

Neverending Story? Problem of Maritime Piracy in Southeast Asia

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Abstract—The article describes the issue of maritime piracy in Southeast Asia and tries to answer the question concerning possibility of eradicating this phenomenon from the Asian waters, as it happened in the Horn of Africa. Since the Somali pirates activity has been reduced significantly, the paper analyses if it is possible to repeat this success in Southeast Asia. This question is ever so important because of the highest risk of maritime piracy attacks is in that region since 2012, especially in the Indonesian waters. The article also describes chosen reasons of maritime piracy in Asia, which are chiefly related to geography, socio-political factors, and economy, for instance: the problem of poverty, corruption and effective control of such huge territory. The article emphasises that the conditions in Southeast Asia differ from the Somali ones; as a result, it may be difficult to repeat successfully the anti-piracy efforts which eliminated piracies from the Somali waters almost entirely.

Index Terms—Maritime piracy, maritime safety, Southeast Asia.

I. INTRODUCTION

Piracy. At present, this is a term associated more with computer software and a handful of movie blockbusters (*Pirates of the Caribbean*) than anything else. Yet few people realise that maritime piracy is a serious problem which affects international trade and is still a challenge for security at sea. According to the International Maritime Bureau (the IMB), 246 actual or attempted attacks were recorded just in 2015. By comparison, in 2011 this number was much higher – 439. 237 of those attacks were attributed to Somali pirates, which had doubtlessly become the most famous sea marauders of our times [1]. However, since 2012 the activity of infamous Somali pirates has been effectively reduced. Nowadays, a high percentage of the maritime pirate attacks happens in Southeast Asia, particularly in the Indonesian waters.

The paper analyses the phenomenon of maritime piracy in these waters, and particularly the reasons because of which its reduction, according to the author, is more difficult than in the Horn of Africa. The article is divided into four sections. The history of Asian piracy is described briefly, as a background to next sections. Amongst them, the most important one is part III, which shortly describes the contemporary maritime piracy in the region and analyses the most important factors which enable this phenomenon to

grow and become a serious threat for local and international maritime trade and commerce. The main part is an analysis of chosen factors, which make Southeast Asia a favourable place for local maritime pirates. Why is this region piracy-prone? Which factors enable pirates to have operated in Southeast Asia for such long time? Is it possible to eradicate, or significantly reduce, Southeast Asian maritime piracy?

II. HISTORY

Piracy in Southeast Asia has a rich history. Piracy had existed in this region long before the arrival of the Europeans. For instance, in 414 a Buddhist monk Shih Fa-Hsien, who was travelling from Ceylon to China, described the dangers of pirate attacks. The pirates waited for their victims in the Strait of Malacca and the South China Sea [2]. In the 14th century, a Mongolian official wrote about the pirate attacks which had occurred in the Singapore Strait. He noticed that pirates were numerous (two or even three hundred pirate vessels) and that, in a case of a successful attack, the fate of the sailors was pitiful: the pirates slaughtered them and all their goods were seized by the plunderers [3].

The reason for all the pirate attacks described above was the large-scale trade that arose between India and China. Until the 11th century, this exchange could be described as considerable. The middle of the 15th century was the ‘Golden Era’ of the Malacca Sultanate, which had grown from a small pirate village to an independent principality governed by its own laws. This came about as a result of its beneficial geographical location (similar to contemporary Singapore) and the fact that the town had become a trading centre for the region. In this place everything could be bought and sold, from food to goods obtained illegally – by an act of piracy, for example [4].

Europeans, who appeared in the region in the beginning of the 16th century, were sometimes the victims of pirate attacks, but their warships, as well as firearms and power of the trading companies, usually were strong enough to defeat maritime plunderers. The Southeast Asian pirates constituted no serious threat to the interests of the Western colonisers [5]. The political and economical influence of European powers in region was growing gradually. When the Portuguese defeated the Malacca Sultanate, the pirates’ activity increased. Maritime piracy must have been a plague of the Southeast Asian waters. As one of the authors wrote: “[...] large raiding fleets – sometimes composed of

Manuscript received June 9, 2017; revised August 12, 2017.
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hundreds of vessels carrying thousands of men – set out each year from the Sulu archipelago in the southern Philippines, swarming through Southeast Asian waters from the Strait of Malacca in the west to the Moluccas in the east” [6]. Effective fighting against such numerous bandits was not an easy task. Despite that, Western colonial powers achieved some significant success. The British were those who invested particularly much in combating maritime piracy, not only in the Asian waters. A mixture of modern naval technology, firepower and willingness to wipe piracy out led to a reduction of this phenomenon. In fact, Asian maritime piracy was not eradicated completely, but the pressure of the colonial powers limited its scope [7]. However, the problem had not been solved completely; nowadays maritime piracy is perceived as one of the most important security threats in Southeast Asia.

