

Maritime and Continental Southeast Asia: Same Sea-bed, different dreams? 6th
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Euan Graham

How important is South-east Asia's maritime geography, as a determinant of contemporary security concerns and state behaviour? Apart from land-locked Laos, every country in the region has a sizeable coastline and offshore resource claims. Thailand, Vietnam, Cambodia and Myanmar are usually thought of as belonging to 'continental' South-east Asia. Yet Southeast Asia is predominantly 'maritime'. Can a meaningful distinction be drawn between maritime Southeast Asia (comprised of Malaysia, Indonesia, Singapore, Brunei, Philippines and East Timor) to differentiate their threat perceptions and international relations from 'continental' neighbours? Has a globalised trading system, on which all South-east Asian economies now depend heavily, obviated this distinction? Have improvements in communications technologies, military technology, and global-level security challenges such as climate change shrunk Southeast Asia's maritime space to the point of strategic irrelevance in the 21st century? I will argue that despite these factors, maritime geography has an enduring influence on regional security. But an important division needs to be drawn between the only fully fledged maritime state, Singapore, and other countries in the region that share continental, coastal and maritime attributes.

This conceptual division of maritime and coastal hinges to a large degree on capacity, as well as more subjective colonial and pre-colonial influences that bear on strategic orientation. True maritime states, in the abstract, in addition to marine geography have a high dependence on trade and typically pursue free-trading policies. They also have a developed physical and marine financial infrastructures closely linked to the world economy. Maritime states are more likely to invest the resources required to build up a navy for the purpose of protecting internal communications, policing maritime claims and ultimately of projecting power in support of wider trade-led interests, independently or in coalition. Maritime states are thus more likely to cooperate and pursue alliances with extra-regional maritime powers. Coastal states, by contrast, may claim expansive maritime territory but lack the capability needed to enforce these claims. Internal political and security concerns predominate but porous maritime borders play to fears of external intervention. Their economic structure is less dependent on trade, hence more protectionist. Port infrastructure is also less developed. How do such generalisations stand up to scrutiny in South-east Asia?

South-east Asia looms large, if not always obviously, in global economic geography. This is a function partly of its geostrategic location, as a fulcrum between the major mineral and energy suppliers in the Middle East and Australasia, and the energy-hungry population centres of Northeast Asia. South-east Asia is a major market and supply-base in its own right, with 550m people and substantial mineral and hydrocarbon resources of its own. On economic measures, the value of trade substantially exceeds GDP in both Singapore and Malaysia, such is their reliance on trans-shipped goods for re-export. Both exhibit other features common to maritime states, although Singapore is in a class of its own as an entrepot port state, defined by maritime trade. South-east Asia's archipelagic states, Indonesia and Philippines are composed of 17,000 and 8,000 islands respectively. However, such fractured geography has been perceived less as an opportunity than as a source of

vulnerability – a barrier to national unity and a backdoor to foreign intervention. Indonesia, Malaysia, Brunei and Vietnam are significant energy producers. This is an evolving dynamic. As domestic energy demand grows and oil reserves dwindle among South-east Asia's established producers, will this drive increased resource competition and exacerbate maritime territorial disputes in the region, or will increased future dependence on external energy supplies result in more activist or internationalist foreign policies?

