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WORLD MARITIME UNIVERSITY
Malmö, Sweden

**EXAMINING THE THREAT OF PIRACY
AND ARMED ROBBERY AGAINST SHIPS
IN THE SIBUTU PASSAGE AND
SURROUNDING SEA AREAS**

By

EUPHRAIM JAYSON H DICIANO
Philippines

A dissertation submitted to the World Maritime University in partial
fulfilment of the requirements for the award of the degree of

MASTER OF SCIENCE
in
MARITIME AFFAIRS

(MARITIME SAFETY AND ENVIRONMENTAL ADMINISTRATION)

2022

Declaration

I certify that all the material in this dissertation that is not my own work has been identified and that no material is included for which a degree has previously been conferred on me.

The contents of this dissertation reflect my own personal views and are not necessarily endorsed by the University.

(Signature):

(Date): 20 September 2022

.....

Supervised by: Dr Dimitrios Dalaklis
Professor (Safety and Security) WMU

Acknowledgments

This research work is dedicated to Allah subhanahu wa ta'ala, my loving and supportive wife, Christine Pauline, and our children, Angel Alexandria, Alliah Aisha, Ariannah Ameera, and Alexander Attila. I also dedicate this work to the Sasakawa Peace Foundation, which sponsored my Master's degree. Special recognition also goes to CG ADMIRAL ARTEMIO M ABU, the Commandant of the Philippine Coast Guard. The development of this research was patiently supervised by Dr. Dimitrios Dalaklis, whom I thank for his guidance.

To my foster family, all the Titos, Titas, Ates, and Kuyas in Malmo have my deepest gratitude. Thanks to my mentors, underclass, and upperclass in the security and law enforcement sector, LT GEN ALFREDO V ROSARIO JR PA, CG RADM RONNIE GIL L GAVAN, CG RADM JOSEPH M COYME, BGEN ARTURO G ROJAS PN(M), BGEN ROMEO T RACADIO PN(M), PCOL. RONALDO I FULO, CG CAPT DENNIS A PANDEAGUA, CG CAPT REJARD V MARFE, LT. COL. CHARLIE S CAÑA PN(M), PLTCOL ALVIN A GUMACAL, CG LT TRISTAN JENER Q EREDIANO, for contributing their expertise, knowledge, and experiences.

To all the faculty and staff members of the World Maritime University, WMU Class 2022 family, friends, and brethren in the Free and Accepted Masons, thank you very much.

Abstract

Title of Dissertation: **Examining the threat of piracy and armed robbery against ships in the Sibutu Passage and surrounding sea areas**

Degree: **Master of Science**

This article discusses the threat of maritime piracy and armed robbery in the Sibutu Passage, Philippines, and its surrounding sea areas, as well as how to achieve viable and long-term peace and security for vessels passing through the area. As one of the busiest straits, ensuring vessel safety in the subject areas also means warranting the security of international trade. Although there has been a decrease in the number of incidents of piracy and armed robbery against ships in most Asian locations, the threat remains imminent as long as there is a gap in law enforcement measures and the source of the problem prevails.

By employing a mixed research method, this research effort assessed the Philippine government's and neighboring states' coordinated initiatives to enhance policies and the operational mechanisms in countering and preventing the threat of piracy and armed robbery against ships in Sibutu Passage and its surrounding sea areas. Notable findings include the absence of a dedicated doctrine of operation in the area of study; territorial disputes among concerned States; organizational flaws in the Philippine government security sector; inadequate provision of fundamental support systems such as logistical and other resource requirements; and major gaps and challenges in the inter-agency approach employed by the security forces in the area of study. Given this reality, incidents of piracy and armed robbery against ships will remain volatile until a feasible and sustainable mechanism has been formulated.

KEYWORDS: Abu Sayyaf Group (ASG), Armed Robbery Against Ships, Joint Peace and Security Coordinating Committee (JPSCC), National Coast Watch Council (NCWC), Piracy, Sibutu Passage, Philippines

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List of Abbreviations

AFP	Armed Forces of the Philippines
AMC	Armed Maritime Crimes
AOR	Area of Responsibility
ARMM	Autonomous Region in Muslim Mindanao
ASG	Abu Sayyaf
ASL	Archipelagic Sea Lane
BAKAMLA	Indonesian Maritime Security Agency
BARMM	Bangsamoro Autonomous Region in Muslim Mindanao
CGDBARMM	Coast Guard District Bangsamoro Autonomous Region in Muslim Mindanao
CGDNEM	Coast Guard District Northeastern Mindanao
CGDSEM	Coast Guard District Southeastern Mindanao
CGDSM	Coast Guard District Southern Mindanao
CGDSWM	Coast Guard District Southwestern Mindanao
CIBN	Coastal Barangay Information Network
DOTMPLFS	Doctrine, Organization, Training, Materiel, Leadership and Education, Personnel, Facilities, Sustainability
DOTr MC	Department of Transportation Memorandum Circular
EO	Executive Order
ESSCOM	Eastern Sabah Security Command
HB	House Bill
IMO	International Maritime Organization
IndoMalPhil	Indonesia, Malaysia, Philippines
JPSCC	Joint Peace and Security Coordinating Council/Center
KFR	Kidnap for Ransom
MC	Memorandum Circular
MDA	Maritime Domain Awareness
MECC	Maritime Enforcement Command Center
MILF	Moro Islamic Liberation Front
MLE	Maritime Law Enforcement
MNLF	Moro National Liberation Front
NCWC	National Coast Watch Center
NCWS	National Coast Watch System
PA	Philippine Army
PAF	Philippine Air Force
PCG	Philippine Coast Guard
PM	Philippine Marines
PN	Philippine Navy
PNP	Philippine National Police
PNP-MG	PNP – Maritime Group
RA	Republic Act
ReCAAP	Regional Cooperation Agreement on Combatting Piracy and Armed Robbery Against Ships
ReCAAP-ISC	ReCAAP – Information Sharing Center
RUF	Rules on the Use of Force
SOP	Standard Operating Procedure
SS	Singapore Strait

TCA	Trilateral Coordinating Agreement
UNCLOS	United Nations Convention on the Law of the Sea
UNCTAD	United Nations Conference on Trade and Development
UNODC	United Nations Office on Drugs and Crime

Chapter 1: Introduction

International trade and the world economy largely depend on maritime transport. In most developing countries, over 80% of global trade is conducted using the sea (UNCTAD, 2021). However, as the amount and value of international trade have increased, so has international shipping's exposure and susceptibility to piracy, armed robbery, and other crimes (UNCTAD, 2017). Piracy and armed robbery against ships, in particular, are major threats to the global marine transportation system, with direct consequences for ships, ports, terminals, cargo, and seafarers. They have evolved into a comprehensive transnational security dilemma affecting lives, livelihoods, and global welfare as these activities have become more extensive and complicated (UNCTAD, 2014; ReCAAP, 2020).

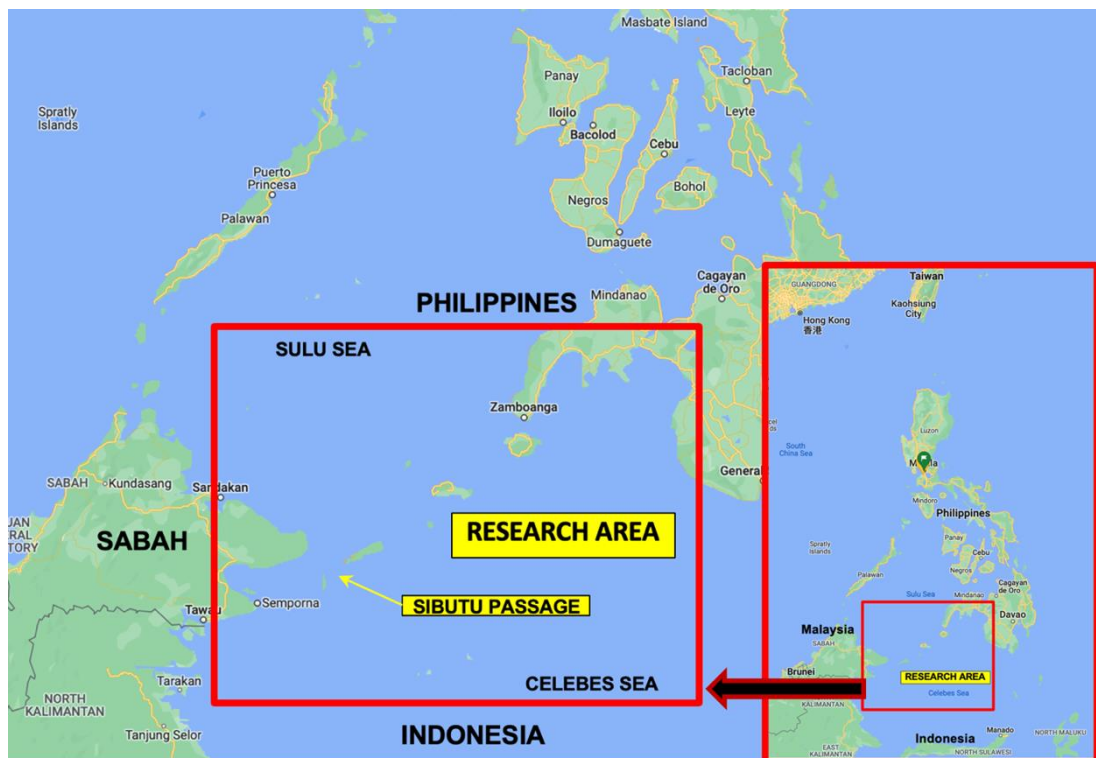
The human cost of piracy is high, as seafarers are the first victims of piracy or armed robbery. They are frequently kidnapped and may be injured or killed in the process. Due to the 229 incidents in 2020, more than 100 people were taken hostage, and several were injured (UNODC, 2022). Additionally, pirate attacks not only put the crew in danger but also slowed down ships and damaged cargo. Shipping companies also adapt by rerouting ships or investing in armed guards, electric fencing, razor wire, water cannons, and other weapons (Bendall, 2010; Dalaklis, 2012; Singh, 2019). Also, shippers bear the inherent costs of piracy, like pay increases and amplified insurance premiums. All of these expenses have an economic component and raise the cost of shipping goods, which ultimately has an impact on the welfare of trading nations (Kouakou et al., 2022; Sandkamp et al., 2022).

Worldwide incident reports from around the world persist in reminding the shipping industry and the public of the violence and cruelty of many piracy and armed robbery attacks, the dangers faced by those on board, and the significant human and property losses that can occur (*Piracy and Armed Robbery at Sea - GARD*, 2022). Although it has not been in the news since 2011, and there have been no incidents off the coast of Somalia so far from 2019 until the time of writing this paper, there has been a noticeable rise in the Gulf of Mexico (Dalaklis & Nordfjeld, 2020). Consequently, some attribute such occurrences to poor ocean governance and a lack of a maritime

security strategy on behalf of the relevant concerned nations (Nordfjeld & Dalaklis, 2021). As this is the case, the issue becomes relevant in the context of the Sibutu Passage on the Philippine Island of Mindanao (Figure 1).

Figure 1:

Location of the Research Area



Source: Google Map as edited by the researcher

Although the 2021 Regional Cooperation Agreement on Combatting Piracy and Armed Robbery against Ships in Asia (ReCAAP) annual report declared that there had been a decrease in the number of pirate attacks and armed robberies in most Asian locations, the threat remains imminent as long as there is a gap in law enforcement measures and the source of the problem prevails. For this purpose, Chapters 1 and 2 respectively describe and outlines the geographical details of the area of study, its security threats, and other underlying factors surrounding the subject matter. By analyzing the circumstances in Sibutu Passage, Philippines, and its surrounding sea areas, this article employs a mixed research method to examine the various policies, initiatives, operational mechanisms, and community participation

used to combat maritime piracy and robbery in chapters 4, 5, and 6, respectively. Subsequently, the findings will be used to improve programs by recommending areas for improvement to make them more efficient and sustainable. Furthermore, exploring and describing the situations of the Sibutu Passage and its surrounding areas will help not only in understanding the current condition but also assist policymakers in developing and improving policies that will assist and address issues of maritime piracy and robbery in the research area. Finally, Chapter 7 provides a summary of the analyzed and discussed data in the conclusion, as well as the recommendations that follow.

