bali attacks) was inadequate. These competing views make it hard for the government to make headway in checking terrorist activities as any attempts to do so without inciting backlash is a delicate balancing act in Indonesia. So cautious are they about this that the government still refuses to outlaw JI. President Susilo Bambang Yudhoyono told Time magazine in 2004 that he will only do so if there is “proof” that the organization exists: “...If there are explanations and proof that JI as an organization does exist in Indonesia, and if it is legally proved that its members are involved in terrorist activities, then it will be declared a banned organization.” As long as JI is not blacklisted, no matter how effective authorities are in nabbing terrorists, the group will be able to operate and raise money to carry out its bombings. But the tide may be turning against the terrorists. Although there’s still a hesitancy to blame Muslims for the violence, public opinion has changed since the 2002 Bali bombings. Then, local newspapers gave credence to the view that the attack could be engineered by the United States, an idea popular even among many educated Indonesians who have little trust in the notoriously corrupt police force. But the Indonesian death toll for the Marriott Hotel bombings (11 of the 12 killed were Indonesians) and the 2004 Australian Embassy bombing (all 10 were Indonesians) enraged ordinary Indonesians and led to a popular backlash. This will hopefully translate into more support for any antiterrorism initiatives by the government. To be able to effectively fight terror, Jakarta must first win the clear and broad support of its people. This is, however, a complicated and delicate task that would perhaps involve a re-look at religious education in the country, especially how Islamic schools (pesantren and madrasahs) are run.

Although Indonesia has always been relatively impervious to international pressure, its reluctance to accept foreign help when it comes to defense matters is in no small part due to its military’s human rights record. The army forces (TNI) has been accused of complicity in atrocities committed in suppressing East Timor, Aceh, and West Papua, and heavily criticized abroad and in the media. As long as secessionist movements such as in Irian Jaya are still ongoing, sovereignty will be invoked to keep out international scrutiny and as an excuse for these episodes of state-sponsored terrorism. It also leaves the military with little moral authority to cooperate with its foreign counterparts against other types of terrorists. This is something that President Yudhoyono is trying to remedy. One reason his government dealt with Bashir was to improve relations with Washington and re-establish ties between TNI and the Pentagon.

Luckily, Indonesia’s maritime forces are not tainted by these human rights issues, making it easier for Indonesia to soften its stance on accepting international assistance to fight piracy. Terrorism concerns, however, are not necessarily the main push factors. One pressing reason is, as mentioned before, fishing. Said the North Sumatra Fishing Office in May 2004: “Two-thirds of the fishing boats in North Sumatra (were) not operating because of piracy concerns in and around Aceh and the Strait of Malacca.” The fishing industry in some Indonesian provinces were so affected by the piracy scourge that, in 2003,
it had become a national issue important enough for then Indonesian President Megawati Sukarnoputri to ask Japan to provide patrol boats to curb the attacks. At the 2005 Shang-ri-La Dialogue, its representatives recognized the legitimate interests of extra-regional states in straits security and expressed willingness to engage them in a multilateral framework that respected littoral states’ sovereignty. TNI commander Endriartono Sutarto put it most succinctly when he said in May 2005: “We will not turn a blind eye to the fact that some day we will need help from other countries...the world has an obligation to contribute to securing the Malacca Straits...but there will be no troop assistance.”

