

THE IMPLEMENTATION OF INDONESIA'S COUNTER PIRACY STRATEGIES THROUGH MULTILATERAL COOPERATION IN THE MALACCA STRAIT (2004-2009)

Bustanul Arifin & Nur Afni Damanik
Supernova Education Center
bustanul2arifin@gmail.com

Abstract

International Maritime Organization data shows that the trend in piracy in the Malacca Strait was significant from 2000-2004. In 2005, Malacca Strait was categorised as a high-risk zone by the Lloyd's Joint War Risk Committee. In 2000s, post 9/11 terrorist attack has galvanised the rising concern of international community over the security of Malacca Strait since there was a notion of sea piracy could lead to sea terrorism. Prior to 2004, apart from conducting unilateral patrols, Indonesia has bound itself to engage in bilateral cooperation with Malaysia and Singapore respectively. During 2004-2009, there were multiple multilateral cooperation initiatives proposed to Indonesia of which Indonesia responded in different ways. This research employs qualitative method utilising journals, reports, official documents, and books to analyse the implementation of Indonesia's counter piracy strategy in the Strait from 2004-2009. Indonesia's counter piracy strategy was implemented through MALSINDO Coordinated Patrol, Eyes in the Sky, which is later followed by Malacca Strait Patrol – Intelligence Exchange Group (MSP-IEG). The launch of coordinated sea patrols of MALSINDO in 2004 was followed with the air patrol of the Eyes in the Sky in 2005 and completed with the information sharing system through MSP-IEG in 2006. The multilateral cooperation conducted by Indonesia, Malaysia, and Singapore has shown a positive result regarding the strategy to counter piracy in the Malacca Strait.

Keywords: Counter Piracy, Strategy, Malacca Strait, Multilateral Cooperation

Abstrak

Data Organisasi Kelautan Internasional menunjukkan tren perompakan di Selat Malaka dengan keberadaan yang signifikan dari 2000-2004. Pada tahun 2005, Selat Malaka dikategorikan sebagai zona berisiko tinggi oleh Komite Risiko Perang Bersama Lloyd. Pada tahun 2000-an, pasca serangan teroris 11 September telah membangkitkan keprihatinan masyarakat internasional atas keamanan Selat Malaka karena ada gagasan perompakan laut dapat berisiko terhadap terorisme laut. Sebelum tahun 2004, selain melakukan patroli sepihak, Indonesia telah mengikat diri untuk terlibat dalam kerjasama bilateral dengan Malaysia dan Singapura. Dalam periode 2004-2009, ada beberapa inisiatif kerjasama multilateral yang diajukan untuk penanggulangan perompakan di Selat Malaka dimana Indonesia memberikan respon yang berbeda. Penelitian ini menggunakan metode kualitatif berdasarkan jurnal, laporan, dokumen resmi, dan buku untuk menganalisa pelaksanaan strategi Indonesia dalam penanggulangan perompakan di Selat Malaka dalam periode 2004-2009. Strategi penanggulangan perompakan Indonesia diimplementasikan melalui Patroli Terkoordinasi MALSINDO, Eyes in the Sky, yang kemudian diikuti dengan Patroli Selat Malaka - Pertukaran Informasi Intelijen. Peluncuran patroli laut terkoordinasi MALSINDO pada tahun 2004 diikuti dengan patroli udara Eyes in the Sky pada tahun 2005 dan dilengkapi dengan sistem pembagian informasi melalui MSP-IEG pada tahun 2006. Kerjasama multilateral yang dilakukan oleh Indonesia, Malaysia, dan Singapura menunjukkan hasil positif terhadap strategi untuk menanggulangi perompakan di Selat Malaka.

Keywords: Kerjasama Multilateral, Penanggulangan Perompakan, Strategi, Selat Malaka

Introduction

Strait of Malacca is listed as one of the most strategic waterways since many of the world's largest economies are concentrated in Asia-Pacific region now (Calamur, 2017). It is entitled as the energy lifeline for countries like China, Japan, and South Korea considering the condition that more than 80 percent of energy imports and exports should be passed through the Strait to reach its destination in East Asia (Purushothaman, 2016). The Strait as well holds a vital role to carry the world's most used energy source—oil. Moreover, referring to the volume of oil transited through the Strait, Energy Information Administration (EIA) has listed Malacca Strait as the second largest oil chokepoint after Hormuz Strait with nearly half of world's oil passing through the Strait (EIA, 2017). Another thing should be noted is that Malacca Strait is the shortest waterway connecting Indian Ocean to the South China Sea and the Pacific Ocean which makes the Strait is well-known as Sea Lines of Trade (SLOT) and Sea Lines of Communication (SLOC) (Vadm & Rampih, 2005).

