The Sea and The Fury

Piracy seems more suited to Johnny Depp and Robert Louis Stevenson books, not devastating violent acts that have had an ever-growing fear in the 21st century. Southeast Asia, or the `Arc of Instability' (a more appropriate name for this essay), has become a hot spot for modern day pirates within the last decade. Maritime Terrorism has also become more widespread due to several Southeast Asian terrorist groups who have the intention and capability of waging terror on the high seas. However, one cannot say that piracy is a more persistent and significant threat to regional security than international terrorist networks. In many cases, piracy and terrorism overlap, and can therefore be constituted as the same thing. Piracy is defined by the United Nations as “violence on the high seas, that is, beyond any state's territorial waters” (Young & Valencia, 269) and to the International Chamber of Commerce's International Maritime Bureau as “an act of boarding or attempting to board any ship with the intent to commit theft or any other crime and with the intent or capability to use force in furtherance of that act". (Young & Valencia, 269.) Maritime Terrorism is defined as “political piracy” which is “any illegal act directed against ships, their passengers, cargo, crew or against sea ports with the intent of directly or indirectly influencing a government or group of individuals." (Young & Valencia, 270.) Because these acts are similar in nature and intent, one cannot be said to be more of a threat than the other. This paper will analyze separate cases of piracy and terrorism and cases where the acts overlap, with attention given to the Straits of Malacca, one of the world's busiest waterways and a veritable sitting duck for terrorism and piracy.

Piracy has made a remarkable return to the new world with hundreds of cases being reported every year. With many of the surrounding countries in the South Pacific being economically and politically unstable, and the fact that the seas are some of the most heavily trafficked in the world, piracy has become a viable means of thievery. “Reported incidents of piracy worldwide have dramatically increased over the last 5 years, peaking at 469 in 2000. A significant portion of these incidents occurred in Southeast Asian waters, increasing from 22 in 1997 to 164 in 2002. Indonesian waters alone accounted for 119 out of 469 reported worldwide incidents in 2000, 91 out of 335 incidents in 2001, and 103 incidents of a total 370 reported incidents in 2002.” (Young & Valencia, 270.) Piracy is used for financial gain, with different levels of piracy set at common thievery, temporary seizures, long-term seizure and hijacking. The Straits of Malacca saw a cargo ship, the Alondra Rainbow, of aluminum ingots hijacked on its way to Japan. The crew was held hostage for a week before being set adrift; they were later found by a Thai fishing boat. The ship was found weeks later in Indian waters.

Terrorism is usually not heard of at sea, but is just as serious as it is on land. “Terrorism, and its maritime manifestation, political piracy or maritime terrorism, is motivated by political goals beyond the immediate act of attacking or hijacking a maritime target.” (Young & Valencia, 271.) The Abu Sayyaf Group, the Gerakan Aceh Merdeka and the Jemaah Islamiyah are three terrorist groups with roots in the South Pacific that have taken advantage of the high volume of shipping that passes through the waters by perpetrating acts of piracy and terrorism. Al-Qaeda is also thought to be an enemy that would terrorize ships traveling through the region. “Not only do pirates

terrorize ships' crews, but terror groups like al-Qaeda could also use pirates' methods either to attack ships, or to seize ships to use in terror attacks at mega-ports, much like the Sept. 11 hijackers used planes. A more sinister scenario is that a small but lethal biological weapon could be smuggled into a harbor aboard ship and released. Terrorist groups regard seaports and international cruise lines as attractive targets because they lie in the intersection of terrorist intent, capability and opportunity." (Banaloi, 67.) This has affected Southeast Asia horribly, causing drops in tourism, trade and shipping revenues. Terrorist groups are more rampant in this region because of the great amount of political unrest and are usually able to procure the weapons needed for such activities relatively easily due to the political climate and amount of Black Market goods. This may be only the beginning of Maritime Terrorism.

In 1982, the United Nations drew up the Laws of Sea, detailing how many miles offshore nations could call their own and where maritime boundaries were regarding international waters. However, the flaw here lies in the fact that the United Nations did nothing to provide for nations that have conflicting boundaries except add an addendum that stated that nations had to "peaceably" come to a compromise. Conflicts have arisen due to the fact common waterways are narrow, nations have competing claims for boundaries, and an abundance of rich resources have been found in the area. "Piracy and terrorism overlap in several ways, particularly in the tactics of ship seizures and hijackings. And some of the conditions which allow it to thrive are also similar to the causes of terrorism, for example, poverty, political instability, permeable international boundaries, and ineffective enforcement." (Young & Valencia, 271.) Indonesia, Malaysia

and Singapore all border the Straits of Malacca, one of the busiest shipping areas in the world. Oil has been tapped and pumped off the coast of East Timor by Australia. Brunei is rich from oil deposits, as would the Philippines, Vietnam and China be - if someone drew up a proper boundary and split the territory. All of these claims have led to an amazing amount of unrest in the area, culminating with escalating violence. “Because piracy is frequent in Southeast Asia, terrorists have found it an attractive cover for maritime terrorism terrorists could adopt pirate tactics of stealing a ship, which they could then blow up or ram into another vessel or a port facility, to sow fear. Thus, security experts consider the line between piracy and terrorism to have blurred in Southeast Asia.” (Banalaoi, 64.)