To ensure action is taken so ships can travel safely through Indonesia waters, countries just have to respect Indonesia’s wish to retain “command and control” over its maritime forces. Talks have been held with India to improve security in the northern part of the straits; while during Chinese President Hu Jintao’s visit in March 2005, the two countries signed a strategic partnership agreement that, among other things, includes fighting piracy and smuggling. Indonesian officials have announced that it is poised to sign a wide-ranging defense treaty with Australia in mid-2006 that will cover counterterrorism, intelligence, military cooperation, as well as social, humanitarian, and political concerns. The treaty, which will mark a new era in neighborly relations after the fallout in 1999 over Australia’s intervention in East Timor, has been made possible largely based on a commitment on Australia’s part not to intervene in Indonesia’s internal affairs or undermine its territorial integrity. Antiterrorism exercises have even been held with the United States—Indonesian marines and U.S. Navy SEALs participated in drills involving boarding and inspection of ships called Crisis Action Planning SMEE05–03 in May 2005. The United States has also allocated between U.S.$6.7 and U.S.$8 million over several years to train the Indonesian Marine Police. Closer to home, Indonesia and Singapore have cooperated on a real-time radar and satellite tracking system called SURPIC (Surface Picture Surveillance System), which allows the patrols to share a common sea picture—each side’s vessels have a visual of what the other side sees. This has been set up on Indonesia’s Batam island and is operated jointly by both countries’ personnel to provide the position, course, and speed of shipping in the Straits.

There are also signs that maritime issues may carry more weight with the government in the future. Defence Minister Juwono Sudarsono has spoken of “rebalancing” the assets of its armed forces to better suit the country’s geography and the regional environment. Some defense experts, noting a lack of conventional threat for the country in the past decades, feel that nontraditional issues such as terrorism, piracy, and smuggling are the “real threats” to the country’s security. On its own, the Navy has allocated U.S.$8 million from its limited budget to upgrade communications capabilities in the Straits, and is working on establishing a reliable early warning system and aims to maintain rapid deployment forces and a reliable communication system. Reforms have also been proposed to modernize the navy, focusing on coastal interdiction, to build up rapid reaction forces, and set up a reliable early warning system for attacks. Regular operations in the forms of routine patrols are also being undertaken by the Western Fleet, which has a flotilla consisting of 9–11 ships of frigate and patrol ship killer class. In July 2005, Jakarta launched a full-time maritime operation codenamed Gurita—a move that IMB Piracy Reporting Centre chief Noel Chong believes has led to a drop in attacks in Indonesian waters (the 61 attacks for the first 9 months of 2005 is the lowest since 1999). In addition to preventive measures, Indonesia’s Ministry of Home Affairs has also undertaken dissuasion programs at the local level: It hopes to discourage pirate business by alleviating poverty in remote areas and by educating villagers on the importance of keeping the seas safe and pirates at bay.
Ultimately, the most convincing argument for Indonesia to start taking maritime terrorism seriously is this: If an attack does originate from its shores, not only will its economy suffer, the international scrutiny that follows may result in it having to give up some bit of the sovereignty it cherishes so much.

Conclusion

Maritime terrorism is a transnational problem. A truly effective defence against it would require a high level of cooperation between states and less intransigence over the concept of sovereignty. Beyond just sharing intelligence, the littoral states must together forge an overarching strategy with operational and ideological objectives that all three can agree on. For even though “piracy” and “terrorism” are terms that appear time and again on the same page in analysis papers, newspapers, and government statements, the implications of this do not seem to follow through in official policy. What exactly is maritime terrorism? Should piracy be treated under the same rubric? The littoral states need to agree on the answers to these because they need to know who they are fighting first before they can figure out an integrated game plan. As the problem is a relatively new one (post 9/11), there is no ready-made framework as yet within which the littoral states can work to address both issues as one.

Definitional problems aside, it should be noted that the measures undertaken by the countries’ enforcement agencies to curb pirate attacks in the Straits have met with much success. The 2005 IMB Piracy Report gave the region’s maritime industry much to cheer about when it was revealed that there were only 12 reported attacks in the Straits for the year, the lowest figure in 7 years.85 And even though Indonesian waters remain the world’s top piracy hotspot with 79 attacks, the IMB credited the threefold drop in attacks in the Straits, among other things, to the Indonesian navy’s intelligence-driven initiatives. The coastal states have also come a long way in addressing the “hot pursuit” problem, which remains an obstacle on an operational level. Signs are that a mutual agreement could be on the horizon. The armed forces of Singapore, Malaysia, Indonesia, and Thailand are reported to have “agreed on operating procedures86 that will allow a patrol ship from one of the four countries to cross into the waters of another in pursuit of pirates, terrorists or other suspected maritime criminals.”87 If this does not pan out, then what the states need to do is to at least enable effective “hot handover” from one state’s security forces to another’s during a chase at sea. For this, clear legal and communication procedures—like who to alert in a pursuit—need to be established. The states should also continue to make use of the latest technology available (along the lines of the real-time surveillance system SURPIC) to help make the handover seamless, and their ports more secure. Above all, what they need to build on is trust, the essential factor that needs to exist in order for the states to move toward holding joint patrols and further cooperation on other sensitive matters. Certainly, the multilateral forums and discussion frameworks (such as ARF, Shangri-la Dialogue, and the new East Asia Summit, inaugurated in December 200588) that have sprouted up in the last few years have been effective mechanisms to facilitate confidence-building via the sharing and exchange of information whether on a track one (official) or track two (nongovernmental) level. It is hoped that these efforts can ultimately result in preventive diplomacy against maritime terrorism.