Stakeholders in Malacca Strait consist of littoral states, user states, and non-governmental actors. As endorsed by United Nations Conventions on the Law of the Sea (UNCLOS) 1982; Indonesia, Malaysia, and Singapore are recognised as the littoral states followed with user states which consist of foreign countries holding the interests in the Strait. China, Japan, South Korea, and United States are prominently classified as user states which have high stake most likely the littoral states in determining the security of the Strait as they rely on its existence to fulfil the countries' energy needs which somehow is critical for their economy. Another party is the non-governmental actors such as shipping companies which manage the sea vessels and crew directly (Filipe, n.d.).



Figure 1. Strait of Malacca Map (Encyclopedia Britannica)

Started from the early 2000s, the concern of piracy has raised along with the continuous incidents of piracy in Malacca Strait until the piracy was linked to the act of maritime terrorism—although there was no evidence of terrorist attack—hence, the international community became worried and through International Maritime Organisation (IMO), littoral states were suggested to have stronger cooperation in the Strait to counter the growing piracy attacks (Pira, 2011). Prior to 2004, in dealing with piracy issue, Indonesia never took a chance to engage in multilateral cooperation. Indonesia's counter piracy's strategy in Malacca Strait has always been taken through unilateral or bilateral form. Apart from conducting unilateral patrol in its water territory, Indonesia build bilateral cooperation with Malaysia (MALINDO) and Singapore (INDOSIN) respectively (Matthews, 2015). In accordance with the UNCLOS 1982, piracy has been defined as follows:

“Piracy is 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 against person 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.” (UNCTAD, 2014)

IMO has reported that most of the world’s piracy incidents including attacks on energy vessels have occurred in Indonesia and Strait of Malacca in the period of 2000-2009. In its report, IMO has recorded 357 piracy attacks within the period of 2000-2009 (IMO, 2017). Strait of Malacca was ranked the second after Indonesia in collecting the number of piracy attacks. It is said that the record could be worst since IMO has estimated that nearly half of the piracy attacks in Malacca Strait go unreported due to the reluctant of the ship owners or the captain to hold an investigation that might delay the ship. In 2004, IMO issued a report that of the 330 attacks of piracy incidents worldwide, Malacca Strait ranked the second to collect the number and together with the South China Sea having more than half of the global total incidents (United States Department of Transportation, 2018). The record continued until the first half of 2005, until it came to worst since Lloyd’s Joint War Risk Committee has classified Malacca Strait as a war zone in June 2005 (Insurance Journal News, 2005).

Since 2004, there were four significant multilateral security initiatives proposed to littoral states in Malacca Strait; Regional Maritime Security Initiatives (RMSI), Malsindo Malacca Strait Coordinated Patrol (MALSINDO) which was continued with Eyes in the Sky (EiS), and Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP). Indonesia, however, gave different responses to those initiatives. In 2004, Indonesia made a highlight on its counter piracy measures since it was for the first time coming to an agreement to join multilateral cooperation through MALSINDO. In the same year, there was a proposal coming from United States (US)—

RMSI in which Indonesia rejected to join. As a continuing effort from the MALSINDO, Indonesia agreed along with other littoral states on the air surveillance programme—EiS in 2005, while the initiative from Japan, ReCAAP, launched in 2006 was rejected (Merdeka.com, 2007).

Therefore, this study would like to explore on how did Indonesia implement its counter piracy strategy in Malacca Strait through multilateral cooperation from 2004-2009? Indonesia’s strategy to counter piracy in Malacca Strait will be a very important move in order to secure the condition of the strait during 2004-2009. Indonesia has stressed a strong message that the Malacca Strait security and control are very sensitive sovereignty issue. This condition automatically influenced by national interest of Indonesia. Therefore, this condition drives Indonesia to accept only littoral states and it rejects the present of US and Japan in the Malacca Strait. This assumption is based on the ideology of realism that puts national interest regarding sovereignty and territorial integrity as the main focus of Indonesia in the Malacca Strait. In the assumption of realism, states employ the rational model of decision making by obtaining and acting upon complete and accurate information. The state is sovereign and guided by a national interest defined in terms of power (Goodin, 2010). Littoral states in Malacca Strait at one point also show interdependence in terms of security since they share the territorial border in the water area within piracy as the existential threat (Pant, 2007). The cooperation is needed within such interdependence galvanised by different interests of the actors in the Strait to respond to such threat that later forms a complexity. According to Keohane, multilateralism is the practice of coordination of national policy of three or more states into a cooperative group (Roberth O. Keohane, 1990). Hence, multilateral cooperation can be defined as a

form of cooperation involving three and more countries which share the same vision to promote the common interests. In Malacca Strait, multilateral cooperation is conducted by the three littoral states; Indonesia, Malaysia, and Singapore with the existence of IMO to facilitate multilateral cooperation among member states. IMO has been working since 1993 by conducting international conferences and regional workshops in 1993, 1996, 1999, and 2001 and working closely together with ASEAN through ASEAN Regional Forum (IMO, 2005). This thesis employs a qualitative scientific research with the information based on several instruments consisting of news articles, publications, speeches, interviews, and internet-based sources. This research relies on publications including annual reports, press releases, and working paper that have been made sure coming from verified sources.