EU'S CODE OF CONDUCT ON ARM EXPORTS AND INDONESIAN NAVAL BUILD-UP

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Abstract

Indonesia was once a major naval might in Southeast Asia with advanced brown-water capabilities until early 1960s. Such regional naval posture has ever since degraded and dependent on external suppliers for cutting-edge weaponry. The military operations to dim disturbances in Aceh and East Timor with alleged human rights violations intensified from late 1980s through 1990s had helped the issue of human rights to emancipate itself from a 'void' to a kind of 'conditionality' in international weapon sales and transfers to Indonesia. That fairly downsized Indonesia's choice to increase the quantity and modernise its naval fleets. In 1998 EU introduced the Code of Conduct on Arm Exports to prevent its weapon manufacturers to sell arms to the end-users that may use them against civilians. In September 1999 EU banned arm transfers to Indonesia for 4 months following the violent riots after the East Timorese opted for self-determination. While the U.S. remained as the world's largest conventional weapons supplier, but it is the European Union Member States that controlled the lion-shares of Indonesia's armaments niche since end 1990s. This paper evaluates the effectiveness of such measure and the upshots of EU enlargement on the Code. This paper also assesses its impact on Indonesian naval modernisation, resilience and capabilities, Indonesia's exit strategy and effect on the market share, and discusses the underlying consequences on regional naval equilibrium.

Proposal:

Privatising maritime security in Southeast Asia: Exploring the relationship between the state and private security companies

Carolin Liss

Over the past 20 years, non-traditional maritime security threats, such as piracy, illegal fishing and maritime terrorism, have increasingly come to the fore in Southeast Asia. Responding to such threats and ensuring national security has long been seen as a fundamental responsibility of governments - a notion that is now being challenged. Indeed, over the past years a rising number of Private Security Companies (PSCs) – also referred to as Private Military Companies (PMCs) – have emerged, offering a vast menu of maritime military and security services that were in the past largely the responsibility of government agencies. Services provided in Southeast Asia include the protection of ports, vessels and offshore energy installations. However, the employment of PSCs has given rise to a number of concerns about the nature of services provided by these companies. These concerns centre mainly on the lack of transparency and public oversight of operations and business practices of PSCs and whether the protection of national security and the provision of military services should remain within the domain of governments, rather than the profit motivated private sector.

While PSC operations are often thought to be mostly confined to war/conflict zones and failed states in Africa and the Middle East, PSCs active in Southeast Asia operate within the context of growing economies and comparatively stable polities. Looking at the strengths and weaknesses of states in Asia, this paper will discuss why this shift from government to private security is occurring in the region, despite local and international concerns about this privatisation process. Furthermore, it will examine how governments in the region have reacted to the employment of PSCs and how these private companies have responded to increasing criticism of their activities in maritime Southeast Asia. This analysis will provide insights into the relationship between PSCs and governments in Asia and help to determine how the employment of PSCs affects the control of force by governments in the region. Furthermore, looking at the responses of PSCs to criticism, this article will show how the private security market is changing and developing.

Bio:

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Managing Maritime Piracy in Southeast Asia: a technical or sovereignty issue?

Paramitaningrum

Abstract

This paper will discuss about the growing incidence of maritime piracy in Southeast Asia. This issue has been existed long time ago but it has been a major concern for the last decade. Maritime Piracy also related to the grey area phenomena (GAP). There are various factors triggered maritime piracy such as economy and politics. However, the management of this issue is complicated due to the different views between states actors in the region, and between government and non-government institutions.

These differences influenced the problem solving action. Using the perspective of neoliberal institutionalism it is found that sovereignty, conflict interests and technical matters are still the main obstacles to solve maritime piracy issues. While at the same time, the maritime piracy issue created a terrible image that related to business opportunities in such region.

However, all actors involved in this issue have big concern. Several unilateral, bilateral and regional mechanisms already launched, but it got various responses from all those actors. In addition, these mechanisms created the overlapping and the competition of the management of maritime piracy issues.

Nevertheless, it is better to make use of the current mechanism (bilateral or regional cooperation) to manage maritime piracy issues, and expand to be a good coordination among them. This approach will be more effective and efficient than establishing a new one. The private sectors are also the recommended actors to be involved due to their expertise, networking skills and experiences.

Key words: Maritime Piracy, transnational organised crime, non-state actors, regional cooperation.