1.1 Research Questions

This research effort is anchored on the assumption that piracy and armed robbery against ships continue to transpire despite the different efforts to quell it because of the failure to understand the peculiarity and local context of the area of study; thus, the need for a dedicated operational mechanism to address piracy and armed robbery against ships in the Sibutu passage and its surrounding sea areas. From these, the study specifically aims to answer three questions:

1. What are the current mechanisms and policies in place to combat the threat of piracy and armed robbery against ships in the Sibutu passage and surrounding sea areas?
2. What operational mechanisms are utilized by the Philippine Coast Guard (PCG), Philippine National Police (PNP), and Armed Forces of the Philippines (AFP) to counter and prevent maritime piracy and robbery?
3. How can policies and operational mechanisms be improved to prevent maritime piracy and armed robbery against ships in the Sibutu Passage and surrounding sea areas?

1.2 Significance of Study

This study primarily aims to contribute to understanding localizing policies and operational mechanisms to quell maritime piracy and robbery by studying the situations in Sibutu Passage, Philippines, and surrounding sea areas. Moreover, it also aimed to improve the different programs implemented by recommending some areas for improvement to strengthen and make the program more efficient and sustainable. Furthermore, exploring and describing the conditions of the Sibutu Passage and its surrounding areas will aid policymakers in developing and improving policies that will assist and address maritime piracy and robbery issues in the Philippines, which also affect neighboring areas.

1.3 Scope and Limitations

This study is focused on the analysis of documents used by law enforcement agencies in the efforts to counter maritime piracy and robbery. Furthermore, the measures in terms of operational mechanism, interagency coordination, and community participation were assessed based on the interview and survey of the respondents. However, the arguments that the legal system faces in defining and differentiating between piracy and armed robbery against ships in accordance with international law will not be covered in this research effort. Furthermore, the political aspect and related laws relative to piracy and armed robbery against ships will not be covered. Likewise, this paper will mostly concentrate on the challenges during the implementation were identified, together with the recommendations that served as the basis for enhancing collaboration and operational mechanisms of the security forces in the study area. Finally, data collection is constrained to one month due to COVID-19 and time constraints.

Chapter 2: Review of Related Literature

2.1 Conceptualizing Maritime Piracy and Armed Robbery

Many books and articles have discussed the importance of people working together to understand maritime security and piracy. Given this, piracy and armed robbery against ships continue to be an under-examined problem (Raymond, 2009; Dalaklis, 2012; Ishii, 2014; Liss, 2014; Khaerany & Maskun, 2016; Ismail, 2021). As stated in the study's limitations, the legal framework's challenges in defining and distinguishing between piracy and armed robbery against ships in accordance with international law will not be investigated. Nevertheless, its legal aspects will be broadly discussed to place the matter in proper perspective in conceptualizing maritime piracy and armed robbery against ships.

As discussed by Dalaklis & Mejia (2022), "crime" or security threats involve two elements: MOTIVE (easy profit for a pirate or "armed robber"); and OPPORTUNITY (geographical factors, such as slowing down when crossing a busy waterway or the State's inability to uphold the "Rule of Law," or failing to implement the required security measures). On the one hand, Section 14 of the 1958 Geneva Convention states the general principle that *"All States shall cooperate to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State."* On the other hand, the United Nations Third Conference on the Law of the Sea from 1973 to 1982 was convened to produce a single treaty on the international law of the sea (Laroya, 2000; Wallner & Kokoszkiewicz, 2019).

The United Nations Convention on the Law of the Sea (UNCLOS), which went into effect on November 16, 1994, was adopted as a result of the conference on April 30, 1982. Provisions 100 through 107 of UNCLOS comprise eight articles regarding piracy. These UNCLOS provisions resemble the 1958 Geneva Convention provisions in almost every way (Laroya, 2000; Ahmad, 2020). Article 101 of the UNCLOS defines piracy as:

- (a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft and directed:

- (i) on the high seas, against another ship or aircraft, or persons or property on board such ship or aircraft;
 - (ii) against a ship, aircraft, persons, or property in a place outside the jurisdiction of any State;
- (b) any act of voluntary participation in the operation of a ship or an aircraft with knowledge of facts making it a pirate ship or aircraft;
- (c) any act of inciting or of intentionally facilitating an act described in subparagraph (a or b)

It is important to note that States that are not signatories to the 1982 UNCLOS or the 1958 Geneva Convention follow international customary law. Although the vast majority of states have ratified either of the above codifications, it goes without saying that if a state is not a signatory, it will treat piracy following international customary law. According to international customary law, pirates are "*hostes humani generis*," or "enemies of the human race," (Laroya, 2000; Wallner & Kokoszkiewicz, 2019; Rozas, 2021). Over the years, pirate tactics and equipment are growing more sophisticated, and piracy is intensifying in some places, with more frequent kidnappings of the crew for ransom (Dalaklis, 2012; Tumbarska, 2018).

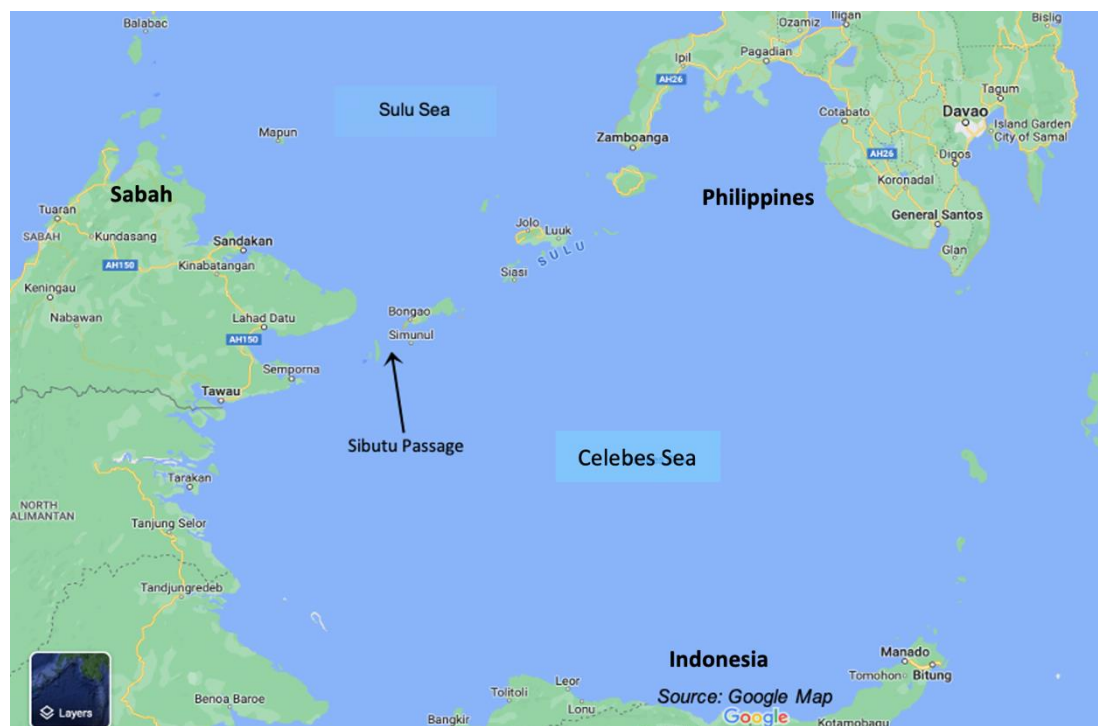
Consequently, anti-piracy measures are being developed and implemented on numerous vessels simultaneously. Moreover, organizations such as the International Maritime Organization (IMO) were formed to combat piracy worldwide. Despite this, pirate attacks are becoming increasingly successful all over the world. Improved self-protection mechanisms are becoming increasingly vital to safeguard the safety of ships and their crews (Tumbarska, 2018). Ahmad (2020) discussed that the global legal framework against maritime piracy has developed over time. Pirate attacks increase every few years, particularly with modernized ships and weapons. As such, dealing with maritime piracy requires coordinated domestic, regional, and international coordination.

2.2. Sulu-Celebes Sea and Sibutu Passage

Given that this is not a research effort dedicated to determining the merits or demerits of the Philippines' or Malaysia's respective claims, the researcher will treat Sabah as if it were a part of Malaysia throughout only for clarity and uniformity. The Sulu-Celebes (Sulawesi) Sea is made up of two large seas (Sulu and Sulawesi/Celebes), which cover an area of 900,000 km² and include the majority of the Philippine Islands, the Malaysian state of Sabah, and Indonesia's northernmost islands (see figure 2) (DeVantier et al., 2005; Ellett, 2021;). The Lombok and Makassar Straits, the Celebes Sea, and the Sibutu Passage are used by deep draft ships that cannot pass through the Malacca Strait, while the Mindoro Strait is used by ships leaving the Philippine archipelago (Diciano, 2019). The Sibutu Passage is located within the Sulu-Celebes Seas and is vital to the environmental and socioeconomic activities of the three nations - Philippines, Indonesia, Malaysia (Devantier et al., 2004; Li et al., 2019; Ellett, 2021).

Figure 2:

Geographical location of areas concerned



Source: Google Map as edited by the researcher

It is a deep channel between the Philippine islands of Sibutu, Simunul, and Bongao in the province of Tawi-Tawi, Philippines separating Borneo from the Sulu Archipelago. Despite the narrow width of the Sibutu passage, which is only about 29 kilometers wide, it is estimated that 17,000 vessels pass through, connecting international shipping routes worth 40 billion USD each year (Diciano, 2019). According to the Joint Interagency Task Force West Public Affairs (2017), the said area faces significant economic and governance challenges despite its significance in commercial and maritime trade. The region has a well-deserved reputation for lawlessness and violence, whereby militant and criminal activity has made terrorist attacks, piracy, and kidnapping for ransom an everyday reality, affecting the region's people almost daily. Consequently, the Philippines, Indonesia, and Malaysia are all considering new ways to cooperate on security issues due to the increased disruption of legitimate fishing and trade.

2.3 Maritime Piracy Challenges in the Tri-Border Area Efforts

The tri-border area (Philippines, Indonesia, Malaysia) has long served as a crossroads for transnational crime and conflict because of corruption, poor governance, poverty, porous border, and limited coastal infrastructure (Chalk, 2018). According to Stach (2017), while regional maritime agencies' capabilities have improved, several countries still lack operational boats and equipment. Another stumbling block was the lack of cooperation between Southeast Asian governments and between Southeast Asian and other nations. Factors such as disputed claims of islands or maritime space ownership, worries over sovereignty, and competing for national interests have impeded meaningful cooperation. The most visible example of limited cooperation is the Malacca Straits' Patrol Network naval patrols, which were coordinated rather than joint patrols, implying that hot pursuit into and patrolling adjacent countries' waters was not permitted (Raymond 2009; Stach 2017).

According to Chalk (2018), when analyzing the tri-border area situation, due to the porousness of the tri-border area, Philippine President Rodrigo Duterte moved to actively collaborate with Indonesia and Malaysia in establishing a trilateral maritime

domain awareness regime in the tri-border area based on three main pillars of action: a. coordinated marine policing, modeled after the Malacca Strait patrol system established in 2004 by Indonesia, Malaysia, and Singapore; b. qualified rights of hot pursuit, granted case-by-case basis; and c. To simplify intelligence sharing and dissemination, national focal points will be established and connected by a shared hotline. This combination of unilateral and multilateral approaches to securing the tri-border area has proven effective, with attack levels dropping significantly. Only seven actual or attempted Armed Maritime Crimes (AMC) occurrences and piracy had been registered in the Sulu and Celebes Seas in the previous 12 months as of January 2018. However, there is not much space for complacency.

The tri-border area will remain a potential maritime crime hotspot for the foreseeable future due to the Abu Sayyaf Group's (ASG's) general resilience and the size and archipelagic character of the area to be monitored. Despite ongoing sovereignty disputes, one of the discussed mechanisms in the interview to secure the Sulu-Celebes seas, including the Sibutu Passage, was the establishment of a Trilateral Cooperative Arrangement (TCA) between the Philippines, Malaysia, and Indonesia (IndoMalPhil), incorporating coordinated patrols and information-sharing. This agreement included sea and air patrols as well as the establishment of operations headquarters in each nation. Said measure is in response to kidnapping activities by militant organizations in 2016. During the pandemic, these activities were reduced. Recently, these efforts to secure maritime spaces continued and strengthened (Parameswaran, 2022).