Strategic Importance of Malacca Strait

With the various assets of Malacca Strait, the most important one goes to the significance of the strait for transportation as it becomes the busiest and oldest shipping lanes in the world with goods and services worth millions of dollars passed through the region every year (BBC News, 2006). The strait is the main line for cargo and human traffic between the Indo-European region and other areas of Asia and Australia. The route from East to West will become way shorter through the strait compared with another alternative through the strait of Makassar and Lombok in Indonesia (Hans-Dieter & Solvay, 2006).

Malacca Strait is classified as one of the most important shipping lanes in the world, just as important as the Suez Canal or the Panama Canal with between 60,000 to 94,000 annual Tanker vessels carrying one-third of the world's global trade went through the strait (Sven, 2018). The Malacca Strait also serves as an energy lifeline for major economies such as China, Japan, South Korea and Taiwan as

more than 80 per cent of energy should pass through the Strait of Malacca to reach its destination in Asian countries. As for instance, Japan which imports more than 98% of the consumption of crude oil is wholly dependent on the Malacca Strait, as most of the vessels are using the strait to carry essential oil from the Middle East and West Asia (Forbes, 2008).

It has been recorded historically that Malacca Strait is a base of trade for countries in its surrounding areas and it has played a significant role in the formation of coastal areas like Aceh, Malacca and Johor. The Malacca also contributes greatly to the economic and social development of littoral states such as Indonesia, Singapore, Malaysia and Thailand. If the security and stability in the strait are well-maintained; regional development, energy supply, and international trade between the EU and East Asia will automatically be safe (Hussin, 2009).

The political situation could be seen during the announcement of US proposal in 2004 to secure Malacca Strait from piracy threat as part of its counter-terrorism initiative. It sparked protest from Indonesia and Malaysia and resulted rejection from both countries while Singapore threw a support to US. This situation reinforces the importance of the Malacca Strait into the pulse of Southeast Asian economies and hold strategic value in terms of politics and security. Similarly, Japan response on the security of the Strait has caused sensitivity to Indonesia and Malaysia since Japan has been historically in favour on the matter of Malacca Strait. It was back on the time during the claim of Indonesia status as archipelagic state where Japan firmly rejected and asserted the status of Malacca Strait as international water following its highly dependent energy security in the Strait (Alfred, 2015).

One of the important values of the Malacca Strait in the economic sector functions as suppliers of marine resources in

large numbers and driving the economy of littoral states. It was counted that more than 380,000 tons of fish (more than 60% of the amount fishing per year) worth 2 million RM a year goes to Malaysia from the Malacca Strait. In Indonesia, the Malacca Strait is the second largest fish expenditure after the Java Sea. High quality fish from the Strait is very important to ensure socio-economic development; and sustainable and prosperity of the people (Gerke & Hans-Dieter, 2011).

Referring to the high trade activity and oil transportation and given the existence of marine resources, security is an important aspect of the Strait. Piracy as a threat in Malacca Strait has been known for long existence and somehow could threaten the interests of littoral and user states. Since the attack was gradually increasing and not to mention the classification of the Strait as high-risk zone in 2005, the intention of user states in the security of Malacca Strait was its effort to protect its interest.

Piracy in Malacca Strait

Piracy in the Malacca Strait is currently a very complicated issue for countries involved in the activity of the strait especially Indonesia, Malaysia and Singapore as littoral states which are responsible to rule over the strait for the security management (Hays, 2018). The Malacca Strait has been considered as a paradise and an ideal place to engage in criminal activities in the sea, since it performs high activities while it has been regarded as one of the narrowest chokepoints in the world. It is heavily crossed by large and small ships employed the strait for energy and trade shipping lanes (BBC News, 2006).

According to the UNCLOS 1982, the definition of piracy refers to the illegal acts or violence occur outside the jurisdiction of any states or international waters while most of the attacks in Malacca Strait took place in territorial waters falling under the sovereignty

control of littoral states. Therefore, technically illegal acts occurred in Malacca Strait cannot be classified as piracy using this definition. UN, then, came up with another term to define the illegal incidents in the Malacca Strait that falls under the jurisdiction of one country—armed robbery to refer to the attacks occur in a state’s jurisdiction (UNCTAD, 2014).