In seeking to overcome their differences, the littoral states can perhaps take a leaf out of the books of successful cooperative efforts between maritime agencies elsewhere:
A useful example of how countries with different operational policies and technical capabilities can work together to maintain security at sea would be the maritime interdiction effort in the Persian Gulf by the navies of the “Coalition of the Willing.” The coalition comprised of high-tech navies like that from the United States, as well as ships from Greece and Italy which had less well-equipped ships. But these differences were overcome using technology—all partners had access to required information via a coalition network run largely by the Canadian navy that managed the maritime data and allowed the transfer of information and high-quality maritime picture even to the most technically challenged partners. Also, all the navies’ rules of engagement were managed on a spreadsheet by coalition commanders. This overview allowed them to establish the range of actions each ship was capable of in specific situations.89

The cooperation between U.S. Coast Guard and British navy (whose ships help patrol the waters of its former colonies like Belize) in the Caribbean, where the two powers have worked together since 1993 to counter drug smuggling, has shown how the “hot pursuit” problem may be resolved. British vessels can always enter U.S. waters as each has a U.S. Coast Guard Law Enforcement Detachment on board. That way, when boundaries need to be crossed, a U.S. officer is on hand to oversee the transfer of authority to the U.S. line of command.90 According to IMB director Mukundan, arrangements along similar lines have been proposed at ASEAN and other regional frameworks, but such a solution has yet to be adopted.

Notes

1. This refers to the Dewi Madrim attack in 2003, for which the International Maritime Bureau has now classified as a straight case of piracy. But the incident has been widely quoted in the media worldwide as an example to strengthen the case for the maritime terrorism threat in the Straits. More on this later.
8. One of the initiatives taken by the community was the formation of the Religious Rehabilitation Group (RRG) in April 2003. This came about after the authorities approached local Muslim scholars to assist in counselling the detainees following the detention of the first batch of JI suspects in 2001. Among other things, the RRG offers its expert opinion on JI’s misinterpretation of Islam and conducts public education programs, teaming up with Muslim organizations and mosques to conduct talks on the misconceptions of jihad.
9. As stated in the organization’s declaration on terrorism (www.aseansec.org/12636.htm). ASEAN members are: Indonesia, Malaysia, Philippines, Singapore, Thailand, Brunei, Vietnam, Laos, Myanmar, and Cambodia.
10. In 1998, for example, ethnic Chinese in Indonesia were killed and their shops targeted in riots across the country. The community, generally perceived as wealthy, were blamed by native Indonesians for the country’s economic woes.
11. Al-Ghozi was killed in a gun battle with Filipino troops in October 2003. Arrested in 2002 and sentenced to 17 years’ jail for illegal possession of explosives and falsifying documents, he had broken out of a top-security cell in July 2003, embarrassing the Philippines government. Among other crimes, the Afghanistan-trained Indonesian bomb and demolition expert also admitted to being involved in the bombing of a train in Manila that killed 22 people and injured over 120. According to Singapore’s 2003 white paper on terrorism, Al-Ghozi was the main liaison officer between JI and separatist group, the Moro Islamic Liberation Front, in south Philippines.
12. Alleged militant leader Kastari was deported to Singapore from Indonesia only on 3 February, 2006. On the run from the Singapore government since 2001, he was caught in the nearby Indonesian island of Bintan in 2003. The extradition took two years to materialize as the two countries have no formal extradition treaty (Jakarta jailed him for immigration offenses)—an example of the bureaucratic obstacles that persist despite the collaborative success between the region’s intelligence agencies.
13. The ISA is a carryover of the Emergency Regulation that was put in place when the two countries, then still united as Malaya, were under British colonial rule in 1948, to fight the communists.
15. Under the United Nations Convention of the Law of the Sea, “coastal states exercise sovereignty over their territorial sea which they have the right to establish its breadth up to a limit not to exceed 12 nautical miles; foreign vessels are allowed ‘innocent passage’ through those waters. . . . Ships and aircraft of all countries are allowed ‘transit passage’ through straits used for international navigation.” Available at (www.un.org).