2.4 The Abu Sayyaf Group and the Sulu Archipelago

The Asian Foundation (2019) declared that the ASG had been involved in piracy, kidnapping for ransom, and other types of criminal activity on the seas and islands between the Zamboanga peninsula in the Philippines and Borneo for more than three decades (See *Figure 3 in section 2.6*). Although the group's violent acts were previously more frequently associated with making money from their criminal activity, in recent years, various factions have become more involved in terrorist violence. The Superferry 14 bombing in 2004 that killed 116 people was carried out by the ASG and

was the first act of maritime terrorism to garner international attention. It continues to be regarded as the deadliest terrorist attack at sea in history. The ASG was a Muslim secessionist splinter group of the Moro National Liberation Front (MNLF) founded in the early 1990s (Singh, 2019; Zelenkov et al., 2022). The closest Islamic neighbors of the Philippines, Malaysia, and Indonesia, have also regarded the ASG as a terrorist organization in addition to western nations like the United States, Canada, and Australia. Numerous intelligence agents have linked the group above to Jemaah Islamiyah in Indonesia and Al Qaeda since the early 2000s. Additionally, it has been verified that the two terrorist organizations are funding ASG. Although there have been reports to the contrary, it is still convincing that many of its resources were obtained through other illegal means, most notably kidnapping for ransom (KFR) (Tarriela, 2019).

Although piracy and kidnapping for ransom frequently differ from ISIS-inspired terrorism, as demonstrated by the bombing of the Jolo, Sulu Cathedral in 2019 and the siege of Marawi, Philippines in 2017, ASG's involvement has heightened awareness of the need to secure the Sulu archipelago and maritime trade between Indonesia, Malaysia, and the Philippines (The Asian Foundation, 2019). Typically, terrorists hide in archipelago terrain, alternating between Basilan, Sulu, and the Tawi-Tawi islands. The ASG pirates cruise in custom pump boats with a light timber frame and two outboard engines to successfully maneuver around large ships that can outrun maritime forces. Nevertheless, the Philippine Coast Guard (PCG) and Philippine National Police - Maritime Group (PNP-MG) do not have enough resources to chase these vessels because of their speed (Sahasrad et al., 2018; Nahdohdin et al., 2019).

Furthermore, resource distribution is inefficient, as pump boats' fuel costs significantly less than PCG and PNP-MG boats. To deal with these issues, the police have devised a strategy of setting up ambushes on select islands that target ASG. However, additional work must be done to increase the PCG, PNP, and AFP's assets and maritime capabilities. There were unintentional and purposeful skirmishes between the Philippine Marines (PM) and the ASG in the Sulu Sea islands in 2018. These

firefights saw many ASG militants engaged in combat, demonstrating the group's combat strength again (Nahdohdin et al., 2019).

2.5 Regional Cooperation Initiatives

The establishment of ReCAAP represents a significant regional effort to counter piracy and other forms of violent shipboard crime. It is Asia's first government-to-government agreement to promote and expand cooperation and has helped combat piracy and armed robbery against ships since its establishment in 2006. At the time of writing this paper, there were 21 Contracting Parties in total, including the Netherlands, Norway, Germany, the United Kingdom, Denmark, the United States, and Australia, in addition to the original North, Southeast, and South Asian countries (ReCAAP ISC, n.d.) The initiative aims to develop multilateral cooperation to address the menace of piracy and armed robbery against ships. Its activities include sharing information, building capacity, and forming partnerships (Rustam et al., 2022)

However, as of the writing of this paper, the declaration of Win et al., 2016 still holds true that it does not adequately solve the problem due to Malaysia and Indonesia's refusal to ratify a restrictive definition of maritime crimes, information-sharing system limitations, weak capacity building, and a lack of specific cooperation arrangements. As a result, it is advised that the existing contracting parties encourage Malaysia and Indonesia to become ReCAAP contracting parties to close the region's most significant deficit. It is also proposed that piracy and armed robbery against ships be expanded to include clandestine thefts, threats of violence, and attempted piracy and armed robbery against ships when defining marine crimes. Furthermore, the contracting parties should take precautions and preventive measures to combat not only piracy and armed robbery against ships but also terrorist attacks against all types of ships and marine infrastructures, such as lighthouses, ports and offshore platforms for oil and gas exploration, among other things.

Again, the UNCLOS definition of piracy stipulated in section 2.1 that an act of piracy must involve two ships; thus, an attack on a single ship will not be considered piracy

under this definition. As a result, removing the two-ship criterion from the ReCAAP's definition of piracy is desirable (Ansari et al., 2014). Raymond (2009) and Stach 2017 believe that in the short term, it appears that modest levels of piracy will continue in the areas of concern until remedies that target the fundamental causes of the problem rather than merely the symptoms are created. To minimize unemployment, economic development in Indonesia's, Malaysia's, and the Philippines' coastal areas must be fostered, and local officials' corruption must be addressed. Current antipiracy measures, on the other hand, should not be disregarded; they require constant enhancement to keep up with the evolving nature of piracy on the waterway.

2.6 ReCAAP Records of Piracy and Armed Robbery Against Ships

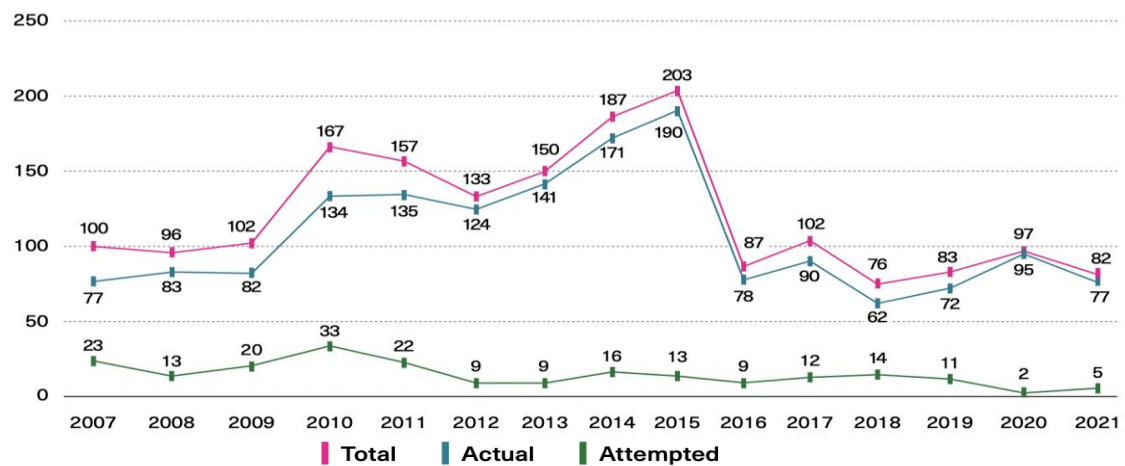
In the recent data from ReCAAP in figure 3 for the 2007-2021 cases of piracy and armed robbery against ships in Asia, eight armed robberies (in territorial/archipelagic waters) were reported in November 2021. There was no piracy incident (on the high seas) reported. Seven of the eight events were actual incidents, while the eighth was an attempted incident. A total of 72 events were reported in Asia from January to November 2021. Compared to January to November 2020, this is a 24% drop (95 incidents). Except for the Singapore Strait (SS), most regions had a decrease in incidents. The situation in the SS is nevertheless a source of concern.

The SS experienced an increase in events from January to November 2021, with 41 incidents compared to 34 incidents in the same period in 2020. The SS has already had its third most significant number of incidents since 2007 - 99 incidents in 2015 and 47 incidents in 2014. Likewise, no crew has been reported kidnapped for ransom in the Sulu-Celebes Seas or the waters near Eastern Sabah since January 2020. The threat, however, remains high because the commanders of the Abu Sayyaf Group, who are responsible for the abduction of sailors in the Sulu area, are still on the loose (ReCAAP-ISC, 2021).

For the year 2020, it can be noted that there was a 32% increase in cases as compared to 2019. Although the upsurge was spread across Asian waters, it was similar to what occurred in 2016 in the vast seas surrounding the islands of Mindanao, Sulawesi, and East Kalimantan, where the notorious ASG terrorist group based in Mindanao, Philippines, conducted their hybrid kidnap-for-ransom operations. According to the ReCAAP reports, pirates kidnapped 66 crew members between 2016 and 2018, and the ASG executed ten of them. Because of these crimes, the waters surrounding the Southern Philippines have been dubbed the "next Somalia" by an Indonesian Security Minister (Diciano, 2019).

Figure 3:

2007-2021 cases of piracy and armed robbery against ship incidents in Asia



Source: ReCAAP 2021 Annual Report

From this, it can be construed that little has been said that piracy continues to be an essential issue that needs to be explored. More so, in the literature, it can be taken that in terms of policy-making, understanding the collaboration of different international and national stakeholders is the framework for securing maritime seas. However, despite these actions and collaborations, maritime piracy continues to happen in the context of the Sulu Archipelago. Departing from the current conceptualization of maritime policies, this study highlights the importance of understanding the local context to localized policies and operational mechanisms to quell piracy and armed robbery against ships.

2.7 Philippine Maritime Security Agencies

The Philippine National Security Strategy and Policy, according to Batongbacal (2021), compartmentalizes the treatment of maritime security. Although both documents recognize the nation's broad maritime interests, the term "maritime security" is clearly used in a more limited sense that essentially involves monitoring and controlling maritime activity to prevent certain undesirable activities or threats. Priority was given to land-based over sea-based development until the South China Sea dispute. According to Valenzuela et al. (2020), Philippine Army (PA) gets the lion's share of the defense budget for historical reasons. Before the first modernization program after World War II, the AFP focused on internal threats to national security and left external security to its treaty ally, the US. The Philippine Army needed immediate reinforcements to combat internal threats. This mindset continues in the 21st century as the AFP faces a dwindling internal threat.

In the Philippines, three agencies work to secure their seas: PCG, PNP, and AFP's Philippine Navy (PN). Under Republic Act (RA) 9993, the PCG is mandated and responsible for maritime security, maritime law enforcement, marine environmental protection, maritime safety, and maritime search and rescue (R.A. No. 9993, 2009). For more than a decade, the said organization has served as a significant maritime force in various capacities for national security. PCG's budget has steadily increased since 2008, allowing it to acquire modern assets and recruit additional troops. Its mission is to make sure that people and property at sea are safe by conducting vessel safety inspections on all domestic vessels has a significant impact on public safety and the national economy, both of which rely heavily on the shipping industry.

Furthermore, as these foreign and domestic vessels navigate the perilous Philippine waters, the PCG crucially strengthens the national government's strategy in combating maritime piracy and robbery in the Sulu and Celebes Seas through maritime domain awareness capability and strategic vessel deployment (Tarriela, 2021). On the other hand, the PNP under RA 6975 is entitled "*An Act Establishing the PNP under a reorganized Department of the Interior and Local Government and Other*

Purposes” (R.A. 6975, 1990). As such, the PNP will enforce the law, stop and control crime, keep the peace, and make sure of public safety and internal security with the help of the community (PNP Website, 2022). According to Martinez (2019), the PNP plays an important role in the community's development and progress. It is one of the ways that peace and order are kept in the community and the municipality as a whole. People are more likely to participate in community activities to raise everyone's standard of living and well-being when they feel secure. In this sense, maintaining peace and order lays the groundwork for real community-based development.

Likewise, the AFP under Commonwealth Act No. 1 or the National Defense Act of 1935 is *“An Act To Provide For The National Defense Of The Philippines, Penalizing Certain Violations Thereof, Appropriating Funds Therefor, And For Other Purposes”* (C.A. No. 1, 1935). Hence, the AFP, with its three branches of service (PA, PN, and PAF), is in charge of upholding the Republic of the Philippines' sovereignty, supporting its Constitution, and protecting its territory from all enemies, foreign and domestic. They are also in charge of advancing the country's policies, goals, and interests; and preparing its regular and citizen armed forces' organization, development, maintenance, and deployment for national security (AFP Website, 2022).