A narrow waterway linking the Pacific and Indian Oceans, the Straits of Malacca are bordered by Indonesia, Malaysia and Singapore and sees thousands of shipping cargo pass through its ports every year. “The Malacca Strait alone carries more than a quarter of the world's maritime trade each year - more than fifty thousand large ships pass, including forty to fifty tankers. Because the strait is the maritime gateway between the Indian Ocean and the Pacific Ocean, it will remain a world center of maritime activity. It has been argued that it would be difficult for terrorists to disrupt shipping in the strait by sinking a ship in a precise spot. However, were terrorists to hijack one and turn it into a floating bomb to destroy ports or oil refineries, the effect would be catastrophic. Such an attack incident would not only cripple world trade and slow down international shipping but spread fear-more broadly than on 9/11.” (Banaloi, 65.) The United States has expressed grave fear over the possibility of sinking a tanker in the Straits, and has, along

with India, taken to patrolling the waters. Japan has also expressed concern over the safety of the Strait with good reason: Japanese ships were hijacked in 1998, 1999 and 2000, one of which was the infamous Alondra Rainbow. Needless to say, the problem is not going to go away. Piracy has become more rampant in the Straits during the last few years, and is expected to rise even more when China begins using more oil. “The number of such attacks has tripled over the past decade. In the first week of June, for example, a tug and barge disappeared on their way to Port Klang in Malaysia, armed robbers looted a tanker in Indonesian waters and crews repelled two other attacks in the Strait itself.” (www.economist.com.)

Despite the apparent rise of piracy and the serious potential for terrorist acts, all hope should not be lost. “A total of 16 countries and one administrative region were represented at the Asian Maritime Security Summit: Japan, South Korea, China, Hong Kong, the 10 members of the Association of Southeast Asian Nations, India, Sri Lanka, and Bangladesh. After discussing measures to deal with piracy and maritime terrorism, the participants adopted an "Asia Maritime Security Initiative 2004" calling for cooperation among their countries in this area. It seems fair to see this development as an expression by Japan of its readiness to take the initiative in regional maritime security.” (Isami, 49.) Recently, Japan, no doubt influenced by its hijackings, has spearheaded a campaign to end piracy and terrorism in the Straits and other sea-lanes in the South Pacific. One popular idea raised at the conference was building an Asian Coast Guard, wherein each nation would send people to be trained as officers and be able to patrol and safe guard the waters. The Copenhagen School in Denmark “introduced the

concept of "securitization" to challenge the traditional conception of security. Emmers applies the "securitization theory" to have a deeper understanding of the "securitization" of drug trafficking, piracy/maritime terrorism, and people smuggling in Thailand, Singapore and Australia, respectively." (Banaloi, 388.) "Securitization" has become a theory used to pinpoint the ways in which regions become "securitized" and "de-securitized." The theory has been met with great fanfare, especially in the South Pacific. Yet another theory to help scholars and government aides with the situation is the Grey Area Theory presented by Peter Chalk, where threats to the stability of nations are provided by non-nation processes, organizations and people. A review of his theory stated, "The piracy chapter touches on important weaknesses in international law, particularly in relation to the sensitive issue of "hot pursuit" and the problems of seas where there are disputed or no clear maritime boundaries, truly "grey-areas." It also raises significant regional examples of active cooperation, such as the joint maritime patrols by the littoral states of the Malacca and Singapore Straits which have helped to reduce incidents of piracy." (Grundy-Warr, 111.) The Royal Malaysian Navy has stepped up efforts to patrol the Straits, as has the Singaporean Navy. While the navies have reduced some acts of piracy and terrorism, the Straits under the Indonesian zone are largely unguarded due to lack of funds. The United States has offered assistance, but Malaysia, Indonesia and Singapore have declined, preferring advice and equipment rather than actual presence, which they fear might anger their country's inhabitants. Piracy and terrorism have been blended together to form a rather extreme form of diabolical action. Terrorism is the face of global disorder in the coming decade and will need to be

prevented in order to ensure a safer world. The war over installing a democracy in Iraq may not be the way to staunch the flow of terrorism, but a “securitized” Straits of Malacca could ensure the safety of people, trade and economic cooperation for years to come.