To give an overview on global threat concerning on piracy and armed robberies, International Maritime Organisation (IMO) began publishing reports on actual and attempted acts since 1982 (IMO, 2018). IMO is the UN’s specialised agency for shipping in international trade. It was established in 1959 as an Inter-Governmental Maritime Consultative Organisation. The organisation focuses on issues such as maritime safety, maritime law, protection of the environment, shipping facilitation, and technical cooperation. In dealing with maritime piracy and terrorism, IMO established IMO’s Maritime Safety Committee (MSC) (IMO, 2018). The IMO obtains reports from member states and regional and international organisations. The reports issued by IMO does not include any incidents occur in Singapore Strait. The report includes name and description of the ships; position and time of incident; consequences for ship, crew, and cargo; and response of crew and littoral states (IMO, 2018).

IMO has recorded piracy attacks occurred in Malacca Strait from 2004 to 2012 as presented on the Table 1 below.

Year	Malacca Strait	Worldwide
2004	60	330
2005	20	266
2006	22	241
2007	11	282
2008	2	306
2009	0	409

Table 1. Piracy Incidents reported by IMO (IMO, 2018)

According to the data above, Piracy trend in Malacca Strait has been fluctuated since 2000. In 2004, the number showed a decrease from 2003 as an impact of tsunami in Aceh in 2004. In this regard, international pressure did not give significant contribution in reducing the number of piracy attacks although it has been taken into more pressure (Thomas, 2013). Therefore, in 2005, the three littoral states put an effort on a joint meeting in Batam in 2005 and continued with Jakarta meeting in the same year. It should be noted that the decrease of piracy incidents in Malacca Strait until it reached on zero point, has shown the success of littoral's states strategy in countering piracy. The meeting in Batam which later resulted the Batam Statement was an effort of the littoral states to commit with cooperation in handling the problem in Malacca Strait including piracy (Ocean Policy Research Foundation, 2006).

The security of Malacca Strait was brought at the first time by the Tripartite Technical Expert Group (TTEG) which resulted the decision to establish MALSINDO coordinated patrol in 2004. It was followed with the two-day meeting represented by each country's foreign minister in Batam resulting a joint agreement on the concern of littoral states over the threats exist in Malacca Strait. It was seen as the first-time littoral states shown a commitment to conduct more comprehensive security in Malacca Strait. The committee addressed the decision of Lloyd Joint War Committee in listing Malacca Strait as a high-risk zone and agreed to conduct the forthcoming meeting in Jakarta in September. At that time, referring to the existence of incidents in the Strait, Malaysia came up with the initiative on the air patrol program, Eyes in the Sky to complete the existing patrol which were in favour of all the participating countries (Ocean Policy Research Foundation, 2006).

Indonesia's Counter Piracy Strategy through Multilateral Cooperation in Malacca Strait from 2004-2009

As explained in the Strategy Theory, a state's strategy is a function of its national interests along with the threats perceived as influenced by the strategic environment which includes external actors. Indonesia's counter piracy strategy in Malacca Strait, thus, was a function of its national interests—as mentioned in previous chapter consisting of national security and economic development—and its perception of threats—piracy and extra regional actors' intervention caused by its strategic environment (Yarger & Strategic Studies III, 2014).

Malacca Strait as the shortest waterway connecting Indian Ocean to the South China Sea and the Pacific Ocean is vital to the global trade route and oil chokepoint that form as SLOC and SLOT. It becomes the oldest and busiest shipping lane in the world. Becoming the shortest sea lane between the two oceans, the Malacca Strait is the most economically favourable sea route. In 2004, there were about 70,000 ships of which 20,000 were super-tankers using the Strait as route transportation. It means that 200 ships have crossed the Strait each day (Darin, 2005). Overall, the Malacca Strait represents 80 percent of the trade volume of Asia Pacific countries or equal to 25 percent of the world's total of trade commodity (Darin, 2005).

As shown by the data of piracy incidents from IMO, the trend of piracy attacks was at the highest number in 2000. Although, it decreased gradually in the following year, however, the existence of the incidents was still of particular concern for user states and littoral states.

As stated in the strategy theory; strategy is needed in assisting decision making process to provide direction on how to maximise positive outcomes and minimise negative outcomes (Harry, 2006). Thus, in

dealing with piracy in Malacca Strait, a counter piracy strategy of Indonesia can be best explained through the definition of its national interests and threat perception within its strategic environment. Providing piracy as the existential threat, there was a need to enhance the security in the region. Indonesia, as littoral state, proposed MALSINDO Coordinated Patrol right after Indonesia threw a rejection to US Proposal (Yale, 2018). Later, there was an initiative from Malaysia and Japan which got different responses from Indonesia. Yarger through his Strategy Theory pointed out the existence of external actors will create a clashing interest that might threat state's own interest. Indeed, Indonesia should consider its national interests and threats perceived within its strategic environment (Harry, 2006). In this regard, Indonesia has firmly stated its stance towards the cooperation conducted in Malacca Strait in its Defence White Book 2008 in which no other country except the littoral states have the authority to rule over the Strait (Harry, 2006).