However, it is noteworthy that Morris (2017) claimed that navies are inappropriate for enforcing maritime law within national borders because piracy and armed robberies against ships may involve questions of sovereignty. In contrast to Maritime Law Enforcement (MLE) patrols, the Navy's platform and personnel are better suited to military campaigns and high-kinetic settings. Although some Southeast Asian navies have the domestic legal authority to perform police work on the seas, naval encounters may trigger a response from the naval forces of another nation, escalating the situation, especially if naval vessels use force against civilian assets. Alternatively, the coast guard personnel, use-of-force doctrine, platforms, and legal foundations are designed for modern maritime states' wide range of MLE duties.

2.8 National Coast Watch System

Expanding maritime interagency collaboration and cooperation among the various government agencies and offices beyond the diplomatic aspect is necessary to stop incidents of piracy and armed robbery against ships. Thus, Monje (2012) asserted that one of the most interesting collaborative projects is the development of the National Coast Watch System (NCWS) in the Philippines. The CWS was first conceived in 2006 and was established on 28 November 2008. It was initially intended to boost Maritime Domain Awareness (MDA) in the perilous Sulu Sea and, eventually, the Philippine territory of the contentious Spratly island chain in the South China Sea. NCWS is composed of three levels of management; a) the National Coast Watch Council participates in the formulation of strategic plans and policies; b) the National Coast Watch Secretariat is responsible for providing the Council with administrative and technical support, and c) the National Coast Watch Center (NCWC) is in charge of carrying out and upholding maritime regulations.

On September 6, 2011, President Benigno Aquino III issued Executive Order (EO) 57, which established a multi-agency center for maritime surveillance and coordinated response. Nevertheless, the advent of the Scarborough Shoal Standoff in 2012 revealed how ill-prepared the nation was to respond to such an event and presented a challenge to the newly established National Coast Watch Council (Morales, 2019). Consequently, the NCWC was established in 2015 as the nation's focal point for coordinating maritime security. Said Center serves as a mechanism in the Philippines to address issues with maritime security, safety, and environmental protection (NCWC, 2015).

The NCWC managed an expanding Coast Watch System and became the backbone of the Philippines' MDA through coastal surveillance. Even though it is not a complete national maritime strategy, this is seen as an essential step toward defining the roles of different agencies in the maritime security of the Philippines. While there will undoubtedly be gaps in security forces' assets, and NCWC does not have the authority to "command" like Thailand's Maritime Enforcement Command Centre (MECC) across the border, it could help agencies work together better by serving as

a hub and a repository for information about Philippine territorial waters (Edwards, 2019).

2.9 Joint Peace and Security Coordinating Council

To increase the capacity and interoperability of security forces to address both internal and external threats, the PCG, PNP, and AFP signed a tripartite agreement known as the Joint Peace and Security Coordinating Council (JPSCC) (Caliwan, 2021). Based on the interview, the said agreement was originally between the AFP and PNP through the Joint Letter Directive No. 07-2010, issued on November 24, 2010. The PCG was made a member and designated its Commandant to Co-Chair of the said center under the JPSCC Resolution 11-2021. Gonzales (2021) stated that the JPSCC is responsible for developing and implementing plans for heightened security operations, monitoring security and peace conditions, coordinating the implementation of necessary security and peace measures, initiating cross-training and exercise programs between member units, and routinely evaluating the effectiveness of member units. The JPSCC has the same national, regional, and provincial structure. Furthermore, the National JPSCC has five (5) cells. They are the following:

1. Joint Operations Cell - accountable for the organization and planning of law enforcement operations against individuals, organizations, groups, activities, or locations threatening the nation's stability and security. Additionally, they conduct routine evaluations of the state of regional and national peace and security and suggest practical steps to maintain it;
2. Joint Investigation and Intelligence Cell - layout a comprehensive picture of the state's peace and security environment and is tasked with creating mechanisms for more convenient and organized information sharing on topics of shared interest.
3. Joint Civil-Military Operations-Police Community Relations Cell - facilitates relationships, community development, and building-related activities. Guaranteeing that the general public will easily access pertinent information

on peace and security issues also validates the JPSCC's accountability and transparency.

4. Joint Legal Cell - together with other relevant national government agencies, they develop and oversee the execution of joint legal plans. Additionally, they ensure that efforts to investigate and prosecute cases involving threats to peace and security are appropriately coordinated.
5. Joint Training Cell - determines the parties' goals, principles, policies, and priorities for education and training to ensure personnel competency and operational readiness of units conducting joint/interagency operations.

In the JPSCC, however, it has to be noted that there were different prioritization or focus because of other chains of command posed a challenge for the agencies involved. The military cannot allocate all of its efforts and resources to internal security, and law enforcement agencies cannot do the same for external threats. Accordingly, one cannot dictate what steps or directions to take because each force follows a unique chain of command and uses a different strategic process. Another gap Gonzales (2021) found relevant to this research effort is tactical level coordination. This is because campaign plans are developed and implemented at the national level, then cascade down to the regional and provincial levels, and finally to companies, platoons, and battalions on the ground. The personnel on the ground must completely comprehend and understand the joint campaigns' goals and strategies because they will be entrusted with carrying them out.

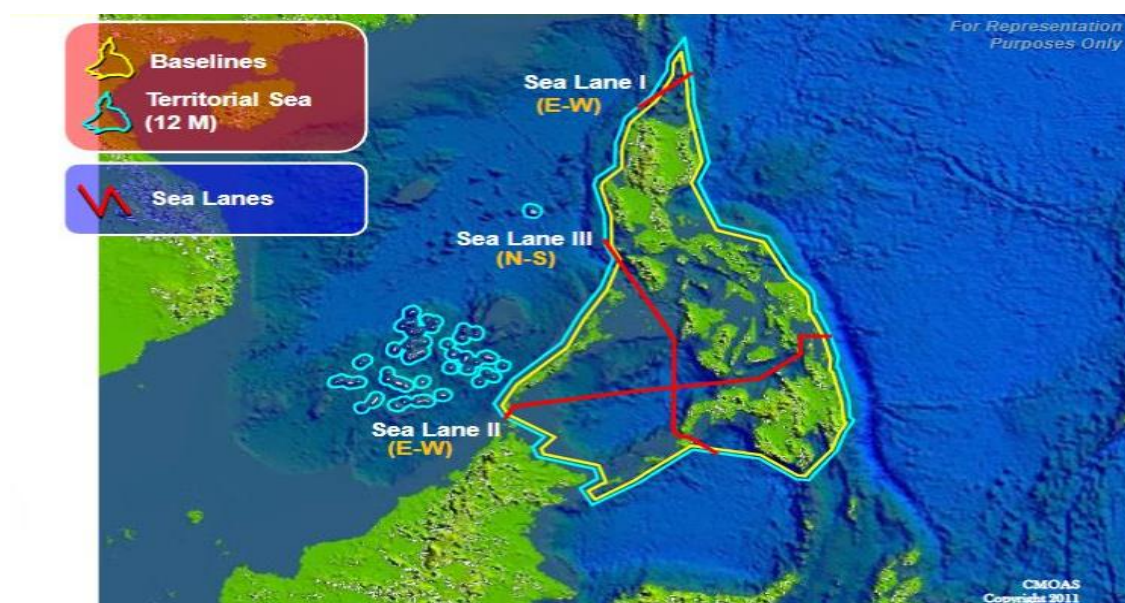
2.10 Establishment of Archipelagic Seal Lane

As UNCLOS is the legal framework that establishes each state's rights, duties, and responsibilities with respect to its maritime jurisdictions, providing a legal framework for the ocean and sea use, its provision under Archipelagic Sea Lane (ASL) also specifies flexibility for archipelagic states (UNCLOS, 1982). Consequently, the interview claims that the recognition of the Philippines to be under the regime of an archipelagic state is one of the stimuli that can promote infrastructure, logistics, and asset enhancement for the security forces. Although it is acknowledged worldwide that the Philippines is an archipelagic state, it has not yet implemented ASL in its

archipelagic waters (Hernandez, 2019). In the article of Cervante (2022), the bill establishing the ASL in the waters of the Philippine archipelago was overwhelmingly approved by the House of Representatives on the third and final reading. Notably, at the time of writing this paper, the proposed law for its establishment is still in process and the Philippines' Senate.. This proposed law is meant to stop international ships from passing through the Philippine archipelago at will. The bill includes the coordinates (see *Figure 4*) for the air and sea lanes that allow for the swift and continuous passage of foreign ships and aircraft over its territorial sea and adjacent archipelagic waters.

Figure 4:

Philippines' Proposed Archipelagic Sea Lane



Source: Presentation of Henry S. Bensurto for the Philippines' proposed ASL at the Center for Ocean Laws and Policies in Bali, Indonesia, in 2011.

Nevertheless, Hernandez (2019) expressed reservations about said House Bill. Establishing ASL suggests that the Philippines will be required to offer suitable navigational aids, a robust monitoring system, and seaborne law enforcement resources, which indicates that the government should make a sizable financial contribution to its establishment and upkeep. It has to be noted that with the passing of said HB, the country will have a duty to keep this ASL navigable and obstruction-free. Consequently, its prioritization and appropriations in the national budget for its

requirements must be considered on par with, if not ahead of, other priorities such as agriculture, public works, and education.

Chapter 3: Research Methodology

3.1 Research Design

This study employed mixed methods of research. This methodology incorporates multiple techniques to address research questions appropriately and principally, which involves collecting, analyzing, interpreting, and documenting qualitative and quantitative data (Creswell & Creswell, 2018). The quantitative data of this study is the assessment of the implementation of maritime security for countering and preventing piracy in Sibutu in terms of operational mechanism, coordination among stakeholders, and community participation. The data was gathered using a researcher-made validated questionnaire (*Appendix "A"*). The challenges experienced during implementing maritime security in terms of gaps and problems, solutions given, and recommendations for enhancing maritime security were gathered using a semi-structured interview. The interview guide questions is in *Appendix "B"*.

Semi-structured interviews are a widely preferred research technique focusing on specified topics but conversationally covering them. This method uncovered the motivations behind people's decisions and actions, their views, beliefs, and the effects of specific policies or events on their lives (Raworth et al., 2019). The documents related to maritime security in the Sibutu passage were identified by analyzing memoranda, reports, and other supporting records. The qualitative data of this study were gathered using documentary analysis and semi-structured interviews. According to O'Leary (2014), documentary analysis is qualitative research in which the analyst reviews documents to assess an appraisal theme. Document analysis entails categorizing content into topics, like how focus groups or interview transcripts are analyzed.

3.2 Research Locale and Respondents

The research locale of the study is the Sibutu Passage, Mindanao, Philippines, and its surrounding areas of the Sulu-Celebes Seas (*see figure 2 in section 2.2*). Table 1

is the Philippines' military and law enforcement officers and personnel participating as respondents in the research. It consists of current and former personnel assigned in Tawi-Tawi or nearby Sulu areas from the following:

Table 1:

Research Respondents from the Philippine Military and Law Enforcement Agencies

Agencies	Designation	Number of Informants
Philippine Coast Guard	Major Command Commander	2
	District Commander	1
	Station Commander	1
	Personnel	67
Armed Forces of the Philippines	Major Command Deputy Commander	1
	Brigade Commander	1
	Battalion Commander	1
	Unit Commander	1
	Personnel	46
Philippine National Police	Provincial Director	1
	PNP-MG Commander	1
	Municipal Police Commander	1
	Personnel	41
Total Number		165

Table 1 summarizes the 165 respondents who took part in this study: 67 from PCG, 46 from AFP, and 41 from PNP.

Table 2: *Description of respondents (see table 1)*

Designations	Number	Percentage (%)
Administrative	48	29
Technical	22	13
Operational	95	58
Total Number	165	100

In the security forces of the Philippines, it is common for officers and personnel to have multiple designations or the “generalist concept” (Tarriela, 2020). As such, Table 2 only shows the primary assignment/designation of each respondent rather than any secondary designations for the sake of clarity and consistency. Officers and staff from the AFP, PCG, and PNP who perform office tasks, designate troop assignments and make administrative and sometimes operational decisions fall under the administrative designation, which accounts for 48 or 29% out of the 165 respondents. The technical position includes the officers and personnel who perform technical duties such as boat engineers, information and technology experts, public works engineers, repair and maintenance technicians, driver and mechanics, draftsmen, public relations in charge of publication and information supports, and medical practitioners, with a total of 22 or 13% of the respondents. Subsequently, 95 or 58% of the respondents are primarily engaged in field works and have operational positions in community relations, field education and training, K9, boat crew, maritime patrol, surface support, checkpoints, sea marshal, civil-military operations, snipers, boarding and search operations, intelligence operations, riflemen, grenadier, provincial operations unit, and investigation unit.