III. CONTEMPORARY MARITIME PIRACY IN SOUTHEAST ASIA

Despite the efforts of all Western colonial powers, the phenomenon of Asian maritime piracy did exist to a limited extent before, during, and after the World War II. Regions such as the Sulu Sea and Sabah – bordering the same sea and the Indonesian waters – were perceived as places of pirates’ activity and still remain dangerous. After the collapse of the Republic of Vietnam in 1975, hundreds of thousands people fled by boats from victorious North Vietnamese communism. All these people had to face numerous hazards, including violent attacks of maritime pirates. According to the United Nations, from 1980 to 1985 pirates abducted 592 people, and 283 women were raped [8]. This estimation is one of the lowest, and therefore the real number of victims may only be guessed. Brutality of the maritime bandits sprang because of the collapse of South Vietnam which could not protect its former citizens anymore. For the communists, the escapees were traitors, and for the neighbouring countries, a burden [9]. Amongst pirates’ victims there were also Thai fishermen, over 500 of whom were killed between 1980 and 1982 [10]. This bloodbath was stopped due to a decrease in the number of refugees, as well as an anti-piracy action supported by the United Nations High Commissioner for Refugees (UNHCR). Nowadays, the piracy in Southeast Asia is definitely less violent than in the past, but is still quite common (see Table I).

According to the IMB data, the Indonesian waters is the zone mostly affected by the piracy (only in 2009 the Malaysian waters were more dangerous than the Indonesian ones), but the attacks in the Strait of Malacca – a strategically important zone – cause international concern. The statistics of the IMB do not reflect attacks in the Sulu Sea, where small vessels (like fishing boats) are the target for local pirates, sometimes violent [11]. It is worth to emphasise that the number of attacks per year is changing, sometimes significantly. A growing numbers of attacks may result in anti-piracy operations which would reduce the activity of sea marauders. Seemingly safe waters may be later patrolled less often, which results in the pirates’ return and the cycle starts from the beginning.

TABLE I: ACTUAL AND ATTEMPTED ATTACKS IN SOUTHEAST ASIA AND SOMALIA BY LOCATION

	2005	2006	2007	2008	2009	2010
Vietnam	10	3	5	11	9	12
Indonesia	79	50	43	28	15	40
Malacca	12	11	7	2	2	2
Straits						
Malaysia	3	10	9	10	16	18
Philippines	--	6	6	7	1	5
Singapore	7	5	3	6	9	3
Straits						
Thailand	1	1	2	--	2	2
South	6	1	3	--	13	31
China Sea						
Total	118	87	78	64	67	131
Somalia*	48	22	51	111	217	141
	2011	2012	2013	2014	2015	2016
Vietnam	8	4	9	7	27	9
Indonesia	46	81	106	100	108	49
Malacca	1	2	1	1	5	--
Straits						
Malaysia	16	12	9	24	13	7
Philippines	5	3	3	6	11	10
Singapore	11	6	9	8	9	2
Straits						
Thailand	--	--	--	2	1	--
South	13	2	4	1	--	--
China Sea						
Total	100	110	141	148	174	77
Somalia*	237	75	15	13	--	2

Source: IMB Piracy Report

* All incidents attributed to Somali Pirates (the Somali waters, the Red Sea, the Gulf of Aden, Oman)

N.B.: The light-grey shaded cells show the Southeast Asia region in which the highest number of attacks took place in a given year.