Considering Indonesia's national interests in the Strait and the threats perceived, Indonesia's counter piracy strategy was appeared on its decision to reject extra regional actor initiatives as it came from US and Japan which have been known to have a clash interest with Indonesia in an attempt to internationalise the Malacca Strait to be free passage (Senia, 2014). The sensitivity over sovereignty was a lesson learned from Indonesia back in the 1967 when Japan declined to recognise the precondition of 12 NM territorial water breadth of Indonesia and Malaysia. Japan, has historically been known to put effort to internationalise the Strait as its strategy to protect its interest on the need of energy security (Matthews, 2015). It is understandable since Japan's energy security is heavily dependent on its import, especially oil from Gulf countries which 90 percent was counted passing the strait to reach its destination to

Japan. The internationalisation of the Strait will benefit Japan, since it will make the Strait a free transit for the user states. Also, littoral states will lose its authority to rule over the Strait. Accordingly, as US has shown the same response with Japan in the 12 NM territorial claim of Indonesia and not to mention the ambiguity of US proposal to develop its forces in littoral states' territorial water, if Indonesia pursued with multilateral cooperation it could become a new threat that endangers the territorial integrity of Indonesia as the state end goal.

Referring the initiative to Malacca Strait, the basic idea of Regional Maritime Security Initiative (RMSI) is to establish standby forces which were ready to execute once the decision was made during the urgency. Thus, there were three components as structure of the RMSI (1) compilation of traffic picture in Malacca and Singapore Strait to be used for data and analysis, (2) decision-making procedure to determine the actions to be taken when a situation occurs, and (3) maritime forces to execute the decision made. Although this might be a good idea to track and execute pirate in the Strait, however, who would become the standby forces in the Strait and who have the authority to command an order are the two questions remained unclear (Matthews, 2015).

Indonesia, through the Foreign Ministry's Spokesman, Marty Natalegawa, responded with rejection over the US proposal as issued in his statement on 16 April 2004:

"The security of the Strait is the responsibility of the littoral states; the waters of the Strait of Malacca are part of the territorial waters of the coastal states over which they have sovereignty; and any activities or manoeuvres in the Strait by foreign vessel, which are not exercising the right of transit

passage—whether they are for civilian or military purposes—are subject to the consent of the respective coastal states.” (Senia, 2014)

By the same token, Malaysia was in the same stance with Indonesia which was right after the meeting conducted with Indonesia's Foreign Minister, Hasan Wirajuda in Jakarta; the Foreign Ministry of Malaysia, Dato' Hamid Albar publicly contended that the safety navigation and security in Malacca Strait were in the sole responsibility of littoral states (Senia, 2014). Unlike Indonesia and Malaysia, Singapore gave different response over RMSI proposal by welcoming the initiative and invited countries outside the region to assist the patrol of Malacca Strait. In response with Singapore's decision; Indonesia's Minister of Politics and Security, Hari Sabarno, demonstrated the strong statement that consultation with Indonesia and Malaysia were needed before Singapore pursued with such decision in inviting extra regional country—US, to patrol the Malacca Strait territory. The statement was also supported by the Deputy Prime Minister of Malaysia, Tun Abdul Razak as he brought the concern of sovereignty that could not be compromised in dealing with security issues and arguably stated that *“Singapore could not unilaterally invite US to patrol the Strait.”* (Gerald, 2006)

Seeing the misunderstanding on US position in RMSI, there have been efforts from US officials to clarify their positions with Indonesia and Malaysia. To Indonesia, the US Defense Secretary, Donald Rumsfeld, in his visit, stated that there was no intention of US to send military forces and establish a military base in the Strait. The same clarification came from US Ambassador to Indonesia, Ralph L. Boyce, stressed that Admiral Fargo's statement was purely hypothetical (Hamzah,

n.d.). To Malaysia, Admiral Fargo clarified by himself during his meeting with Malaysian Deputy Prime Minister, Datuk Seri Najib Tun Razak on 20 June 2004. He contended that RMSI proposal did not have any intention to deploy forces in the Strait, instead, he claimed the proposal was to assist littoral states in its security measure by providing intelligence and information exchanges (Hamzah, n.d.).

The clarification from US with clear intention not to involve in direct surveillance by deploying forces in the Strait did not affect Indonesia's decision over RMSI proposal. The rejection was clearly stated by Admiral Bernard Ken Sondakh, Chief on Indonesia Navy, *“There is a grand strategy to paint a bad picture over our waters, as if the Indonesian Navy is not strong and the crimes at sea are increasing. ... Indeed, if we cannot show the ability to guard the Strait of Malacca, the International forces may get in.”* (Watkins, 2004) Equally important, the issue of piracy and US proposal was discussed in the House of Representatives and Amris Hasan, the Chairman of Commision I (Foreign Affairs and Defense) classified the proposal as an act of intervention which further violates Indonesia's sovereignty. Other parliament members also made a warn to US to not commit any intervention in Indonesia's sovereign territory, instead, declared to support military budget to assist the development of naval capacity.