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ABSTRACT

Title: Aiming for the long term: the prevention of conflict and building peace in the South China Sea

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Panel: Maritime Security in Southeast Asia: Old Rivalries, New Challenges

In maritime Southeast Asia, the South China Sea's (SCS) is a critical flashpoint. Its geographical and geostrategic position creates a security dilemma for virtually all regional powers. Stability in the SCS is crucial for maritime security not only in Southeast Asia, but also for the wider Asia-Pacific. Overlapping territorial claims in the SCS are closely linked to securing ownership of natural resources in the area. The Sea Lanes of Communications (SLOC) through the SCS are important and have both regional- and geo-strategically implications. Interrupted or endangered SLOCs would be devastating not only for the economy of the regional trading states. In short, the SCS is a critical flashpoint where conflict, even instability, would have major implications.

Although the underlying incompatibilities have not been resolved, and despite China's increasing naval power, and increasingly strong rhetoric, this paper will argue that in fact the SCS is an example of successful conflict prevention and peace building since 1990. It is argued that, in fact, a relatively stable peace has been built through a number of inter-related processes. This paper focuses on the relations between China and ASEAN. It is based on empirical data collected between 2005 and 2009. A number of processes that have been of importance for preventing conflict escalation and building peace in the SCS is identified. Two interlinked process categories – elite interactions and Sino-ASEAN/East Asian regionalisation - have been identified as of key importance. In particular track two diplomacy and personal networks among regional leaders and elites have been crucial. Finally, the role of the U.S. will be analysed.

Paper Abstract Submitted to the 6th EuroSEAS Conference 26 August 2010 – Goteborg

By: Karsten von Hoesslin, Senior Analyst, Risk Intelligence

Title:

Using Circles & Squares to differentiate tactics and organisations: A holistic methodology in the examination of piracy and other maritime illegal activities within South East Asia and their trends.

Abstract:

Despite the reduced attention that piracy and armed robbery against ships receives in South East Asia in the international media, the maritime criminal act continues to occur and appears to be on the rise within the last three-year trend- namely in specific regions. Furthermore, piracy/armed sea robbery is being increasingly conducted in alignment with other maritime criminal activities such as smuggling and illegal bunkering. The purpose of this paper is to examine the patterns and trends of piracy and armed sea robbery from an operational lens and highlight three specific regions; the Singapore Strait, Tioman/Anambas Islands, and Sulu/Celebes Seas, which are currently the most active areas.

Incidents of piracy and armed sea robbery will be analysed through the author's research methodology using a holistic approach in order to gain a better understanding of overall criminal, insurgent, and terrorist activities within South East Asia and their tactical versus organisational origins. This paper shall also track the predominant changes in the region within the past five years using the methodology to help determine future trends and patterns.

Maritime *longues durées* and Structural Change in Contemporary Southeast Asia

Abstract for panel on “Maritime Security in Southeast Asia”, EuroSEAS 2010

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Many of the problems and challenges in the field of maritime security in Southeast Asia, such as piracy, smuggling, human trafficking and over fishing, seem to have emerged in the last few decades and most contemporary studies of the problems consequently focus on recent developments. Explanations typically focus on short-term political, geo-political, economic and social dynamics. Underlying the contemporary developments, however, are more slow-moving historical, cultural and geographic factors, or *longues durées*, in maritime Southeast Asia, many of which have been skilfully studied by several prominent historians of the region (e.g. van Leur, Wolters, Reid, Warren, Tarling, Lombard, Tagliacozzo). Combining the results of contemporary studies of maritime security in Southeast Asia with the results of the broader, synthesizing historical studies with longer time perspectives, this paper aims to highlight the persistence and significance of relatively stable, or slowly changing, historical factors and circumstances for understanding the contemporary challenges in maritime security in Southeast Asia.

The Fight against Migrant Smuggling by Sea in Southeast Asia

Jasmine Coppens

Huge disparities in wealth across Southeast Asia, the denial of fundamental rights in some countries and natural disasters have resulted in broad population movements in this region, especially by sea. The most famous examples are without a doubt the flow of Vietnamese boat people in the late 1970s and the 2001 incident with the MV Tampa – a ship carrying over 400 migrants – that caused a dispute between Indonesia and Australia.