16. Interview with the IMB director, December 2005.


27. Incidentally, Malsindo provided the basis for the afore-mentioned Eye-In-The-Sky air patrol program. The latter was aimed to optimize the coordinated patrols in operation because the “Singapore and Malaysian navies did not possess reconaissance patrol boats.” (No byline, “RI Navy to Install Radars along Malacca Strait,” Antara News, 3 September 2005.


29. U.S. intelligence also claimed in 2003 that Osama bin Laden’s Al Qaeda network has a fleet of at least 15 ships, but this figure has since been hotly debated as it is often hard to determine the ownership of a vessel. To evade tax and other costs, it is not unusual for ships to register under front companies or fly “flags of convenience,” that is, registering the vessel in 1 of at least 40 open registers in countries like Panama and Liberia instead of in the home country of the vessel’s owner.


32. According to the IMB, the incident was first misreported by a security consultancy. It was unfortunately picked up by the Economist magazine and the Financial Times, by which time the Dewi Madrim had grown into a supertanker attacked by would-be terrorists.


35. The Lloyd’s report has pushed extra insurance charges up by as much as US$5,000 per trip for some container ships. Regional shippers, like the Singapore Maritime Foundation, have been lobbying for the Straits to be removed from the list of war areas (Narendra Aggarwal, “Shippers want Malacca Strait Risk Premiums Scrapped,” The Straits Times, 29 December 2005, Money section).

37. The Regional Maritime Security Initiative was put forward by U.S. Pacific Command Commander, Admiral Thomas B Fargo, to the U.S. Congress in March 2004, as part of the country’s Proliferation Security Initiative in its global war on terrorism.


42. Percival (2005), p. 22.

43. The Navy employs about 56,000 men and women, including 16,000 Marines, or slightly less than one-sixth of the entire Indonesian armed forces.


45. IMB annual report and website.

46. Ministry of Maritime Affairs Director General for Promotion and Marketing Soempeno Putro told the media in April 2005 that Indonesia loses roughly US$8 billion in stolen fish every year to illegal foreign fishing vessels mostly originating from Thailand, China and the Philippines. Available at (www.usembassyjakarta.org).


48. Ibid., p. 30.


57. Ho, “A Coast Guard for Singapore?”

58. After 29 years of fighting, GAM laid down its arms at the end 2005. Under the peace agreement, it was allowed to form a political party with the restriction that it will not be allowed to seek a referendum on Acehnese independence from Indonesia. The party has until March 2006 to pass the Aceh governing bill before the province holds its first elections.


62. Gamal was one of three militants sentenced to death in October 2005 for the Valenentine’s Day bus bombing in Manila’s financial district, which killed four people.


65. In 2004, 27 percent of attacks involved armed pirates with guns, up from 23 percent in 2003. Although the number of crew killed rose from 21 in 2003 to 30 in 2004 (data from IMB Piracy Centre).

66. In 2001, Time magazine interviewed elite, specialist raiders called Babi pirates (from Indonesia’s Babi island) who readily hijack 100-m, 10,000-ton ships for as little as US$5,000. The pirates say they take the ship’s valuables before selling the vessel or turning it over to their “employer” for the job. [Alex Perry, “Buccaneer Tales in the Pirates’ Lair,” Time, 20–27 August 2001, 158 (7/8)].