The same goes to the initiative of Japan. Given the fact that not only did ReCAAP gain regional support but also, its existence had been acknowledged internationally; Indonesia, however, was not party on the agreement. They did not sign the agreement nor ratify it. Following its rejection, Indonesia has given three main reasons on its decision. First, the condition in Malacca Strait was not in need of a new cooperation. Besides, there had been MALSINDO and EiS to provide coordinated sea patrol and air

surveillance to secure the Strait. Second, the representative of Indonesia's Foreign Minister reasoned that the rejection of Indonesia was based on its experience of false data reported by IMB. Indonesia had experienced the misinterpretation of data in which IMB list piracy attacks occurred in Malaysia territory belonged to Indonesia since IMB reporting centre was located in Malaysia (Antara News, 2018). Juwono Sudharsono, Minister of Defense, asserted that the delay of ratification of ReCAAP agreement was related to the sovereignty issue following the growing intention of Japan to internationalise the Strait.

The Implementation of Indonesia's Counter Piracy Strategies in Malacca Strait through Cooperation from 2004-2009

Considering its national interests and the threat Indonesia has to deal, Indonesia preferred to conduct counter piracy strategies with Malaysia and Singapore which were implemented through MALSINDO Coordinated Patrol, Eyes in the Sky, and further became Malacca Strait Patrol with the additional Intelligence Exchange Group program.

1. MALSINDO Strait Patrol

After rejecting RMSI, Indonesia proposed a trilateral cooperation for naval patrol in Malacca Strait to Malaysia and Singapore (MALSINDO) as response to the rising concern of international community over the security of Malacca Strait (Yale Global Online, 2018). It was for the first time, the littoral states pledged to work together as the proposal on the establishment of a joint task force within a trilateral cooperation framework on 18 June 2004 was accepted (Yale Global Online, 2018). As a result, the littoral states launched MALSINDO coordinated patrol on 20 June 2004. In its operation, the cooperation was agreed as to conduct cooperation through year-round

coordinated patrol, not to conduct joint coordinated patrol. Based on the definition, each country will build a naval base centre respectively in the region to conduct the patrol. Three naval command-centres, then, established in Batam, Changi, and Lumut to patrol each water territory. General Endriantono Sutarto, Indonesia's armed forces commander, during the opening ceremony in Batam, stressed the goal of the coordinated patrol was to tackle transnational crimes by enhancing the safety and security of the Strait, particularly subjected to counter piracy and armed robbery against ship (Collin, n.d.). He highlighted that, MALSINDO coordinated patrol was established to carry out the responsibility of littoral states to secure the strait and in the name of security of the Strait, the chance for other countries to join direct or indirectly remained open. However, it should be noted that, in his statement follows, "*if they want to join, it should be first approved by the three countries*", the consents of Indonesia, Malaysia, and Singapore are of importance. For this reason, littoral states have showed its commitment on the security of its water territory as demanded by international community by finding a way to cooperate in multilateral framework as suggested.

As a matter of fact, the cooperation raised criticism started on the early establishment. IMB commented that the cooperation was not significant since the patrol cannot be conducted crossing territory, even in the condition to overtake pirates. In time of attacks, the limitation by littoral states could be used as a way out for the perpetrators (Amri, 2014). For instance, when a piracy incident occurs in Malaysia territory, and the perpetrator tries to escape, they would make a way out outside the jurisdiction of Malaysia's territory. Similarly, the criticism came from ASEAN member states which showed its worriedness on the military pact that might be raised in the establishment of multilateral

cooperation in the framework of security in the region. Indonesia, however, through Admiral Sondakh, firmly clarified in *The Jakarta Post*, that although MALSINDO was created in multilateral framework, there was no single intention of Indonesia to have a military pact in the region (Wu & Zou, 2009). He thoroughly assured the fellow ASEAN member states, that MALSINDO was not a military pact, hence, it has a strong support of Indonesia to secure Malacca Strait. Another criticism raised was that MALSINDO was just a public relations campaign of littoral states especially Indonesia and Malaysia as to show its commitment on taking serious action to secure the Malacca Strait from any transnational crime as they rejected US proposal (Wu & Zou, 2009). Apart from all the criticism, it turned out that the cooperation made a good light in addressing the piracy incidents as the data showed the significant decrease from 60 in 2004 to 20 in 2005 (Collin, n.d.). Thus, with support from the littoral states MALSINDO as a multilateral cooperation was a success on countering piracy incident in Malacca Strait.

