Non-Traditional Maritime Security Cooperation in Southeast Asia

How to Promote Peaceful Uses of the Seas in Asia

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Outline

I. Non-Traditional Maritime Security in Southeast Asia
   Situation and Prevalence

II. Multilateral Cooperation to Address Non-Traditional Maritime Security Threats
   ASEAN Framework
   ReCAAP
   Malacca Straits Patrols

III. Key Recommendations
## I. Non-Traditional Maritime Security in Southeast Asia

### Traditional Maritime Security
- Government owned or Military Vessels
- Threat to/Use of Force
- War

### Non-Traditional Maritime Security
- Piracy and Armed Robbery against Ships
- Maritime Terrorism
- Trafficking of Drugs
- Human Trafficking and Smuggling of Migrants
- Illegal Trade of Arms
- IUU Fishing
- [Others]

### Maritime Safety
- Safety of Navigation
- Design, Construction, Manning, Equipment
- Rules of the Road
I. Non-Traditional Maritime Security in Southeast Asia

Piracy and Armed Robbery against Ships

Map 1 - Location of incidents [2016]

Graph 2 - Number of incidents (2012-2016)

Chart 3 - Significance level of incidents (2012-2016)

ReCAAP ISC Annual Report 2016
I. Non-Traditional Maritime Security in Southeast Asia

Maritime Terrorism

Abducting of crew from ships in the Sulu-Celebes Sea and waters off Eastern Sabah


Canadian hostage in Philippines 'executed' by ISIS 2015. http://www.dailymail.co.uk
I. Non-Traditional Maritime Security in Southeast Asia

Trafficking of Drugs

Southeast Asia States are source countries, transit sites, and/or destinations of illicit drugs.

‘Golden Triangle’ - Opium

Trafficking of methamphetamine and heroin in the region generates over USD $32 billion per year.

I. I. Non-Traditional Maritime Security in Southeast Asia

Human Trafficking and Smuggling of Migrants

Rohingya Refugee Crisis:

- The Rohingya people are a Muslim minority group that are not recognised as one of the ethnic groups in Myanmar government.
- Since 2014, about 95,000 people have set off from the coasts of Myanmar and Bangladesh to Malaysia, Indonesia, the Philippines and Thailand by rickety boats via the waters of the Andaman Sea and the Strait of Malacca.

Strait Times 1 February 2016
I. Non-Traditional Maritime Security in Southeast Asia

Illegal Trade of Arms

Small Arms Trafficking:
- Manufacturing
- Importation
- Exportation

Connection with other types of crimes at sea:
- Piracy & armed robbery
- Smuggling of drugs
- Maritime terrorism

http://piratical.pbworks.com; http://www.worldpolicy.org;
I. Non-Traditional Maritime Security in Southeast Asia

Illegal, Unreported and Unregulated (IUU) Fishing

IUU Fishing costs Indonesia USD 3b annually

- Enormous area of fishing ground
- Lack of surveillance
- Large number of small vessels
- By both foreign & domestic vessels

Connection with other types of crimes at sea:

- Human Trafficking and Smuggling of Migrants
- Smuggling of drugs/arms/other controlled goods

Indonesia has blew up and sank over 350 fishing boats that were caught illegally fishing in its waters since October 2014 when President Joko Widodo called for tougher action against poachers.

http://www.straitstimes.com/asia/se-asia/indonesia-blows-up-and-sinks-another-81-fishing-boats-for-poaching
II. Multilateral Cooperation to Address Non-Traditional Maritime Security Threats

- Common challenges faced by SEA States:
  - All non-traditional maritime security threats have deep root causes on land, including poverty, conflicts and development gaps.
  - Lack of maritime surveillance and enforcement capabilities.
- All SEA States are affected by these threats to various extent, and different States have different priorities.
- Multilateral cooperation is either region-based or issue-based.
A. ASEAN Framework – Overview

Establishment: 8 August 1967 in Bangkok, Thailand

Member States: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam [Timor-Leste]

Aims and Purposes:

• To promote regional peace and stability
• To promote active collaboration and mutual assistance on matters of common interest
## A. ASEAN Framework – *Legal Dimension*

### Soft Law

- 1997 Declaration on Transnational Crime
- 1998 Manila Declaration on the Prevention and Control of TC
- 1999 Plan of Action to Combat Transnational Crime
- 2002 AMMTC Work Programme to Implement the 1999 Plan of Action
- 2003 ASEAN Concord II
- 2004 Vientiane Action Programme
- 2009 ASEAN Political-Security Community Blueprint
- 2015 Kuala Lumpur Declaration in Combating Transnational Crime
- 2015 ASEAN Political-Security Community Blueprint 2025

### Hard Law

- 2002 Agreement on Information Exchange and Establishment of Communication Procedures
- 2004 Treaty on Mutual Legal Assistance in Criminal Matters (MLAT)
- 2007 ASEAN Convention on Counter Terrorism
- 2015 ASEAN Convention against Trafficking in Persons, Especially in Women and Children
A. ASEAN Framework – Sectorial Bodies