At present, there are two kinds of maritime pirates in Southeast Asia. The first group are opportunistic pirates, who are non-organised, poorly equipped and usually operate in a small, local area. Their attacks are not planned carefully, and the motives chiefly include short-term profit. The profits are divided and consumed, and the most desired booties include cash and things which are easy to carry, sale or use in daily life (even things like clothing). Cargo ships do not interest them [12]. On the other hand, there are well-organised gangs of pirates, who plan their attacks carefully and concentrate on cargo ships, especially those carrying goods difficult to identify and easy to sell, such as crude oil or electronic equipment. These piracy syndicates are well-armed, use modern technology and are responsible for hijacking and seizure of ships. Noel Choong estimates that there were four such groups in Southeast Asia in the early 21st century. Not surprisingly, thanks to common corruption in region, they are suspected to have links with the authorities, especially in China and Indonesia [13].

Why are the Southeast Asia waters piracy-prone? According to a Polish researcher and retired naval officer Krzysztof Kubiak, the contemporary maritime piracy renaissance is related with some factors. They may be divided into the following categories:

- reduction in numbers of warships, which happened after the end of the Cold War;
- politics (problem of instability, fragile or failed states, limited cooperation between the Southeast Asian states);
- geography;
- maritime traffic;

- economy and poverty;
- corruption;
- restrictions, limitations or gaps in maritime law;
- easy access to new technologies (especially communication and weapons) [14].

Maritime piracy appears or increases significantly when there is a combination of the factors mentioned above. A fragile and corrupted state, with a vast territory, and located close to an important Sea Line of Communication (SLOC), is more likely to become a piracy nest than a well governed state, which is able to implement law and order. Somalia became a clear example of a failed state, in which the central government does not exist or cannot control its own territory.

A. *Reduction of Naval Forces*

As it has been mentioned above, the reduction in numbers of warships, connected with the end of the Cold War, was a factor which helped maritime piracy to grow. Krzysztof Kubiak emphasises that Russia, the United States and almost all the NATO members limited the presence of their maritime forces at sea. Moreover, the development of military technology and limited military budget led to situations that states build warships which are less numerous, but more technologically advanced [15]. However, even a 30-years-old minesweeper, which operates close to the place of pirates' attack, is good enough against them, and better than a *stealth* destroyer 200 miles away [16]. Nowadays, in Southeast Asia there is a maritime arms race not only between regional powers such as China, India and Japan. It also includes countries such as Indonesia, Malaysia, Singapore, South Korea, Vietnam and the Philippines. The number of warships in Southeast Asia is growing, but a majority of them is designed to fight against enemy fleet, rather than maritime pirates. Modern submarines, missile guided destroyers, frigates, corvettes, or fast attack craft, all of them equipped with advanced weapon and electronics, are built for different aims than combating maritime piracy. For political and military reasons, maritime forces in Southeast Asia are developed to keep a military balance or gain an advantage over a potential enemy, and not to fight against minor targets such as pirates dhows. Nevertheless, the number of warships which may be used against pirates in Southeast Asia is growing. The main obstacle for fighting against local pirates effectively is not the number of warships; it is rather determined by some different factors – politics and geography.

B. *Politics*

One of the most important reason for the spectacular rise of piracy in the Horn of Africa was the collapse of Somalia as a state. The long-term results of this failure brought negative consequences not only for the Somali citizens, but for the whole region and even for the international trade. Regarding the maritime piracy, non-existing Somali naval forces could not have protected territorial waters from overfishing, which had a negative impact on Somali coastal communities. A combination of poverty, easy access to weapon and seafaring experience resulted in a high growth of maritime piracy (especially in the period 2008-2012) which could not have been stopped by the failed Somali

state. International anti-piracy military response resulted in an almost complete eradication of pirates' activity in the Horn of Africa.

In Southeast Asia there are no states which could be described as a failed state like Somalia (see Table II).