2. The Eyes in the Sky (EiS)

Although the number of attack was in decrease and MALSINDO signed a success, however, the incidents still existed as showed in IMO's report. Hence, the effort to secure the Malacca Strait still needed to be enhanced. Moreover, in 20 June 2005, Joint War Committee, a specialized agency under Lloyd's Market Association which provide the list of higher-risk area for shipping around the world, included Malacca Strait as a high-risk war zone (RSIS-NTU). This brought a significant impact since it caused the increase of insurance premium for the shipping companies whose ships transited in Malacca Strait. Not only did it burden the cost to shipping companies, but also it affected the economy of littoral states especially

Singapore, whose territory was the smallest but carried the high economy activity. Under those circumstances, initiative of Malaysia to enhance the security in Malacca Strait was the most possible solution at that time to eliminate Malacca Strait from the JWC's list. The littoral states finally agreed upon the initiative and established EiS coordinated air patrol in Malacca Strait on 13 September 2005 (One Earth Future, 2018).

Under the program, Indonesia's patrol was enhanced by the additional maritime aircraft. Littoral states had to provide two aircraft per week for the Strait's patrol. Just as Indonesia limited the patrol on the sea up until 3 NM territorial border of the country, the same went for air surveillance through EiS, where the aircraft could fly to another littoral's state territory not less than three miles from the country's land. This limitation was agreed by all the participating countries (Simon, 2011). In the operation, each aircraft would involve a military officer from each littoral state to create a combined maritime patrol team. In the framework of EiS; Indonesia, Malaysia, and Singapore welcomed Thailand to join since its territory lays next to Malacca Strait. Furthermore, EiS has inspired Indonesia on the enhancement of MALSINDO coordinated patrol framework. To improve the MALSINDO framework, Colonel Surya Wiranto, Indonesian Navy's Western Fleet Command, informed that Indonesia had delivered its proposal on the additional membership to include Thailand and to allow the conduct of hot pursuit by the enforcement forces up to five miles to the neighbouring water (Senia, 2014).

3. Malacca Strait Patrol (MSP) – Intelligence Exchange Group

The MSP Intelligence Exchange Group (MSP-IEG) was established in 2006 by Indonesia, Malaysia, Singapore and Thailand as an effort to support marine and air patrols

through the Malacca Strait Information System Patrol. It was formalised under the agreement of Malacca Strait Patrol (MSP) signed on April 21, 2006 governing the two on-going cooperations: MSSP and Eyes in the Sky. It was employed by optimising air and sea assets at the water to convey information from on-going incidents and for all time monitoring conducted. MSP-IEG is a data sharing system that enables users to share information about shipping vessels to enhance security in the Strait of Malacca and Singapore. The system includes a reference database of over 150,000 vessels and is capable of marking changes such as ships with false identities, as well as enabling information from an incident to be deployed rapidly to agencies in four coastal countries so that a coordinated response can be immediately followed up (Ministry of Defense of Singapore, 2018).

Since MALSINDO was established, the list of proposal continues to enhance the security in Malacca Strait initiated by littoral states. To conduct the three programs of MALSINDO, as a result, the participating countries, littoral states with additional country Thailand established a Joint Coordinating Committee (JCC) a place that is used by Indonesia, Malaysia, Singapore and Thailand for head-to-head meetings of each country to discuss and define the policies taken related to security in the Malacca Strait. The JCC is chaired by the head of each naval operation which also act as the decision-making body of the MSP. JCC is a provider of communication channels between high-ranking officials from four countries participating in intelligence exchanges and coordination for all operational security measures related to the Malacca Strait and Singapore. JCC is an intelligence exchange group (IEG) formed in 2006, consisting of naval intelligence agencies from participating countries. IEG meets regularly to exchange information and every event in the MSP operation area is carefully studied by

various intelligence agencies. The observations will be shared and discussed during the meeting for further recommendations related to the implementation of future marine and air patrols.

Based on the figure above, the coordinated patrols in the Malacca Strait were first undertaken by Indonesia, Malaysia and Singapore on July 20, 2004. On the patrol, each country launched five elements of marine patrol and two elements of air patrol (Gerard, 2006). In 2005, there was a proposal of the enhancement of security in the Strait from Malaysia, EiS, where it was accepted and launched in the same year to complement MALSINDO. The Malacca Strait Patrol is a coordinated military patrol conducted by the littoral states of Indonesia, Malaysia and Singapore (RSIS-NTU). This patrol involves only the military of the three nations of the sea and air elements and does not involve the foreign military. This is because the three countries of the Strait are of the opinion that the security of the Strait of Malacca is the right and responsibility of the three countries of the Strait, so that other countries are not entitled to conduct security in the Strait of Malacca. However, the three countries of the strait do not close themselves to cooperate with other countries on the safety of the Strait of Malacca, but the cooperation is more to help the procurement of equipment and procurement system for security, while the military regarding actors to conduct the security remains on the military of the three countries (Department of Defense of Indonesia, 2008).

