

Piracy in Southeast Asia

- Johnson, Derek and Mark Valencia, eds. 2005. *Piracy in Southeast Asia: Status, Issues, and Responses*. Singapore: International Institute of Asian Studies (Leiden) and Institute of Southeast Asian Studies. 174 + xx pp. ISBN: 981-230-326-X (hardcover), 981-230-276-X (paperback)

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Over the past decade piracy has re-emerged as a security concern for international shipping, particularly in Southeast Asia. With around 45% of the world's reported attacks, the region is frequently referred to as 'pirate-infested', and last year the Joint War Committee of Lloyd's of London declared the Malacca Straits a high-risk area, a term usually reserved for war zones. In recent years the scourge of piracy in Southeast Asia has attracted considerable attention, not only from government and security officials, but from scholars around the world.

Piracy in Southeast Asia: Status, Issues, and Responses is the first publication in the IIAS/ISEAS Series on Maritime Issues and Piracy in Asia. Bringing together eight rather eclectic papers on piracy in contemporary Southeast Asia, and written by prominent scholars in the field – several of whom readers of *IAS Newsletter* will recognise from the theme on maritime piracy in no. 36 last year – the book aims to identify the main pillars of a future agenda for research on modern piracy in Asian waters.

Adam Young first addresses the longer historical and cultural background to the recent surge in Southeast Asian piracy, as well as the problem of applying an essentially European concept such as 'piracy' to Southeast Asia. This is followed by Captain P. Mukundan of the International Maritime Bureau (IMB)'s discussion of the IMB's role in the fight against piracy, especially in relation to, on the one hand, the commercial interests his bureau represents and, on the other, the region's governments – many of which are less than happy about the international attention piracy has gained due to information published by the IMB's Piracy Reporting Centre in Kuala Lumpur.

The geopolitics of piracy?

Gerard Graham Ong and Mark Valencia then discuss the possible nexus between piracy and terrorism, albeit from different perspectives, with Valencia questioning Ong's conflation of the two issues. A second chapter by Valencia describes regional and international efforts taken to combat piracy, and obstacles to their efficient implementation. In chapter six, Greg Chaikin tries to understand the past decades' surge in piracy against the background of developments in maritime security and international maritime law, including the effects of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and the extension of maritime sovereignty and jurisdiction by littoral states. Chaikin also discusses Japan's role in fostering regional co-operation to combat piratical activity. Chapter seven by Indonesia's former ambassador-at-large for maritime affairs, Hasjim Djalal, describes regional and international efforts to combat piracy, and is valuable as it relates piracy to the many other challenges facing Indonesia's under-equipped naval forces, including illegal fishing, the

threat of maritime terrorism and illicit traffic in drugs, arms and migrants. In the conclusion the editors bring the issues together and lay out a path for future research, pointing to the 'geopolitics of piracy' and its criminology, as well as the possible link between piracy and maritime terrorism.

Most of the chapters were originally written for the first workshop on piracy in Asia organised by the International Institute for Asian Studies and the Centre for Maritime Research of the University of Amsterdam, held in Amsterdam in 2003. They thus reflect an early, to some extent even preparatory stage in the process of developing more substantial research on the issue. Today, research on contemporary Asian piracy has made significant headway, and we are already beginning to anticipate the answers to several of the questions posed by the editors in the conclusion of *Piracy in Southeast Asia*. For

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example, thanks to the work of Eric Frécon and Caroline Liss, we now know a good deal about the criminology of piracy – the who, where, how and why of the perpetrators. It is, by and large, a sadly familiar and not very romantic story of socially and economically disadvantaged young men making the most of criminal opportunities in fast-changing and socially unstable regions, such as Indonesia's Riau Archipelago or the Southern Philippines, characterised by great disparities and weak law enforcement.

The possible nexus between piracy and terrorism has been widely studied and discussed in recent years by both academics and security officials, and is the subject of the second volume in the IIAS/ISEAS Series on Maritime Issues and Piracy, edited by Gerard Ong, due out in early 2006. The general consensus, however, seems to be that although the threat of a maritime terrorist attack – whether against cargo or passenger vessels or land-based targets using ships as floating bombs – should not be disregarded, it is not imminent and may have been exaggerated in the wake of 11 September 2001 and the October 2002 suicide attack on the French supertanker *Limburg* off Yemen.

Conflicting priorities

What, then, about research on the 'geopolitics of piracy'? Perhaps this is the area of most relevance today, not only for Southeast Asia but for the international maritime community as a whole. However, several questions identified by Johnson and Valencia regarding short-term responses, long-term strategies, and the role of different countries in combating piracy are rather narrowly policy-oriented, and lacking in the-

oretical sophistication, seem less satisfying from an academic perspective. Focusing on the 'geo-politics of piracy' also risks taking attention from other, more pressing concerns in maritime security and international relations. Largely thanks to the work of the IMB, and especially since the Piracy Reporting Centre was launched in 1992, piracy and the armed robbery of commercial vessels has been in the limelight – at international forums, among academics, and in the media. However, from the point of view of the two largest littoral states in Southeast Asia, Indonesia and the Philippines, piracy remains a minor maritime security issue – if a security issue at all – compared to problems such as unsettled maritime borders, illegal migration, smuggling, illegal fishing and environmental degradation.

Although neighbouring countries and interested parties such as the international shipping industry may recognise the legitimacy of Indonesian and Philippine concerns, their priorities reflect fundamentally different views of the high seas and of the rights and obligations of governments and maritime law enforcement authorities. Essentially, the conflict boils down to the 400-year-old discussion of *Mare Liberum* vs. *Mare Clausum* – the principle of freedom for all on the high seas vs. the right of governments to exercise jurisdiction over outlying oceans and exploit its natural resources. Political, social and economic developments since 1945 – including decolonization, the expansion of maritime sovereignty by coastal states, increasing competition over maritime resources, the growth of maritime traffic and the rise of non-traditional security threats including trafficking in goods and people and international terrorism – have made the controversy more pressing than ever since the turn of the 18th century.

Against this background, a comprehensive research agenda for the future should comprise not only the 'geopolitics of piracy' but the 'geopolitics of maritime security' as a whole. What are the main challenges to maritime security from the perspective of different actors and why are they seen as important? How do larger – national, regional as well as global – processes of economic, social and political change affect maritime security? Who are the main actors that strive to close or limit the freedom of the oceans and what are their motives? What are the advantages and risks of maintaining the principle of freedom of navigation on the seas? What effect will the different moves to close the seas have on global security, trade and the environment? To develop such a research agenda, involving both perspectives from Southeast Asia and the rest of the world, is the real challenge for the future. ◀

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