TABLE II: FRAGILE STATE INDEX (CHOSEN SOUTHEAST ASIAN COUNTRIES PLUS CHINA AND SOMALIA)

Country	FSI score	Rank
Brunei	62	123/warning
China	74,9	86/elevated warning
Indonesia	74,9	86/elevated warning
Malaysia	66,1	115/warning
Philippines	84,7	54/high warning
Singapore	32,9	161/very stable
Thailand	78,8	74/elevated warning
Vietnam	70,7	106/elevated warning
Somalia	114	1/very high alert

Source: Fragile State Index 2016

Nonetheless, Southeast Asian countries face some internal problems which may result in political instability. Political fragility may result in confrontation, acts of aggression and negative effects in security issues. Maritime piracy may be a side effect of political instability if the situation in the region deteriorates. In the past, the mentioned collapse of South Vietnam led to violent piracy attacks on boat people escaping from the newly established "bamboo gulag". Nowadays, the conflicts in Southeast Asia may result in destabilization and create a situation in which piracy may be even more problematic than it is now. The collapse of South Vietnam and a massive exodus of Vietnamese boat people created a condition for violent piracy attacks. Today, the situation in Indonesia (West Papua and Aceh), Malaysia (Sabah), the Philippines (Moro Rebellion), and Thailand (Islamic insurgency in Southern Thailand) is strained, and in some regions (especially Sulu and Sabah) the pirates are already active.

States are also responsible for protecting their territorial waters and combating maritime piracy. Southeast Asian countries face numerous problems related to local piracy, but their willingness to cooperate on regional or international level in combating the sea marauders is limited. Maritime piracy is a threat not only for the local safety. The Asian waters are a lifeline for international maritime trade and commerce, so there is an international interest in combating maritime piracy. The attention of external states was focused on providing security of the Asian SLOC's, especially when an increasing number of piracy attacks threatened international trade and commerce. But a distrust about hidden agendas and a historical resentment of Western interference have a mixed effect. On the one hand, Asian countries started to cooperate. This regional cooperation resulted in a decrease, but not cessation, in maritime piracy [17]. That limited cooperation against sea marauders includes:

- Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia (ReCAAP),
- Malacca Straits Coordinated Patrols (MALINDO - MALaysia, Singapore, INDOnesia),
- Eyes in the Sky,
- ASEAN Maritime Forum,
- Maritime Security Expert Working Group.

Information sharing, intelligence exchange, naval patrols, and air surveillance are useful tools against maritime piracy, but all the mentioned programs have their weaknesses. On the other hand, the number of patrols (both naval and air) is still insufficient and not all the Southeast Asian countries participate in the anti-piracy efforts in full scope. Malaysia and Indonesia have not joined ReCAAP yet and have not ratified the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (the SUA Act), signed in Rome in 1988 (Table III).

TABLE III: PARTICIPATION IN RECAAP, EYES IN THE SKY (EIS) AND SUA CONVENTION IN CHOSEN SOUTHEAST ASIAN COUNTRIES

	ReCAAP	SUA Convention 1988	EiS	MALSINDO
Brunei	Yes	Yes	No	No
Cambodia	Yes	Ye	No	No
Indonesia	No	No	Yes	Yes
Laos	Yes	Yes	No	No
Malaysia	No	No	Yes	Yes
Myanmar	Yes	Yes	No	No
Philippines	Yes	Yes	No	No
Singapore	Yes	Yes	Yes	Yes
Thailand	Yes	No	Yes	No
Vietnam	Yes	Yes	No	No

Source: A. Amri, Combating maritime piracy in Southeast Asia form international and regional perspectives: challenges and prospects, pp. 11-14.

All these efforts reduced the number of piracy attacks, but did not lead to the elimination of maritime pirates from the region. The problem of corruption, a modest scale of the launched operations, and conflicting interests of the engaged countries help the marauders to survive. For instance, Singapore is mostly concerned with securing shipping in the region. Meanwhile, Malaysia and Indonesia are interested in maintaining their supremacy over the territorial waters [18].

Southeast Asian countries are sceptical about close cooperation, including collective anti-piracy operations. Wide-scale international community action could be treated as a threat for national sovereignty. Moreover, the presence of Western military personnel could activate Islamic radicals in some countries. Contrary to the Somali waters and the Gulf of Aden, an international operation against pirates is less possible. There is no Asian country on the verge of collapse and they protect their states' sovereignty. Additionally, the geography of Southeast Asia is much different than that of the Horn of Africa, which makes such an action more complicated, even if regional countries enabled foreign maritime forces to operate on their territorial waters.

Governments and officials declare good will for cooperation and combating maritime piracy, but the reality is less optimistic. A limited cooperation decreases the effectiveness of anti-piracy operations. Moreover, another factor which favours piracy is related to the politics. It is corruption.