The Patrol Command Centre was formed by member states of MALSINDO (Yale Global Online, 2018). Indonesia has two command centres in Batam and Belawan. The marine patrol conducted by each country is not a joint patrol as it can enter the territory of another country but rather a coordinated patrol. That is, when in daily pursuit or patrol of the

military of other countries is not allowed to enter other sovereign territory of the country. The cooperation that was held in the Malacca Strait also involved other dimensions, such as the air force called Eyes in The Sky (EiS) (Senia, 2014). The EiS activities are coordinated monitoring and patrolling of the air by the three countries operating under a coordinated command structure. Under the EiS initiative, each country is required to patrol the air twice per week. Each flight carries a joint patrol team mission composed of personnel from participating countries (Senia, 2014). In 2006, later, Indonesia involved with the sharing information system with the other two littoral states and Thailand through the Intelligence Exchange Program. The participating countries increase the security through updated information on the condition of the Strait through Intelligence Exchange Group (IEG).

As a result of the implementation of multilateral cooperation for the security of Malacca Strait conducted by Indonesia, Malaysia, and Singapore; Malacca Strait has shown a more conducive situation as the number of piracy indicated in data from IMO reported a significant decrease. In 2004, piracy there were 60 piracy attacks reported. One year after the implementation of MALSINDO Coordinated patrol, the number became 20 in 2015 until it was effectively implemented and showed in significant result with no incident reported in 2009. The data of piracy incidents during the implementation of MALSINDO Coordinated Patrol, the Eyes in the Sky, and Malacca Strait Patrol – Intelligence Exchange Group was provided in the table above.

Conclusion

Indonesia's strategy to counter piracy is a function of definition of its national interests and the threat perceived. As for Indonesia's national interest in the strait: the vital interest referred to the territorial integrity

of Indonesia regarding its survival as archipelagic state whose sovereignty has been recognised. From 2004 to 2009, Indonesia's counter piracy strategies were implemented through the launch of coordinated sea patrol of MALSINDO in 2004 and it was followed by the air patrol of the Eyes in the Sky in 2005 and completed with the information sharing system through Malacca Strait Patrol – Intelligence Exchange Group (MSP-IEG) in 2006. The multilateral cooperation conducted by Indonesia, Malaysia, and Singapore has shown a positive result on the strategy to counter piracy in Malacca Strait. It should be noted as well, Indonesia interest in Malacca Strait relied on the economic aspect as the Strait is of utilisation for the global trading and oil chokepoints. With the consideration of its vital national interest in territorial integrity, multilateral cooperation to counter piracy attack should be taken cautiously. As US and Japan have shown its reluctance on Indonesia's territorial claims of 12 NM and pursued the intention to internationalise the Strait, Indonesia would rather conduct multilateral cooperation with Malaysia and Singapore as Regional Actors. That said, Indonesia's strategy to counter piracy in Malacca Strait through multilateral cooperation would better pursue with the cooperation with littoral states. In 2004, Indonesia proposed MALSINDO Coordinated Patrol as a possible solution instead of RMSI proposed by US. The success of MALSINDO followed with the initiative coming from Malaysia, The Eyes in the Sky in 2005. The strategy later was improved with the additional program, Intelligence Exchange Group in 2006.

In its implementation, MALSINDO after a year of operation of coordination patrol resulted on the decrease of the number of piracy incident from 60 in 2004 to 20 in 2005. Later, along with the implementation of Eyes in the Sky, the piracy trend showed a decrease compared to 2004, however, the number was

slightly increase from 20 in 2005 to 22 in 2006. As the program improved with the additional Intelligence Exchange Group program, the implementation of Indonesia's counter piracy strategy in Malacca Strait from 2004-2009 through multilateral cooperation showed a significant impact as suggested by the data from IMO where the number of piracy incident has reached the zero point in 2009 based on the data from IMO.

The strategic importance of Malacca Strait triggered US and Japan to involve directly in the security of the Strait. In 2004, US proposed Regional Maritime Security Initiative (RMSI) to develop a more integrated partnership to deal with transnational maritime threat that can provide immediate forces during the urgent situation. Japan's initiative, Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) was proposed in 2006 aiming to provide information sharing, capacity building, and cooperative arrangement for antipiracy measures in Asia. Both initiatives were rejected by Indonesia considering the concern of Indonesia over its territorial integrity as part of its vital national interest that would be challenged by partnering with US and Japan as reflected back in the history during the struggle of Indonesia over its 12 NM territorial claim for archipelagic state—US and Japan showed the strong rejection

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