67. Although Al Qaeda and JI have extensive networks, attacks are usually carried out by small, independent cells—which are sometimes further sub-divided, as in 9/11 attacks when four teams worked in tandem—for flexibility, mobility and to prevent leaks.

68. Ferries are susceptible to capsizing due to the “free surface water effect,” a suspected cause for the sinking of the Egyptian ferry carrying 1,400 in the Red Sea in February 2005. The effect arises when water enters the ferry, such as when the doors are not properly closed. Even if only a small amount enters, the shifting water makes the ferry rock. This can gather momentum quickly, causing it to capsize in a short space of time.

69. It is believed some JI members have broken away to form the new militant wing, Tanzim Qaedatul Jihad (Organization for the Basis of Jihad), led by Noordin Mohammed Top who masterminded the second Bali attack and that on the Australian embassy. (Azhar Ghani, “JI Terrorist Heads New Militant Wing,” The Straits Times, 31 Jan 2006, p. 1).


72. Religious schools are famously hotbeds for recruiting terrorists. Regardless, religious education reform remains a sensitive topic in Indonesia. In 2003, a controversial education reform bill requiring that children be taught their own religion by a teacher of the same faith was pushed through, but it led to riots and tension between the races.


74. Japan has since offered high-speed patrol boats, stripped of weapons, as part of its official development assistance program with the specific request that the boats could not be used for “military aims or to promote international conflict.” Indonesia has yet to accept. (No byline, “Japan to Provide Indonesia with Anti-Piracy Speed Boat,” Kyodo World Service, 16 March 2005).


80. Percival (2005), p. 26

84. Devi Asmarani and Reme Ahmad, “Pirate Attacks in Malacca Straits at Six-Year Low,” The Straits Times, 9 November 2005, Southeast Asia section.
85. The global figure fell from 329 in 2004 to 276 in 2005; 23 vessels worldwide were hijacked, the highest number in four years, and 440 crew taken hostage, the highest since IMB started compiling statistics in 1992. The region’s shippers are hoping to use the statistics to persuade Lloyd’s to de-list the Straits from its “war list.”
86. According to Joshua Ho of the Institute of Defence and Strategic Studies, Nanyang Technological Institute, these procedures are based on existing bilateral agreements. The existing Indo-Sin Coordinated Patrols, for example, have arrangements for cross-border pursuit and will be used as such.
87. Richardson, “China Relaxes as Region Addresses Maritime Problem.”
88. The EAS involves the ASEAN countries, China, Japan and South Korea (known collectively as ASEAN+3), as well as India, Australia, and New Zealand.
89. The coalition’s objective was to enforce UN sanctions against Saddam Hussein’s Iraq and to prevent the escape of Al Qaeda leadership via the sea. The network-centric approach used by the coalition—what the Canadians called its gateway C4ISR (Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance)—enabled the rational assignment of assets and ensured that ships were not boarded multiple times; whereas the rules of engagement spreadsheet ensured the rational distribution of resources and that ship commanders never had to refuse instructions due to political restrictions. (Paul Mitchell, “Maritime Lessons for Asean,” The Straits Times, 4 January 2006, Review section).
90. Any law enforcement operations in respect of drugs are carried out by the USCG LEDET with assistance from the British navy’s personnel and assets. Any arrests are carried out by the USCG LEDET and any drugs or other evidence seized are held by them. Detainees and evidence fall under U.S. jurisdiction. (Information provided by U.K.’s Ministry of Defence.)
91. In May 2004, for example, it took a freighter loaded with South Korean cars six hours to sink after a collision in the Malacca Straits. By the time she finally foundered, Singaporean tugs had towed her out of the shipping lane. Fuel tankers, which feature prominently in many doomsday scenarios, IDSS’ Joshua Ho told The Economist, are robustly constructed and do not carry their cargo in volatile forms.