C. Corruption

According to Transparency International, the region of Southeast Asia is perceived as a corrupted one. Like one swallow does not a spring make, one single Singapore does not make the whole region less corrupted. Corruption is a real problem in almost every Southeast Asian country; see Table IV.

Corruption is not only a threat for economy, society, and state development, but – when corruption inflicts security forces – it may reduce state's ability to combat maritime piracy. Corruption may create security gaps and “friendly” environment for pirates, especially for well-organised groups [19]. As Table IV shows, bribery is a widespread problem in Southeast Asia, and it is still far from being solved.

TABLE IV: CORRUPTION PERCEPTION INDEX IN CHOSEN SOUTHEAST ASIAN COUNTRIES AND CHINA

Country	CPI Rank	Score
Brunei	41/176	58/100
China	79/176	40/100
Indonesia	90/176	37/100
Malaysia	55/176	49/100
Philippines	101/176	35/100
Singapore	7/176	84/100
Thailand	101/176	35/100
Vietnam	113/176	33/100

Source: Corruption Perception Index 2016

D. Geography

Southeast Asian geography is almost perfect for pirate attacks. Huge (and difficult to control effectively) territory, thousands of islands (sometimes with rugged coastlines), many rivers, bays, caves and straits, with land often covered by a dense jungle, is a convenient place for piracy. Pirates may not only hide themselves easily somewhere on the coastline, but also be more likely to escape successfully. Geography favours pirates especially in places where ships must slow down, for instance in passages like the Strait of Malacca. This facilitates both attacks and escapes of the pirates [20]. For instance, Indonesia is an archipelago extending over 5,100 km from west to east and 1,760 km from north to south. Indonesia has an area of approximately 5,200,000 km² of land and sea. According to the CIA World Factbook, Indonesia has over 17,000 islands. This area is virtually impossible to be effectively controlled by government maritime forces. The Philippine archipelago is composed of over 7,600 islands and the country has the 5th longest coastline in the world. If we extend this thousands-of-islands-list by the area of Malaysia, the Strait of Malacca, Vietnam, Thailand, and the South China Sea, it will become obvious how challenging it may be to provide law and order at such a vast territory. Even numerous, well trained, and uncorrupted maritime forces could have problem with that. In Southeast Asia the geography is a troublemaker. But pirates are also human beings who operate in a political and social environment, also created by people.

E. Economy and Poverty

Despite the fact that majority of Southeast Asian economies achieved rapid economic growth, there is still the problem of poverty, unequal development, and social inequalities, especially in rural areas, including people who depend on local fishing. Poverty is partly responsible for a growing number of piracy attacks. “Poverty in part stimulated a rise in piracy with the attraction of quick gains for low risk. [...] In an unpredictable environment in which income from fishing is never certain, fishers can, and have, adapted to alternative sources of income. Many simply engage in illegal fishing in their own state's waters or in the waters of a third state. In this context, the lure of making

some quick money by participating even in just one act of piracy can be strong” [21]. People who are left without an access to economic prosperity, or those who are victims of rapid economic development, try to find new survival strategies and maritime piracy may be an answer; especially when the economic losers are maritime-oriented people who possess seafaring skills [22]. These kind of maritime piracy is organised *ad hoc*; the pirates are poorly equipped and their attacks are not carefully planned. These people just try to find “easy targets”, and their motto could be: “opportunity makes the thief (or the pirate)”. Combating this kind of piracy is difficult because in Southeast Asia there is a large group of people who can become maritime pirates when they face economic problems. Additionally, their victims are mostly people from economically marginalized group (fishermen, local traders) [23]. The attention of media and international companies is not focused on them, so they may be left alone with their problems with Asian pirates.

Table V shows that Southeast Asian states are different in terms of their economic and social development. In comparison to Somalia even the poorest Southeast Asian state may be described as prosperous, but those losers in global development may be the recruiting base for crime activities, including maritime piracy.