- Ministerial Meeting on Transnational Crime (AMMTC)
  Senior Officials Meeting on Transnational Crime (SOMTC)
- Law Ministers Meeting (ALAWMM)
  Senior Law Official Meeting (ASLOM)
- Defence Ministers Meeting (ADMM)
  Defense Senior Officials Meeting (ADSOM)
- Transport Ministers’ Meeting (ATM)
  Maritime Transport Working Group
- ASEAN Maritime Forum (AMF - EAMF)
A. ASEAN Framework – *External Cooperation*

- ASEAN Regional Forum (ARF)
- ASEAN Plus Three - China, Japan, and South Korea (APT – AMMTC + 3)
- ASEAN Plus China (AMMTC + China)
- ASEAN declarations for cooperation to combat international terrorism with Australia, Canada, the European Union, India, Japan, Republic of Korea, New Zealand, Pakistan, Russian and the United States
A. ASEAN Framework – Republic of Korea

- Initiated sectoral dialogue relations in November 1989. The ROK was accorded a full Dialogue Partner status in July 1991.
- The ROK has been engaged in the ASEAN Plus Three (APT), the East Asia Summit (EAS), ARF, and ADMM Plus.
- 2005 ASEAN-ROK Joint Declaration for Cooperation to Combat International Terrorism.
- Since 2006 ASEAN-ROK Senior Officials’ Consultations on Transnational Crime (Annual).
B. ReCAAP – Overview

- The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (2006)
- 20 Contracting Parties: Australia, Bangladesh, Brunei, Cambodia, China, Denmark, India, Japan, Republic of Korea, Laos, Myanmar, the Netherlands, Norway, the Philippines, Singapore, Sri Lanka, Thailand, United Kingdom, United States, and Viet Nam
- Information Sharing Centre (ReCAAP ISC) based in Singapore
B. ReCAAP – Main Activities

- **Information Sharing**
  - Focal Points of Contracting Parties
  - Issue warnings and alerts to shipping industry
  - Facilitate the responses by the law enforcement agencies of littoral States
  - Publish periodical reports, guidelines, and special reports

- **Capacity Building**
  - Technical assistance
  - Workshops and training programme to share experiences and best practice

- **Cooperative Arrangements**
  - Request for cooperation among contracting parties
  - Promote cooperation with other regional and international organisations to share information and best practices
B. ReCAAP – Dong Bang Giant No. 2

- General cargo ship, boarded by 6 armed perpetrators at approximately 7.7 nm southeast of Sibutu Island, Philippines, who took away the ship captain (Korean) and the 2\textsuperscript{nd} officer (Filipino) on 20 Oct 2016
- Notified flag State, whose Focal Point reported to ISC – Philippines Coast Guard, other Focal Points, IFC, MMEA etc.
- The remaining 18 crew were safe, the ship was guided to Manila for investigation and departed for Korea on 27 Oct 2016
- The two abducted crew were released on 14 Jan 2017 (unknown amount of ransom)
## C. Malacca Straits Patrols (MSP)

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>2004</td>
<td>Malacca Straits Sea Patrol (MSSP) launched by Indonesia, Malaysia and Singapore</td>
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<td>2005</td>
<td>&quot;Eyes-in-the-Sky (EiS)&quot; combined maritime air patrols initiative launched</td>
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<td>Thailand joins as an observer</td>
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<td>2006</td>
<td>Signing of the Malacca Straits Patrol Joint Co-ordinating Committee</td>
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<td>Terms of Reference and Standard Operating Procedures</td>
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<td></td>
<td>Malacca Straits Patrol Intelligence Exchange Group (IEG) launched</td>
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<td>2008</td>
<td>Inaugural Malacca Straits Patrol Information Sharing Exercise conducted</td>
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<td>Thailand becomes a full member of the Malacca Straits Patrol</td>
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<tr>
<td>2010</td>
<td>2nd Malacca Straits Patrol Information Sharing Exercise</td>
</tr>
<tr>
<td>2011-</td>
<td>Annual Malacca Straits Patrol Exercise</td>
</tr>
<tr>
<td>present</td>
<td></td>
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C. MSP – *Information Fusion Center*

- Established in 2009, a regional maritime security centre hosted by Singapore Navy to facilitate information sharing and collaboration between its partners on piracy, sea robbery, weapons proliferation, maritime terrorism, IUU fishing, irregular human migration, as well as contraband and drug smuggling.
- Has linkages to 71 operation centres from 38 countries, hosted 111 International Liaison Officers (ILO) from 23 countries.
- Main activities: information sharing through database, reports and meetings; administer a regional voluntary community reporting system; provides security updates and advisories to shipping industry; conducts exercises/courses/visits;
- IFC has strengthened multinational and inter-agency collaboration amongst regional and extra-regional stakeholders.
III. Key Recommendations

Areas of focus:

- Legal framework: ratify and implement relevant international agreements, harmonize domestic legislation
- Capacity building for maritime surveillance and law enforcement
- Cooperation in information sharing, joint patrol, mutual legal assistance at all levels pertaining to criminal proceedings
III. Key Recommendations

- ASEAN: establish particular focus on issues relating to non-traditional maritime security, coordinate efforts by difference mechanisms and bodies
- Whether ReCAAP can be amended to be a platform that promote cooperation in addressing comprehensive maritime security threats?
- Malacca Straits Patrols – Modelling the proposed trilateral patrol among Indonesia, Malaysia and the Philippines in Sulu Sea and Sulawesi Sea on MSP?
THANK YOU

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