3.4 Data Collection Procedure

Data collection was instituted primarily using a validated researcher-made questionnaire (*Appendix “A”*). Questionnaire validation is necessary to determine if the instrument is significant, meaningful, and valuable. Documents used by law enforcement agencies related to maritime security were requested and analyzed to determine their significance in countering and preventing piracy and robbery at the Sibutu passage. Data collection focused on capturing the experiences of the law enforcement agency representatives on implementing operational mechanisms in terms of gaps and problems, solutions are given, and recommendations for its enhancement. Semi-structured, open-ended interviews provided an interactive process to invoke a comprehensive account of the respondent’s experience. According to Van Manen et al. (2010), the phenomenological interview is unique as it evokes descriptions of lived-through moments, experiential, anecdotal accounts,

remembered stories of particular experiences, narrative fragments, and fictional experiences.

The questionnaire was disseminated, and interview sessions were recorded, transcribed, and coded through thematic analysis. As the most common method of analyzing qualitative data, a thematic analysis will draw out the study's thematic area, identify patterns and themes, and apply framing to describe the phenomenon under investigation. Thematic analysis, through six phases, creates meaningful ways to identify unfolded themes emergent from the data (Bernard et al., 2009).

3.5 Data Analysis and Statistical Treatment

The quantitative data gathered were recorded, tabulated, and analyzed based on the problem stated. The statistical analysis and treatment of data involved were frequency and mean distribution. The computed mean was compared to the scale below for interpretation.

Scale	Range	Interpretation
4	3.45 – 4.00	Often
3	2.45 - 3.44	Sometimes
2	1.45 – 1.44	Seldom
1	1.00- 1.44	Never

As the most common method of analyzing qualitative data, thematic analysis was utilized to draw out the study's thematic area, identify patterns and themes, and apply framing to describe the phenomenon under investigation. Thematic analysis, through six phases, creates meaningful patterns to identify unfolded themes emergent from the data (Bernard & Ryan, 2009). In general, it can be inferred from the specific findings and survey results in section 5 that most respondents (85%) believe that the

operational mechanism of the security forces to combat maritime piracy and armed robbery against ships in the study area is adequate. Although having a "set of clearly stated objectives" received the highest mean rating, conducting research to improve the operational mechanism received the lowest. Subsequently, most of the respondents considered that coordination among the stakeholders is essential after having the highest mean rating in the inter-agency coordination practices in the study area. Ironically, the lowest mean rating was received on the "sharing of the intelligence report." The aforementioned matter indicates that there are differences that impede solid coordination and collaboration between and among security forces in the study area. Section 5.2 will go over the factors that could lead to such a gap in greater detail. Finally, the Community participation practices in section 5.4 were found to be satisfactory in terms of the degree of support and cooperation from the local people.

3.7 Ethical Considerations

This research study followed ethical norms in research. The first is to promote the aim of the study, such as knowledge, truth, and avoidance of error. Secondly is to deal with cooperation and coordination among many different people in different disciplines. This research effort also promotes values essential to collaborative work, such as trust, accountability, mutual respect, and fairness. The third ethical norm is accountability to the public. The researcher assured the informant's confidentiality of the results.

Chapter 4: Analysis of Documents Used by Security Forces

This chapter discusses the different policies on maritime security against piracy and armed robbery against ships used by law enforcement agencies for the Sibutu Passage. Based on the analysis of the policies, standard operating procedures, publications, and other relevant documents, the following are the emerging themes:

4.1 National Policies and Interagency Collaboration Agreements

The interview revealed that the role of combating piracy and armed robbery against ships in the Sibutu Passage and surrounding sea areas is within the mandates of the PNP and PCG, with the AFP serving as a supporting agency. Organizations are given direction, uniformity, responsibility, efficiency, and clarity in their operations by policies. This outlines expectations and principles that cooperative members should follow (CMHC SCHL, 2018).

“[...] our unit has been mandated by higher headquarters to look over the area of Tawi-Tawi, covering the Sibutu Strait. Our only task here is to support the cognizant law enforcement units because we are in the military, and our mandate is to perform the external defense operation. However, because the Coast Guard and the PNP Maritime Group are the law enforcement agencies that require military assistance, we usually conduct joint law enforcement operations as a supporting effort.”

Acop (2008) says the AFP should focus on warfighting given its limited resources and reduced development. Combat arms should make up most of its remaining force and improve the AFP's material capabilities. In the interview, several collaboration agreements and national policies have been made to promote cooperation and collaboration. Prominent among said agreements are the JPSCC and NCWC. Accordingly, the inter-agency approaches facilitated coordination among the different security forces in the area.

“[...] we close these capability gaps while, thankfully, our national government recognizes the problem. So, they issued this EO which is also

visible to our allies and partners. We were able to establish the National Coast Watch Council and its Center thanks to grants from the United States, Australia, and Japan. They even paid for the construction of the center's building. Because this is an interagency approach, we will require the assistance of other maritime agencies[...] If we can organize and then operationalize the National Coast Watch Center concept. Then, perhaps, we can establish a National Coast Watch, similar to a unified border command, in collaboration with all maritime agencies and the AFP, which is also covered by that EO. From there, all of the required capabilities in the area, such as infrastructure and forward workers' capabilities such as air and sea, will be enhanced."

According to Edwards (2019), diverse maritime threats complicate enforcement. The thing that unites PNP, PCG, and AFP is that they are all concerned about their lack of capability, primarily understood as physical assets. Each agency concerned understands that more effective resource sharing could close the capability gap. Coordination problems and some uncertainty over overlapping roles do, however, still exist. Since their separation in 1998, the PN and PCG have frequently clashed over resources. Said occurrence might lead to a lack of transparency and, occasionally, a tense relationship between the two agencies. Despite these issues, coordination has improved, and agencies are optimistic about improving relations.

"[...] to be honest, we lack the capacity to respond to this act, particularly in terms of infrastructure and equipment[...] that is why the Joint Peace and Security Coordinating Center [JPSCC] was formed, of which the Philippine Coast Guard is now a member. This is what connects us; we have a coordinating center for it[...] because if something like this occurs, such as piracy, it is manageable. It simply requires coordination among the three (3) agencies."

4.2. International Partnership

The Philippines now places a high priority on international cooperation in the field of maritime security. The UNODC Global Maritime Crime Programme and the PCG co-

hosted the "Contact Group" on maritime crime in the Sulu and Celebes seas, which brought maritime security actors from all over the region together. The PCG also signed a Memorandum of Understanding with the Indonesian Maritime Security Agency (BAKAMLA). A TCA between Malaysia, Indonesia, and the Philippines is also developing, incorporating coordinated patrols in the Sulu-Celebes seas and information-sharing, despite ongoing sovereignty disputes (Edwards, 2019). However, only the information-sharing protocol had been developed at that point. The operational level continued to discuss the other protocols. Nevertheless, the three ministers decided to look into combined air patrols (Quilo, 2018).

"[...] we are now into a continuous working group with them, a joint working group. The protocols are being finalized regarding information sharing, protocols on the conduct of joint patrols at sea, and areas of maritime concern which cover the Sibutu passage. So, it is still in the finalization stage. We are now on the 17th joint working group, and I believe this supposedly, if not because of the election, there is already a plan for that. That's why there was this Philippine side delegation working group meeting the other day to prepare for the joint working group with Malaysia and Indonesia."

From the discussions, it was said that security agencies believe that assessment cannot be done yet, particularly in regional trilateral coordination, because it is still in process.

"[...] we cannot yet measure the effectiveness because it's still a work in progress. So, we're still talking with each other on how to in place capabilities. Acceptable to other countries? Remember, we have some sensitivities with Malaysia. With Indonesia, we have this opportunity for collaboration because of the Philippine-Indonesia border crossing agreement. But because of these dynamics, there is still sensitivity management being undertaken on both sides. So the trilateral cooperate arrangement for me is not yet in place,"

However, when asked about the TCA's rudiments and the Philippines' readiness regarding assets and capabilities, infrastructure, and logistical support, all

respondents agreed that the Philippines is barely ready to meet the basic requirements when the agreement is finalized.

“[...] so maybe one of the challenges is that we've seen these gaps for so long, and outsiders should not be the ones initiating or pushing the changes because having a well-secured border is a basic requirement for any nation, especially for those of us on the southern border. Historically, it has been very porous and full of illicit activities that are common to all borders. So the question becomes, why only now? Maybe we lack focus? The approaches taken by the various agencies differ. We have different perspectives on borders. We believe and hope that this EO [57] is an indication that we are beginning to recognize the need.”

Valenzuela et al., 2020 said it would be years before the AFP's Philippine Airforce (PAF) and PN could be at par with their foreign counterparts due to the slow and tedious asset acquisition process. Even with the Aquino administration's RA 10349 or Revised AFP Modernization Program, the PA defense budget share is the largest among the three AFP branches. It outpaces the PAF and PN's combined budget for most of the decade. Only when the South China Sea dispute peaked In FY 2016-2017 did PAF and PN spending increase.

Although maritime security is one of the 12 action agenda points in the National Security Policy, according to Batongbacal (2021), its practical application is limited to territorial defense and maritime law enforcement, indicating that the concept's current practical application is less extensive than the official definition would imply. Policymakers' "land-based perspective" is most likely to blame for the contradiction between theory and practice. Accordingly, the Philippine government is unaware of the scope and importance of maritime activities. Furthermore, land-based planning and management are typically prioritized in the governance of social and economic activities, among others.

4.3. Absence of Dedicated SOP in Securing Sibutu Passage

Aside from the Rules on the Use of Force (RUF) and Department Circulars published in 2017, like DOTr MC 2017-001 on "Safety, Security, and Environmental Numbering," the interview showed there were no dedicated SOPs, Memorandum Circulars (MCs), protocols, or other measures in place to stop piracy and armed robberies against ships going through the Sibutu passage and its adjacent sea areas.

"[...] there is an EO [197] that is yet to be implemented for the PCG to supposedly check the Ship Security Plan, which is an anti-terrorism and anti-piracy mechanism. But there is none [dedicated] for the passage in Sibutu [Passage]. Because how can we perform the DOTMPLFS or develop our Doctrine if our Facilities and Equipment are inadequate?[...] Because an SOP is a doctrine, we do not have a Doctrinal initiative on our part. So, none yet, it is still weak[...] There should, however, be something specifically for Sibutu [passage]."

Nonetheless, one respondent stated that the Philippine Congressional Committee is currently considering the designation of ASL, which includes the Sibutu Passage and the Basilan Strait. If the initiative is successful, the relevant agencies, particularly the security sector, will have a solid foundation on which to regulate maritime traffic and ensure the safety and security of the Philippines' sea lanes. It will also serve as a foundation for developing infrastructure and other capabilities of the security and law enforcement forces in the country's border areas.

Furthermore, as revealed in the interview, the PNP does not have a specific SOP dedicated to securing Sibutu Passage because everything has been done at the national headquarters.

"[...] we no longer localize because we are reliant on national-level directives from higher headquarters. So, all we are doing is carrying out what has been handed down to us."

Accordingly, there is no localized version of the national policies/directives that have to be crafted to attune to the geographic and political peculiarity of the area of study. As such, law enforcers' actions will be restricted and vulnerable to counter-legal suits without a solid approach to support them. Said matter points to “*the strength of a law enforcer is as strong as the law protecting them*” (C. P. Diciano, personal communication, June 15, 2015)

As a summary for this chapter, it was discovered that there is no dedicated doctrine or policy in place to counter and prevent the threat of piracy and armed robbery against ships in the study area. Relatedly, the basic infrastructure, logistical, and asset requirements must be in place for a doctrine to be effective. Positively, each agency recognizes its limitations and understands that each gap can only be filled through close coordination and collaboration. Although the mechanism for strengthening partnerships is in the works, its progress is rather slow and far-fetched. Consequently, the passage of the bill to establish ASL is a notable stimulus that can support the infrastructure, logistical, and asset requirements of the security forces, despite having pros and cons among experts.