Following large numbers of illegal boat arrivals run by smuggling operations in the Asia-Pacific region, a regional consultative mechanism – known as the Bali process – was established in 2002. Co-chaired by the Governments of Indonesia and Australia, this initiative involves more than 50 countries committed to practical measures to help combat people-smuggling and trafficking in the Asia-Pacific region. As the migrant flows consist of both victims of forced displacement and economic migrants, a primary challenge is to ensure that the rights of refugees and asylum-seekers are respected. Therefore the International Organization for Migration (IOM) and the UN Refugee Agency (UNHCR) are also involved.

The Association of South East Asian Nations (ASEAN) sometimes makes use of this regional mechanism, for example to try to solve the problem of the minority Muslim Rohingyas fleeing Myanmar by boat. However, the process remains non-binding and informal. Furthermore there is still a lack of an actual institutional framework. The paper will focus on the analysis and the future challenges of the Bali process as well as its relation with ASEAN.

MALAYSIA THE CROSSING POINT FOR SMALL ARMS AND LIGHT WEAPONS (SALW) ILLICIT TRAFFICKING TO INDONESIA

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Indonesia, as the largest archipelagic state in the world, shares maritime borders with many countries including Malaysia in the Straits of Malacca, the South China Sea and the Celebes Sea. Because of their geopolitical location these borders are very porous and, as a consequence, are highly difficult to monitor and control them, making them vulnerable spots to illegal activities such as arms smuggling. In such a susceptible situation, Malaysia has become the main route for small arms illicit trafficking from other Southeast Asian countries to Indonesia's conflict areas. For instance, some of those weapons have been found in Ambon, Poso, Aceh, and Papua where horizontal and vertical conflicts have occurred. In this light, to curb this problem Indonesia and Malaysia face an enormous challenge, particularly in view of the recent happenings in conflict zones and the increasingly need to secure their common borders. This paper aims then to analyze some of the measures taken by both countries to combat small arms illicit trafficking and examines the challenges faced by Indonesia and Malaysia in dealing with the main security sea border issues.

Keywords: *small arms, porous border, maritime security*

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Anti Terrorism Initiatives and the Maritime Supply Chain Security in Indonesia

Following the events of September 11th, security is deemed as prerequisite for the successful performance of maritime supply chain. Here, supply chain is defined as an integrative process that seeks to optimize the flow of materials from supplier to consumer.¹ The main support for supply chain security initiatives emerged out of concern that the security initiatives can serve as a regional forefront strategy in securing the flow of materials from suppliers into the national transportation system.² Nevertheless, the strengthening of security as an important element in protecting commerce has caused the emergence of a serious concern within the business community that the international, regional and national security initiatives are hindering trade. The cost of security is perceived to be expensive and time consuming both for exporters and importers, since the security measures undertaken in the checking of containers and cargo causes delays in trade.³

Thus, the purpose of this research is to discuss the impact of security initiatives on supply chain management processes. To be more specific, this research aims to focus on the implication of antiterrorism initiatives on the maritime supply chain in Indonesia. Indonesia is interesting in this respect, because this country highly relies on the maritime sector. Around 90 per cent of its national goods travel in shipping containers.⁴ Thus, the maritime transport continues to play a crucial role in supporting this archipelagic state international trade. Indonesia is among the 35 countries and territories with the largest controlled fleets and also is amongst the 35 flags of registration with the largest registered deadweight tonnage, as of 1 January 2008.⁵ The waters generate revenues for this state, not only from the shipping industries but also from the vast resources in fisheries, hydrocarbon and tourism.⁶ Nonetheless, the transport of goods by sea may also pose a danger to the security of state. The porous system of maritime supply chain is a vulnerable target to be misused by drug dealers, crime syndicates, contra band traders, and terrorist groups.