TABLE V: GDP, GDP PER CAPITA, HUMAN DEVELOPMENT INDEX AND GINI INDEX IN CHOSEN SOUTH EAST ASIA COUNTRIES PLUS CHINA AND SOMALIA

Country	GDP	GDP (per capita)	HDI rank and score (2015)	GINI
Brunei	12,930	30,554	30/0.864	--
China	11,064,665	8,069	90/0.738	42.1
Indonesia	861,934	3,346	113/0.68	38.1
			9	
Malaysia	296,283	9,768	59/0.789	46.2
Philippines	292,451	2,904	116/0.68	43.0
			2	
Singapore	292,739	52,888	5/0.925	--
Thailand	395,168	5,814	87/0.740	39.4
Vietnam	193,599	2,110	115/0.68	35.6
			3	
Somalia	5,925	549	--	--

Source: World Bank, Human Development Report 2016, Human Development Report 2013.

F. Maritime Traffic

The Southeast Asian waters are one of the busiest in the world. Every kind of ship, from tiny fishing boats to supertankers, may be found in this region. Local SLOC's are vital not only for regional countries, but also for economic powers like China, Japan, South Korea, or Taiwan. China imports 90% of crude oil by maritime transportation. 90% of Japan's oil import and 33% of Japan's LNG import passes through the South China Sea [24]. Amongst the top 10 container ports in the world, 9 are located in Asia (7 in China, plus Singapore and Busan in South Korea) [25]. For instance, in 2016 138,998 ships (>75 GT) arrived to the Singapore port, including 17,932 containers, 5,749 freighters, and 23,695 tankers. The total number of ships (of every kind) which arrived to Singapore in 2016, including the smallest ones, was 2,662,695 [26]. These statistics clearly show the scale of maritime traffic in Southeast Asia. When combined with geography (ships heading close to coastal line; narrow straits where the ships

have to reduce speed; numerous places where pirates can hide themselves and wait for potential victim), huge maritime traffic creates favourable conditions for maritime piracy. Well-organised gangs may attack chosen ships, and opportunistic pirates may expect that something may be finally found and robbed without a great risk.

IV. CONCLUSIONS

As it has been mentioned, thanks to geographical location (the Horn of Africa) and political chaos, the Somali pirates could have operated with a great success until 2012, when the international community was able to reduce the numbers of attacks. In 2015 Somali pirates were able to attack only 9 ships, while in 2011 there were over 230 incidents attributed to them. May the piracy in Southeast Asia be reduced in similar way?

Complete eradication of maritime piracy in Southeast Asia seems impossible at the moment. Piracy is a consequence of many reasons, and it is difficult to solve in short-term all the problems which lead people to become pirates. Firstly, the conditions in Southeast Asia are different than those in the regions of the Horn of Africa, the Red Sea and the Gulf of Aden. Asian geography is more favourable for pirates. Thanks to the geography and limited numbers of operational vessels belonging to security agencies or maritime forces, effective patrolling and control of the Southeast Asian waters remains problematic. Secondly, the majority of the attacks is done by opportunistic pirates. For these people piracy is a way to increase their income, so they wait for favourable conditions to make an attack. They may stop small-scale piracy business when the risk is too high, but return to robbery in opportune time. Another problem is related to politics and cooperation. Cooperation could be more effective; however, it often remains limited, mostly due to the concerns about sovereignty. Moreover, causes which motivate people to become pirates (e.g. poverty in coastal communities, overfishing, and unemployment) still exist. Additionally, corruption remains widespread in most of Southeast Asian countries [27]. To be solved, the problem of poverty and social inequality needs a combination of time, political willingness and economic prosperity. Effective combat against maritime piracy in Southeast Asia requests an increase in the efforts of governments and non-state players against sea robberies. Shipowners and ship crews should strictly follow security procedures. Governments could improve the cooperation between the security and maritime agencies, and enhance a closer collaboration with other states. Ports, anchorages and the most important SLOCs should be protected better [28]. All these anti-piracy remedies mentioned above may be successful in long-term only after the fulfilment of the conditions which are much more difficult to achieve. Reduction of poverty, unemployment, social inequality and corruption, as well as ending some conflicts in Southeast Asia (especially in the Southern Philippines), would definitely help to combat maritime piracy in this region effectively, but it is difficult to achieve in short time. Even if the factors mentioned above become a fact, complete eradication of maritime piracy may be still impossible. Southeast Asia gives to

many opportunities for pirates and probably there will always be people who would like to take this opportunity.

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