Chapter 5: Assessment of Anti-Piracy and Armed Robbery Efforts in Sibutu Passage

Maritime security is a broad term that means both the safety inside and outside of ships. Terrorism, piracy, theft, illegal trafficking of goods and people, illegal fishing, and pollution are all threats to ships and marine operations (Monje, 2012). To understand the situation in the Sibutu passage and its adjacent sea areas, the analysis included an assessment of these efforts regarding the operational mechanisms involved, coordination among different stakeholders, and community or local participation. This part presents the analysis and interpretation of data gathered from the survey questionnaire and interviews about implementing maritime security mechanisms to prevent piracy and armed robbery against ships.

5.1. Operational Mechanisms

Operational mechanisms and responses continue to play a vital role in disrupting the pirates' business model on land and at sea (Sloan, 2014). As such, the survey conducted with respondents from the AFP, PCG, and PNP in table 3 shows how various agencies performed their respective roles and mandates in securing the Sibutu Passage and surrounding sea areas. Its interpretation in the data analysis illustrates that the level of maritime security for countering and preventing maritime piracy in terms of operational mechanism has a weighted mean of **3.41** with a verbal interpretation of **"sometimes."** This means that 85% of respondents believe that the security forces' overall operational mechanism for combating maritime piracy and armed robbery against ships in the research area is adequate.

The statement set of objectives is clearly stated before the operation begins, garnered the highest mean of **3.52** with a verbal interpretation of **"often."** Accordingly, security personnel from the PCG, PNP, and AFP assigned in the area of the study believed that they always have a set of operational mechanisms to secure the Sibutu Passage. These include having a set of objectives clearly stated before the operation begins; Different government agencies providing useful information for the operation; Debriefing/post-operation is carried out to improve the agency's operational mechanism; Each security agency operates in its respective doctrine/mandate; Each

agency served as the leading organization to the operations in Sibutu Passage; And designated concerned unit/department for the development of policies and standard operating procedures to improve the anti- maritime piracy. According to Webb (2016), in any operations, objectives help define goals, recognize inappropriate actions, direct key decision-making procedures, and maintain personnel accountability within the organization or with another concerned group. Objectives will provide every individual within the group with a clear picture of the operations.

On the other hand, the statement that respective agencies are conducting research to enhance the operational mechanism of units operating in the Sibutu area garnered the lowest mean rating of **3.16**, with a verbal interpretation of **“sometimes.”** Similar to why research is important in education, defense and security research is essential to developing the capability and readiness needed to ensure national security since accessible knowledge sets the limitations of military operational capability and society's overall preparation (Zagerman, 2022). According to Parshuram et al. (2018), when planning for strategic ground, air, and maritime operations, high-level decision makers used research from World War II to help them objectively examine various alternatives. The military received carefully gathered and focused data from such an analysis that helped to provide insights that would enable the military to make more thorough and informed plans and judgments.

Table 3:

Respondents' operational mechanism to combat piracy and armed robbery against ships in the Sibutu passage and surrounding sea areas

Item	Frequency				Mean	Verbal Interpretation
	4	3	2	1		
1. Set of objectives are clearly stated before the operation begins	90	71	3	1	3.52	Often
2. Information useful for the operations was provided by participating government agencies	81	77	7	0	3.45	Often
3. Debriefing/post-operation are carried out to improve the agency's operational mechanism	83	78	4	0	3.48	Sometimes
4. Each PNP/PCG/AFP operate in their respective doctrines	92	67	5	1	3.50	Often

5. Your agency served as the leading organization in the operations at Sibutu Passage	82	72	11	0	3.43	Sometimes
6. Designated concerned unit or department for the development of policies and standard operating procedures to improve the anti-maritime piracy	94	64	6	1	3.51	Often
7. The operational mechanism of agencies is designed to adapt to the specifics of the field	74	84	7	0	3.40	Sometimes
8. Maritime patrols are frequently carried out to ensure the safety and security of ships passing through the Sibutu passage and its adjacent sea areas	70	80	15	0	3.33	Sometimes
9. The agency is conducting research to enhance the operational mechanism of units operating in the Sibutu area	53	88	21	2	3.16	Sometimes
10. After activity reports are prepared for future reference	71	81	13	0	3.35	Sometimes
11. Civic relations operations are being conducted to gather support from the community	71	86	8	0	3.38	Sometimes
12. Operational protocols for emergencies, disasters, and pandemic are available	70	86	9	0	3.37	Sometimes
Weighted Mean					3.41	Sometimes

Moreover, security personnel believed that the following mechanisms are often practiced: The operational mechanism of agencies is designed to adapt to the specifics of the field; Maritime patrols are frequently carried out to ensure the safety and security of ships passing through the Sibutu Passage and its adjacent sea areas; The agency is researching to enhance the operational mechanism of units operating in the Sibutu area; After the activity, reports are prepared for future references; Civic relations operations are being conducted to gather support from the community; Operational protocols for emergencies, disasters, and a pandemic are made available. Following the above, three themes emerged during the interview among the security agencies involved in securing the research area to gain a better understanding of the situation in terms of operational mechanisms: (1) Vast Jurisdiction; (2) Communication Issues; and (3) Limitation of Maritime Assets:

5.1.1. Vast Jurisdiction: One of the main operational concerns of the security forces in the Sibutu passage is their AOR's broad jurisdiction. The jurisdiction mentioned encompasses the majority of the immense waters of Mindanao, which is considered one of the most insecure waters in the country due to the current presence of rebels and terrorist groups. From the interview, it can be construed that operational mechanisms to prevent and counter-piracy become challenging because of the vast jurisdiction. Almost similar to PNP Maritime Group that covers the BASULTA (Basilan, Sulu, Tawi-Tawi) region, the PCG District Bangsamoro Autonomous Region in Muslim Mindanao (CGD BARMM) presently has seven (7) Stations – Cotabato, Western Sulu, Eastern Sulu, Northern Tawi-Tawi, Western Tawi-Tawi, Central Tawi-Tawi and Basih-Balan which encompasses twenty-one (21) substations (*see Figure 5 and list of abbreviations*).

Figure 5:

PCG Area of Responsibility (AOR) distribution in Mindanao



Source: PCG, CG-3

Additionally, the interview revealed that the splitting of CG District Southwestern Mindanao in Zamboanga to allow for the formation of CGD BARMM is operationally unsound due to geographical, social, and cultural factors. Accordingly, those living in the island provinces (Jolo, Tawi-Tawi, and Basilan) are socially and culturally distinct from those who live on the mainland. The headquarters of PCG District BARMM are in Cotabato City, which is far away from its stations in Jolo, Tawi-Tawi, and parts of

Basilan Province. As a result, the additional distance and location of the refueling area pose a challenge in prepositioning its large patrol vessel.

“[...] the seat of power is driven by economics. Politics, as Karl Marx put it, is a concentrated form of economics because economics is what drives politics. The seat of power is in Zamboanga, and we cannot isolate it because the Command Center and the economic activities are there. So, I strongly believe that it is operationally unsound[...] due to geographical, social, and cultural factors. It is extremely difficult for it to come together. The governance will suffer, which will be a major challenge for CGD BARMM.”

Furthermore, it was discovered that the agency's demand concerning its mandate demonstrates certain limitations, such as logistical constraints.

“[...] as we manage the conduct of seaborne patrol operations, we must also keep some fuel reserves on hand in case of an emergency. It is difficult to exhort all of our resources on patrols and exercises because we must also reserve some for the real McCoy or actual emergency situations. So, the challenge is to manage our limited resources, particularly in terms of logistics.”

A maritime-focused effort will probably not be sufficient to completely eradicate piracy in the area due to the limited number of patrol vessels and the great distances involved. This issue was also stressed in the case of the Gulf of Aden and the Arabian Sea. Often burdened by limited capabilities in terms of effective maritime law enforcement, approximately 25 naval ships patrol the Gulf of Aden and the Arabian Sea, each with the arduous task of covering an average area of 44,000 square nautical miles. Additionally, pirates usually move their operations to uncontrolled waters when naval forces are present in a region (Nelson, 2012; Kouakou et al., 2022).

5.1.2. Communication Issues: Pirates frequently make use of mobile satellite systems. According to the interview, communication is one of the most important factors in any maritime effort. However, communication issues are one of the main

problems during operations due to the lack of communication infrastructures. Subsequently, all respondents commented that almost everything was poor – even the most fundamental electricity supply and cellphone signals.

“[...] when it comes to communication infrastructure, it is still lacking. We desperately need to upgrade because there are times when our TeleComs have no signal. For example, last week, the Globe network had no signal from 0600H to 0900H for three (3) days in a row. For the Smart network, there were instances where there was no signal for three (3) days. So, we really have a problem because our primary mode of communication is usually our cell phone. It is acceptable if all agencies have a radio through which we can transmit information. And, here in Tawi-Tawi, it is not just our network communication that has a problem. Even our electricity is unreliable, and if there is a brownout, our radios are out as well. So, I believe there are still things that need improvement. Although we are making progress, it is insufficient because we are so far behind.”

Baldini et al. (2010) said that understanding the maritime world is crucial for dealing with these dangers, particularly in communication. Various technologies have been suggested to find and identify boats employed for illegal operations in open waters. They further proposed identifying illegal vessels in open waters by keeping an eye on mobile satellite communication emissions, which criminals use to plan their attacks or get in touch with accomplices on shore. However, given the Sibutu Passage case, the unstable electricity problem adds more to this challenge.

5.1.3. Maritime Asset Limitations: According to the conversations, one of the vital components for a successful maritime operation against maritime piracy is a sufficient number of maritime assets such as patrol boats and watercraft. Respondents also believed other infrastructure assets besides watercraft and gunboats were important. Additionally, the value of radar stations in the Philippines was recognized as early as 2017 when Japan announced plans to assist the former country by constructing radar stations to combat piracy in the Sulu-Celebes region. According to the source, the increase in incidents of piracy and armed robbery against ships in the Sibutu Passage

from 2012 to 2016 caused a rise in shipping company insurance premiums. As a result, Japan donated eight radar stations under CGD BARMM AOR to monitor vessels entering and exiting the passage.

As a summary of this section, it is implied that, while the majority of survey respondents believed the operational mechanisms for countering piracy and robbery against ships were satisfactory, the interview with officers in the high echelons of the three security organizations revealed that there are still more required and needs to be done. It can be noted that issues such as covering a large jurisdiction with limited floating assets, communication and infrastructure issues, and other resource constraints hinder their efficiency. With such gaps identified, the national government's attention and careful planning on resolving the issue are required at the soonest possible time.

5.2. Security Forces Coordination

According to Ahmad (2020), cooperation and coordination are necessary for maritime security operations at the international, regional, and national levels. Effective coordination and management among the members of the security forces enhance the participation of the group in responsible monitoring of the implementation of maritime security against piracy and armed robbery against ships. This will motivate support and foster commitment among the members' responsibilities. As such, domestic government organizations and agencies need to develop successful information and data-sharing method to prevent gaps and overlaps in the system.

In the survey conducted, the data shows how different agencies performed their respective mandates. Table 4 shows the response of the personnel from the PCG, PNP, and AFP when asked about their inter-agency coordination practices in securing the Sibutu Passage. The data analysis in Table 4 shows that the level of maritime security for countering and preventing maritime piracy and robbery in terms of coordination among security forces has obtained a weighted mean of **3.38** with a verbal interpretation of "**sometimes.**" On the one hand, the statement coordinating meetings are being conducted to maintain cooperation among PCG, PNP, and AFP

obtained the highest mean of **3.41** with a verbal interpretation of **“sometimes.”** On the other hand, the lowest mean rating of **3.27** and verbal interpretation of **“sometimes”** was obtained by the statement the intelligence report is being shared with all relevant agencies.

Table 4:

Inter-agency coordination practices of the AFP, PCG, and PNP in the area of study.