¹ Ruth Banomyong, "The Impact of port and trade security initiatives on maritime supply-chain management", *Maritime Policy and Management*, 32:1 (January 2005)

² Deborah Cowen and Susannah Bunce, 'Competitive Cities and Secure Nations: Conflict and Convergence in Urban Waterfront Agendas after 9/11', *International Journal of Urban and Regional Research*, 30:2 (June 2006), pp. 434

³ Ibid., pp. 434

⁴ David Ray, USAID & SENADA: Indonesia Port Sector Reform and the 2008 Shipping Law, available at <http://pdf.usaid.gov/pdf_docs/PNADN188.pdf> accessed on February 12, 2010

⁵ United Nations Conference on Trade and Development Secretariat, 'UNCTAD Review of Maritime Transport 2008', available at www.unctad.org/en/docs/rmt2008_en.pdf, pp.39,pp. 46, accessed on February 12, 2010

⁶ Arif Havas Oegroseno, Director for Political, Security and Territorial Treatise, Department of Foreign Affairs, Republic of Indonesia, "The ASEAN Maritime Domain", Dialogue and Cooperation in Maritime Security of ASEAN and ASEAN Regional Forum, http://www.un.org/Depts/los/consultative_process/documents/9_oegroseno_presentation2.pdf., accessed on February 12, 2010

The Indonesian Riau Islands:

A Pirated and Southeast Asian Version of the Tortuga Island...

Proposal submitted by Eric Frécon (RSIS – Indonesia Programme, Singapore)

Maritime Security in Southeast Asia: Old Rivalries, New Challenges

Panel for the 6th EuroSEAS Conference in Gothenburg (26-28/8/2010)

In 2005-2008, sea and air patrols both contributed to the fight against piracy in the Malacca Straits. Nevertheless, the last IMB (International Maritime Bureau) and ReCAAP reports emphasize that sea piracy has hit a five-year high in waters near Singapore, surpassing the previous record in 2005. The three main piracy prone areas are waters off Anambas, the northwest of Batam and the northwest of Bintan (cf. Annexe, §1.). Pertaining to maritime security studies, this upsurge underlines the need to conduct much more research on the Riau Islands, which presents itself as the backstage – or playground – of this regional piracy. In other words, piracy shouldn't be studied only from the sea and from military headquarters but also through adopting other disciplines, such as the humanities and sociology.

The aim of this paper is to survey the extent to which the last trend of attacks in the Singapore Strait and in the South China Sea can be explained by factors emanating from the slums of Batam and from the kampongs of the Anambas. This will be done by referring to the local economic and social indicators (investments, housings, infrastructures) as well as testimonies of former and 'stand-by' pirates (cf. Annexe, §3.). The paper will also attempt to answer the following questions: Is it linked to the unsuccessful implementation of the BBK (Batam, Bintan, Karimun) Free Trade Area since April 2009? Is it due to the economic (global crisis) or the political (local and national elections) contexts? What about the corruption among the authorities and the local godfathers, like Bulldog and Mr Pang? How to assess the historical weight in this part of the Malacca Straits? Are there any legal or diplomatic impediments (the archipelagic status of the Riau Archipelago Province and the territorial disputes at sea)?

The field research will also give the opportunity to provide a broader picture of the maritime criminality off the Riau Islands by locating the pirate base camps and by highlighting the links between smugglers and pirates (cf. Annexe, §2.). In addition, knowledge of the Muslim networks in *pesantren* and *madrasa* in the Riau islands will put a new light on the potential of 'terrorism threat' at sea. Ultimately, the study will allow for the proposal of new ways to counter piracy on land with the help of law enforcement agencies as well as Non-Governmental Organisations.

By way of conclusion, there is also the challenge of applying the same geographical model in the East-Kalimantan Province, in the Sulu. One can find the same context: former sultanates, very large provinces, swamps, limited transportation, remote *kampongs* along the borders, natural resources, pioneer fronts, chokepoints and SLOCs nearby and similar issues: illegal immigration, territorial disputes, smuggling, maritime crossroad for terrorists on top of the same challenges in making the area safer and more attractive; the USA have already given assistance to set up radars along the Makassar Strait, such as in the Malacca Strait. Would it take to set up also trilateral patrols (Indonesia-Malaysia-Philippines)?