Item	Frequency				Mean	Verbal Interpretation
	4	3	2	1		
1. PCG, PNP, and AFP work together to plan and execute operations	74	80	10	1	3.37	Sometimes
2. Unity and support are provided by each agency in every conduct of operation	74	85	5	1	3.40	Sometimes
3. Data provided by involved government agencies is examined and verified before the conduct of the joint operation	67	88	7	2	3.33	Sometimes
4. The intelligence report is being shared with all relevant agencies	58	93	14	0	3.27	Sometimes
5. Coordinating meetings are being conducted to maintain cooperation among PCG, PNP, and AFP	80	74	11	0	3.41	Sometimes
6. Best practices are being shared by concerned agencies to improve the procedure for the enhancement of anti-maritime robbery and piracy	64	92	9	0	3.33	Sometimes
7. PNP, PCG, and AFP conduct collaborative efforts to discourage people from engaging in piracy and armed robbery at Sibutu	62	93	8	2	3.30	Sometimes
8. There are joint operations during emergencies, disasters, and pandemic	68	87	10	0	3.35	Sometimes
Weighted Mean					3.38	Sometimes

To simplify the aforementioned data, the majority of respondents, 139 out of 165, or 84% of the respondents, believe that coordination among the stakeholders is essential after having the highest mean in the inter-agency coordination practices in the study area. Ironically, the "sharing of the intelligence report" received the average rating that was the lowest possible score. Said inconsistency implies that there are

disparities between and among the various security forces in the study area, which makes it difficult for them to effectively coordinate and collaborate with one another. For better understanding, the following section will discuss the factors that contribute to the difficulties that arise in inter-agency coordination and collaboration.

5.3 Challenges in the Inter-Agency Approach

Despite the importance of security force coordination in the area, it was revealed that some aspects remained a challenge during the assessment discussion. The following themes have emerged regarding the coordination among security forces in implementing maritime security for countering and preventing piracy and robbery and armed robbery against ships.

5.3.1 Miscommunications Due to Differing Mandates

Based on the quantitative and qualitative data analysis, there is a uniting effort among the three agencies to enhance interoperability through the tripartite [JPSCC] agreement. Still, some miscommunications or disagreements may arise due to the various security agencies' overlapping mandates and operational doctrines. Hence, the conduct of capability briefings among the different security forces in the area is deemed necessary.

“[...] that is the reason why we are proposing for the conduct of the capability brief of respective units[...] because I got feedback from, for example, one agency that they don't know what's the mandate of the Armed Forces. What are the limitations? What are the mandates of the other law enforcement agencies which actually are complementary to each other? So, there's a need to conduct these things to iron out and improve the understanding with each other. Thus, it will facilitate good operational mechanisms in the future.”

5.3.2 Interpersonal Relationship vis-a-vis Information Sharing

It was further revealed that although there are many collaboration meetings and discussions to promote cooperation and collaboration, sharing information remains

complicated. A respondent even disclosed that some intelligence reports are not shared with other operational groups. Accordingly, the gap between the various agencies sometimes widens as leadership and organization members change. It is noteworthy that AFP, PCG, and PNP follow a particular career path. Consequently, it is common for officers, personnel, and sometimes the entire unit transfers from one place to another. As such, It makes the continuation of collaboration and cooperation more difficult. The lack of solid interpersonal connections among the members of the security forces may impede information sharing.

“[...] the barriers are that there is still a need to improve the understanding of how these agencies work. There is still a need to improve the relationship to sustain it because, from time to time, we change people. We change leadership, we change members of the organization.”

Furthermore, highlighted in the conversation is the value of interpersonal relationships between the security forces in the study area. Accordingly, without strong interpersonal relationships, especially between the heads of the various security forces, there is a tendency for rivalry over who receives the recognition, particularly on major accomplishments.

“[...] I believe the barriers are similar to a turf war. We have a competition among ourselves about who gets the credit. So, if we remove that kind of barrier, we might be able to improve agency coordination significantly.”

In Monje's (2012) paper, a naval force commander in western Mindanao expressed his displeasure with how the relevant agencies share information, claiming that they monopolize it and keep it to themselves. Whelan (2017) asserts that "informal" relationships are critical not only because they affect formal relationships but also because that work is frequently carried out within "social networks." Significantly, the interviewee declared that the three security agencies' resources, policies, and roles by themselves do not define compatibility and unity in the field of operation. Instead, a close relationship is crucially reliant on the appeal to human positive emotions.

“[...] jointness and interoperability are not defined by the agency’s resources, rules, and roles alone. But a rather fundamentally contingent on the harmony of the human element behind – the relationship.”

It was therefore recommended that those in charge of setting up and managing security networks think about creating plans to encourage the growth of a solid "network culture" and favorable interpersonal and organizational ties. Unit commanders may want to concentrate on choosing team members for networks or creating an environment that innately fosters and uphold a sense of camaraderie. It was also suggested that the heads of each agency ensure a stable membership with low staff turnover and opportunities for members to share experiences. The aforementioned circumstances are likely to foster the development of cooperative security networks. (Welan 2017).

5.3.3 Confusion in Determining the Lead and Supporting Agencies

It was discovered from the interview that some members of the security forces sometimes do not support joint operations. There were cases where one believed that it is time-consuming because they could not reach a consensus on who would decide or takes the lead, especially when the ranks of the head of agencies are the same or on the level. It was also discovered that there are even instances wherein the agreed course of action is not followed.

“[...] that is very common, especially with the actual operation, you know, if we are working with other government agencies. Number one (1) is, it is time-consuming. We cannot react immediately because we are still dealing with other agencies. Because there are numerous agencies involved, it is common that we do not reach a consensus on how to solve a particular problem. They sometimes believe that because they are the lead agency, especially if the ranks of the head of agencies are the same or on the level, they should be the ones to decide. So those are the times when we cannot reach an agreement on a solution[...] another problem we see is that the responsible agency is sometimes not implementing the agreed-upon solutions[...] So that is one of the

challenges or disadvantages that we encounter when collaborating with other government agencies.”

For the duration of this section, it can be said that the first step toward close cooperation and collaboration between and among security forces is to break down the barrier of division by having a clear understanding of the respective agency's mandates, promoting and advancing inter-personal relationships, and having clear guidelines on the roles and functions of each agency in the area of study. Moreover, other avenues for promoting interpersonal relationships among the various security forces must also be explored.

5.4 Community Participation

Community involvement in any military operations is vital for its success; therefore, understanding the nature of the operations through information related can be used as an instrument to attain desirable outcomes (Department of Army, 2018). Table 5 shows the response of the personnel from the PCG, PNP, and AFP when asked about their community participation practices in securing the Sibutu Passage and its surrounding sea areas.

Table 5:

Community participation practices of the AFP, PCG, and PNP in the area of study

Item	Frequency				Mean	Verbal Interpretation
	4	3	2	1		
1. Maritime stakeholders are made aware of the safety procedure plans	57	95	13	0	3.27	Sometimes
2. Local support and cooperation with the PCG, PNP, and AFP in the government's campaign to ensure the safety and security of the Sibutu Passage	63	83	19	0	3.29	Sometimes
3. Maritime stakeholders have poverty alleviation programs to discourage	47	99	17	2	3.15	Sometimes
4. There are available researches made by the civilian sectors used to ensure the safety and security in Sibutu Passage	43	102	19	1	3.13	Sometimes
5. There is community participation in anti-piracy and robbery during emergencies, disasters, and pandemic	40	102	22	1	3.09	Sometimes
Weighted Mean					3.18	Sometimes

The data analysis in Table 5 shows that the level of maritime security for countering and preventing maritime piracy and robbery in terms of community participation obtained a weighted mean of **3.18** with a verbal interpretation of **“sometimes.”** The statement of local support and cooperation with the PCG, PNP, and AFP in the government's campaign to ensure the safety and security of Sibutu Passage and its adjacent sea areas has obtained the highest mean of **3.29** and verbal interpretation of **“sometimes.”** Community participation aims to build a relationship between the community and uniformed, open, mutually satisfying, and cooperative services. An effective community support program enhances how the community views the uniformed services and how they value the operations (Sirko et al., 2019). Alternatively, the statement about community participation in anti-piracy and robbery during emergencies, disasters, and pandemics obtained the lowest mean of **3.09** with a verbal interpretation of **“sometimes.”** Based on the result of the interview,

one theme has emerged: ***Community participation is vital to the success of security forces' plans and programs.***

The PNP has the Coastal Barangay Information Network (CIBN), which provides updates on what is going on in the sea. The PCG is adding additional Sub Station units, especially in the coastal communities, to enhance their presence. The Philippine Marines changed, reorganized their forces, and took over strategic islands that surrenderers had said were their safe havens. Accordingly, the locals of Tawi-Tawi recognize that the security forces' plans and programs are for public service and the betterment of the entire community. While the LGU mostly provides assets and logistical support or other forms of assistance, it was stated that the security forces in the area of study do not sit on their gaps and deficiencies. They find ways and optimize the use of their available resources.

“[...] the effort now is to strengthen it some more by consolidating the populace there - train them, educate them, enhance their capacity to be our force multipliers. So that's what we are doing now. Continuing to strengthen the coastal communities because we believe if there are no transient and sheltering areas [for the criminals], there will be no probability of outsiders conducting this nefarious activity in Sibutu Strait and in any other areas of Tawi-Tawi.”

For this section, it can be construed from the survey and interview that the community participation practices of the security sector in the study area were found to be satisfactory in terms of the degree of support and cooperation received from the local people for the implementation of efforts in countering and preventing maritime robbery and piracy. From this data, it can be inferred that each involved agency, in terms of bolstering community relations, is doing its job in accordance with its respective mission and mandates.

Chapter 6: Challenges and Recommended Mechanisms

This chapter discussed the challenges and recommendations based on the data gathered, as supported by available documents and scholarly articles, to improve the mechanisms for preventing piracy and armed robbery against ships in the Sibutu Passage and its surrounding sea areas. These issues and suggestions will then serve as the foundation for improving the system for anti-maritime piracy and robbery. As such, four themes emerged from the interview.

6.1 Establishment of a Unified Command

The discussion pointed out that the Tawi-Tawi inter-agency involved have a good working relationship and are familiar with the concept of working together to combat piracy and armed robbery against ships. Accordingly, like-minded leaders from the AFP, PNP, and PCG can usually come up with effective measures to fill the gap of lack of capabilities.

“[...] what is needed is continuous communication among each other. So in consensus, we can help each other find ways to address the gaps and the challenges and be able to perform respective mandates in accordance with their respective organizational task with the help of other agencies.”

According to Edwards (2019), cautious optimism is growing that the Philippines will be able to improve maritime security even though there are likely to be gaps in assets if coordination is improved both domestically and internationally. Members of the PNP, AFP, and the PCG have all argued that the most crucial next step would be a maritime security strategy that precisely identifies the issues and priorities of the maritime security of the Philippines and then specifies the roles of the various maritime agencies within this. This would advance maritime security issues beyond geopolitics by highlighting areas of shared interest, defining responsibilities, and providing a more precise foundation for future action. It would also have the potential to reduce some of the current coordination barriers. Thus, the interviewee declared the activation of NCWC in Tawi-Tawi can be a good platform to achieve such.

“[...] we can professionalize our law enforcement agencies with NCWC because they will be synchronized. The government will also become more organized, as well as more effective and efficient[...] we are currently moving separately. We are making our own efforts and are unaware of what the other agencies are doing. For example, the coast guard wants to place a monitoring station in this area, and the navy wants to do the same, but we still can't connect these stations.”

Based on the preceding premise, it is clear that establishing a unified command system can facilitate coordination and collaboration among the security forces in the study area, thereby aiding in the suppression of piracy and armed robbery against ships. Moreover, the AFP emphasized the importance of inter-agency collaboration, recognizing that almost all maritime incidents in the area, particularly near the borders, are the responsibility of maritime law enforcement agencies. Nevertheless, a grand strategy for a unified command stationed in Tawi-Tawi, like the ESSCOM [Eastern Sabah Security Command], is needed to synchronize the efforts of the agencies concerned. Because the NCWC was established by EO, its activation in the province of Tawi-Tawi, where the Sibutu passage is located, is a good starting point toward achieving unified command in the area of study.

6.2 Enhancement of Government Support System

In almost every field of a complex environment, the need for additional resources and infrastructure facilities is overstated. Resources include but are not limited to floating assets, equipment, budget, and fuel, while facilities cover bases, stable power lines, etc. The interview uncovered that aside from inadequate infrastructure and other government support systems in the research area, another contributing factor is poor governance, poverty, and the presence of armed conflict.

“[...] one of the reasons or actual sources of the problem is poor governance[...] because of the area's high poverty level. Another factor we are considering is the presence of armed conflict. So, if we look at it, it has always been there because the underlying causes of the problem are constant.”

Moreover, despite numerous cooperation and collaboration initiatives, it was discovered to be insufficient without the availability of tools and equipment for the military and law enforcers in the area of the study.

“[...] even though signed agreements exist and we understand each other, we lack the support of higher headquarters in terms of our resources, such as personnel, facilities, and floating assets. It will remain ineffective. As of now, despite agreements with other neighboring countries and agreements with other agencies, it is not sustainable for us to conduct continuous patrols because they are expensive in terms of resources such as fuel. So, we need to establish our communication and monitoring stations, fuel lines, etc. That should be our focus because, while we say we have efforts there now, in reality, we need more patrol assets, as well as the establishment and support of higher headquarters.”

Ultimately, providing the necessary personnel, equipment, and resources is crucial in the struggle against piracy and armed robbery against ships in the Sibutu passage and its adjacent sea areas. As such, an additional national budget allocation must be made.

“[...] we must advocate in our Action Plans and Programs. We need the advocacy of the different agencies. The issue is escalating. Some agencies are unaware of the EO [57] and even wonder what it is all about. As a result, we must advocate. Of course, the council must take this seriously. This must be reflected in the budgets of the various agencies[...] We require a little more cascading.”

Castro (2017) asserted that lobbying for more resources is complex, and the Navy continues dominating maritime budgets. Though it was determined to increase the AFP's capacity for territorial defense, the Philippine government was hampered by a lack of funding. The government identified the need to update the armed forces, especially the PN and PAF. Still, it also recognized the limits placed on this effort by other priorities, such as education and public works.

6.3. Inter-agency training, exercises, and other avenues to promote interpersonal relationships

All respondents believed there is a need to enhance and promote inter-agency collaboration. This is to maximize the use of the tri-agency maritime assets, resources, personnel, and expertise to quell maritime piracy and robbery.

“[...] existing assets of one agency may not suffice an operation. Thus, the importance of inter-agency sharing of resources[...] the opportunity that I see is the combination of the three (3) agencies' experiences. We gain knowledge and experience from the other two (2) agencies. The PNP can learn from them. We learn things unfamiliar or stranger to our work as cops. It is beneficial that this center facilitates the exchange of expertise among the three (3) agencies. There is definitely room for improvement. The work that we do involves a knowledge exchange. We believe the police can assist the Coast Guard or the marines with their problems. We can then learn what we need to improve based on what we have learned from what they do.”

Considering the gaps and “challenges in the inter-agency approach,” as mentioned in Chapter 5.3, respondents suggested the conduct of regular inter-agency training, exercises, and gatherings that can foster better interpersonal relationships.

“[...] to resolve that, in my opinion, we should conduct regular meetings and fellowship. As they say, before we conduct business, we should become friends first[...] I believe there is no way to strengthen our bond other than to conduct inter-operability exercises, training, and expert subject matter exchanges. This is for us to establish a good relationship with your counterpart and the other agencies through fellowship. That, I believe, is the crucial point. In our culture, having a good relationship with other security forces sometimes precedes everything else. Others are our culture's last priority. The most important thing for us is establishing good relationships with security colleagues.”

6.4. Socio-Economic Programs for the Community

The fourth theme is the need to develop socio-economic programs for communities. Respondents asserted that the problem of piracy and armed robbery is straightforward, and to address it, the government has to focus on the root causes of piracy.

“[...] some experts believe that, as in Somalia, there are problems in the surrounding seas if there is a problem on land. To address piracy and armed robbery in Tawi-Tawi, we must first address the problems in the land. So, if the land is problematic, there will be issues in the seas. Once again, you address good governance, basic human services, livelihood, etc.”

It was further stated that the security forces in the area need to develop intervention programs within the sphere of being a law enforcement agency in the security sector.

“[...] who would go pirating if Sibutu, Sitangkai, and Bongao are peaceful and orderly? If there is order and they have means of subsistence, people would rather work more decent jobs than piracy or armed robbery. I mean, why would I keep kidnapping people? That is basic, according to studies in Somalia and previously here in the Malacca Strait. This is because the area is problematic, especially on the Indonesian side. There are numerous illegal activities because the government is weak. As a result, they extend to the seas. However, if they can solve the problem on the land, it will have an immediate impact on weakening the pirates. Where will they bring their victims if there is effective law enforcement on the land? Where will the robbed ships be transported? They will eventually bring their victims ashore if they commit piracy or armed robbery at sea. Finally, having a good support system on land, as in other countries, is essential. Everything on the land must be in order in order to address the incidents in Sibutu.”

Stach (2017) concluded that it is impossible to eliminate maritime piracy instances in Southeast Asia completely. People are driven to become pirates for various reasons,

including economic deprivation in coastal communities, excessive fishing, and a lack of employment opportunities. In such a short amount of time, addressing all of the factors that contribute to piracy can be a challenging task. Hence, strengthening the security sector coupled with socio-economic programs for the community is the first step towards eradicating such crime.

In summary of this chapter, it was highlighted that the security forces should strengthen coordination and collaboration while increasing poverty alleviation programs. Addressing the underlying cause of the problem discussed in this Chapter may result in the long-term security of the Sibutu Passage and its surroundings. Furthermore, despite the NCWC's stated goal of promoting security sector coordination and collaboration, it has yet to be activated in Taw-Tawi. Nevertheless, for said Center to be effective, the reasons which may cause its failure to meet its purpose stated in this section and in chapters 4 and 5 has to be resolved.

Chapter 7: Conclusion and Recommendations

Based on the analysis of the gathered data, the following conclusions are made:

1. There are national policies, interagency agreements, and international partnerships used by law enforcement agencies on maritime security against piracy and armed robbery. Still, dedicated procedures are absent for securing the Sibutu Passage and surrounding sea areas. The fundamental organizational, logistical, and resource requirements must be met before a doctrine can be developed and made effective.
2. The data on assessing the implementation of maritime security efforts to prevent maritime piracy and armed robbery, the security forces, and the community have shown efforts to ensure the campaign's success. However, the organizational structure and system are the obstacles to effectively enforcing each agency's mandate, aside from the inadequate infrastructure and maritime assets present in the said area due to the geographical location and remoteness from the mainland.
3. To enhance the coordination and collaboration of the security sectors in the area of study, it was found that there is a need to establish a unified command to synchronize their efforts. Furthermore, regular interagency training, exercises, and other avenues are needed to promote interpersonal relationships. Socioeconomic programs for the community are also needed to educate the people, create employment and alleviate poverty to prevent piracy engagement.
4. Enhancement of the government support system is also necessary because collaboration, documents, mechanisms, and measures are useless without proper tools and equipment. Addressing the challenges and gaps in the military and law enforcement measures and mechanisms outlined above may be effective in the long run to quell piracy and armed robberies against ships.

5. It should be noted that these crimes will still be possible as long as diplomatic problems that obstruct communication and cooperation between and among the concerned nations and the root causes of piracy and armed robberies, such as poverty, poor governance, unemployment, corruption, and social inequality, among others, are not resolved.

Based on the result of this study, the following measures are recommended by the researcher to improve the different mechanisms to prevent the threat of piracy and armed robbery against ships in the Sibutu Passage and its adjacent sea areas.

1. Creation of a dedicated doctrine dedicated to Sibutu Passage and its adjacent sea areas. Said development includes but is not limited to the proper allocation of funds for infrastructure development, facilities, equipment, logistic supplies, and training for the personnel. Conversely, the assets and capabilities of the security forces have to be in place for the projected doctrine to be effective.
2. Passing the Archipelagic Seal Lane Bill will serve as the basis for the growth and development of the area due to appropriate budget allocation. Although the Archipelagic Sea Lane Bill has its pros and cons, the positive impacts outweigh its negative effect as far as the security sector is concerned.
3. Providing resources such as satellite phones for every unit for accessible communication is highly significant. Furthermore, due to the scarcity of floating assets, each unit must have at least one. Additional and sustained fuel and other logistical requirements are also needed as it is critical to the operation's success.
4. The NCWC has an approved EO and has begun operations in some areas. Thus, activating it in Tawi-Tawi is strongly advised. Since representatives from the participating agencies will be housed in one office, the interpersonal relationships will undoubtedly be strengthened, leading to a stronger interoperability approach.

5. Local Government Units surrounding the Sibutu Passage must launch different socio-economic activities such as seminars, education, employment, and social support to alleviate the people's poverty. Said effort will lessen the probability of people engaging in maritime robbery and piracy.
6. Considering that piracy and armed robberies against ships will still be possible as long as their fundamental cause exists, it is recommended, among others, for future researchers to undertake studies related to addressing the root cause of the problem and have a sustainable solution to put an end to piracy and armed robbery against ships.

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Appendix A: Validated Survey Questionnaires



Rank: _____

Designation: _____

Specialization: _____

Years in Service: _____

Choose the number that best suit the statement

4-Often

3-Sometimes

2-Seldom

1-Never

Statements	4	3	2	1
A. Operational Mechanism				
1. Set of objectives are clearly stated before the operation begins				
2. Information useful for the operations were provided by participating government agencies				
3. Debriefing/post-operation are carried out in order to improve the agency's operational mechanism				
4. Each PNP/PCG/AFP operate in their respective doctrines				
5. Your agency served as the leading organization to the operations at Sibutu Passage				
6. Designated concerned unit or department for the development of policies and standard operating procedures to improve the anti-maritime piracy				
7. The operational mechanism of agencies is designed to adapt to the specifics of the field.				
8. Maritime patrols are frequently carried out to ensure the safety and security of ships passing through the Sibutu passage and its adjacent sea areas.				
9. Research is being conducted by the agency to enhance the operational mechanism of units operating in the Sibutu area				
10. After activity reports are prepared for future references.				
11. Civic relations operations are being conducted to gather support from the community				
12. Operational protocols for emergencies, disasters and pandemic are available				

B. Coordination Among Law Enforcement Agencies				
13. PCG, PNP, and AFP work together to plan and execute operations.				
14. Unity and support are provided by each agency in every conduct of operation				
15. Data provided by involved government agencies is examined and verified prior to the conduct of the joint operation.				
16. The intelligence report is being shared to all relevant agencies				
17. Coordinating meetings are being conducted to maintain cooperation among PCG, PNP, and AFP				
18. Best practices are being shared by concerned agencies to improve the procedure for the enhancement of anti-maritime robbery and piracy.				
19. PNP, PCG and AFP conduct collaborative efforts to discourage people from engaging in piracy and armed robbery at Sibutu				
20. There are joint operations during emergencies, disasters and pandemic				
C. Community Participation				
21. Maritime stakeholders made aware of the safety procedure plans				
22. Local support and cooperation with the PCG, PNP, and AFP in the government's campaign to ensure the safety and security of Sibutu Passage				
23. Maritime stakeholders have poverty alleviation programs to discourage people from engaging in piracy				
24. There are available researches made by the civilian sectors used to ensure the safety and security in Sibutu Passage.				
25. There is a community participation on anti-piracy and robbery during emergencies, disasters and pandemic.				

Comments _____

Appendix B: Interview Guide Questions

1. What are the municipality's poverty-alleviation programs to counter or discourage its constituents from engaging in piracy and armed robbery against ships?
2. What are the chances of piracy and armed robbery occurring in the Sibutu Passage?
3. What could be the possible causes of these occurrences?
4. What measures, programs, and projects does the Local Government Unit of Sibutu have in place to assist its law enforcement agencies in their anti-piracy and armed robbery against ships campaign? If so, are the aforementioned measures, programs, and programs documented?
5. What are your thoughts on the effectiveness of military and law enforcement agencies working together to combat piracy and armed robbery? What enhancements are possible?
6. What opportunities have you encountered while working with the military and law enforcement?
7. What challenges have you encountered while working with the military and law enforcement?
8. How can the interagency implementation of antipiracy and armed robbery measures against ships be improved?
9. What can the Local Government Unit of Sibutu do to aid in more effective implementation of said measures, programs, and projects?