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# CONFLATING PIRACY AND MARITIME TERRORISM: THE NEED FOR LONG TERM SOLUTIONS

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## **Abstract**

The Malacca Strait is one of the most important sea lanes of communication which is crossed by one third of the international trade every year (Huang, 2008). Hence, the necessity to guarantee the safety of this region is crucial to the international community dependent on this trade. The Malacca Strait is composed by three major countries: Indonesia, Malaysia and Singapore, which have concomitant maritime arenas. The focus of the thesis falls upon Indonesia and Singapore, the countries have reported rates of piracy and terrorism which concern the international community. The mechanisms used to deal with these two same threats vary between the two countries that keep different positions towards the best ways to deal with pirates and terrorists in the region. Singapore used the securitization of the conflation of piracy and maritime terrorism to guarantee the allocation of resources to maritime crimes. While Indonesia kept both crimes under the international radar, adopting a more cautious and neutral position concerning its maritime outlaws. However, the two countries achieved the same failed results since the policies implemented reached short-term results, leading to the necessity to develop more appropriate tools to achieve long-term solutions.

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## 1. Introduction

The vessels crossing the Malacca Strait are vulnerable to maritime piracy and maritime terrorist attacks due to the great number of islands and narrow passages. In addition, endemic socio-economic factors, political instability, corruption and ineffective law enforcement agencies, such as navies and coast guard forces, characterize the coastal states (Joubert, 2013, pp.121). Hence, all these factors together create the perfect environment for the development of maritime crimes such as piracy and maritime terrorism. Furthermore, it increases the necessity to safeguard the crossing vessels and the regional and international economy dependent on international trade (Huang, 2008, pp.87). Indonesia and Singapore must deal with the threat of maritime piracy and maritime terrorism on a daily basis, however the government responses differ according to the geographic, economic and social characteristics of each country. The international and regional environment that both countries integrate is very similar drifting apart in the domestic context. Thus, Indonesia and Singapore employ different approaches to tackle piracy and maritime terrorism (Chong, 2017). Singapore conflates both threats and securitizes them (Chong, 2017), while Indonesia does not conflate maritime terrorism and maritime piracy and the government insists that the threat is not as real as the media portray (Wargadiredja, 2017).

Henceforth, the thesis seeks an answer to the research question “Why do states conflate piracy and maritime terrorism in the Strait of Malacca?”. The study of the securitization of piracy and maritime terrorism in the Malacca Strait is important due to the dependence of the global trade on the region (Huang, 2008, pp.87). The securitization of such matters results in policy responses, however when states securitize threats in order to obtain fast resolutions the results are usually short-term policies. Hence, it is crucial to combat national and international threats while guaranteeing efficient and long-term resolutions. To analyse the cases of Indonesia and Singapore the methodology used will be process tracing in order to critically assess the chain of causal mechanisms that led or not to the conflation of piracy and maritime terrorism. Furthermore, the theoretical framework chosen is the Copenhagen School in order to examine the conflation of piracy and maritime terrorism. More specifically, the securitization theory evaluates Indonesia and Singapore securitization of both threats and the impacts on the long-term goals in the policy making processes (Buzan *et al.*, 1998). The temporal frame is divided between the global “war on terror” rhetoric implemented by President Bush after the 9/11 attacks, and 2011 after the President Obama’s decision to withdraw the US troops from Iraq which established the end of the global rhetoric of the “war

on terror” (Indyk *et all*, 2012). During the “war on terror”, terrorism was globally securitized which put the issue above the everyday politics allowing governments to enact the measures they regarded as necessary (Romaniuk and Webb, 2015, pp.4). Thus, by conflating piracy and maritime terrorism during the global “war on terror”, the impacts would be different than after the end of the previously referred war.

The thesis is organized in three main chapters. The first chapter is a review of the main literature on the conflation of piracy and maritime terrorism as well as the causes and the consequences of such conflation. Besides, the chapter analyses the regional responses towards the conflation of both concepts. Subsequently, the methodology chapter develops the process tracing method, explaining the case-selection process and the causal mechanisms used to get to the conclusions in the analysis chapter. Furthermore, the chapter explains the securitization theory, taking into account its main authors, as Buzan and Weaver (1998) and some of the critiques that are intertwined with the main argument. Following, the analysis chapter is divided in two subchapters through the securitization theory and the use of process tracing as a method depicts the series of events that resulted or not in the conflation of piracy and maritime terrorism. The first subchapter focuses on Singapore and how the conflation of piracy and maritime terrorism occurred in its territory during the world on terror and the policy implications. Moreover, the chapter also analyses how after 2011 there was a process of desecuritization and de-conflation of both crimes. The second subchapter examines Indonesia where there was a clear separation of piracy and terrorism and how the country kept a more restrained position towards international assistance than Singapore. Then, the concluding chapter that assesses both Singapore and Indonesia cases and focuses on how two countries limited by the same regional and international constraints achieved such different political responses towards the same threats.

## 2. Literature Review

Scholars, policy-makers and governments differ in their chosen approach towards the study of conflation of maritime terrorism and piracy. While some authors argue for the conflation of both terms, others regard the different motivations that are behind the acts require diverse policy responses. In the next section is debated the literature on the topic.

### 2.1. Contested Definitions of Piracy and Maritime Terrorism:

To further analyse the conflation of piracy and maritime terrorism is crucial to confront the debated definitions of piracy. The United Nations Convention of the Law of the Sea (UNCLOS) 1982, defines piracy in article 101<sup>1</sup> as a criminal act that has to fulfil five elements: (1) it must include a criminal act, such as violence, detention, or depredation; (2) It must happen on the high seas and it cannot occur in the jurisdiction of any state; (3) pirates need to use another ship to attack a vessel; (4) piracy needs to be committed for private ends, excluding maritime terrorism; (5) attacks need to be perpetrated by passengers of private vessels. This same definition is also endorsed by the International Maritime Organization (IMO)<sup>2</sup> which contrasts with the International Maritime Bureau (IMB)<sup>3</sup>. The IMB states “piracy as an act of boarding or attempting to board any ship with the intent to commit theft or any other crime and the attempt or capability to use force in furtherance of the act” (Valencia, *et all*, 2005, p. x-xii). These definitions contrast in their broadness the IMO is more exclusive, considering that pirate attacks only occur on the high seas, which is a problem in the Strait of Malacca since the high seas correspond to a very small maritime area. The IMB is more inclusive, considering as pirate attacks any intent to board a ship and the use of violence to fulfil the objectives.

Concerning the definition of maritime terrorism, some scholars establish their study in the article 3 and 4 of the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1998 (SUA)<sup>4</sup> which outlines maritime terrorism<sup>5</sup> as: the attempt to

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<sup>1</sup> See appendix 1

<sup>2</sup> IMO is a United Nations agency responsible for the safety and security of shipping and provides the institutional framework for a more environmentally friendly maritime transportation system (International Maritime Organization, 2018).

<sup>3</sup> It is a specialized division of the International Chamber of Commerce (ICC). The organization has as its main objectives to fight against all types of maritime crimes and protect the international integrity. Considering the importance of eradicating piracy led to the creation of the Piracy Reporting Centre in 1992 (International Maritime Bureau, 2018).

<sup>4</sup>SUA Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation it is a multilateral treaty in which states agree to combat the maritime crimes in order to guarantee the maritime navigation (International Maritime Organization, 2018).

<sup>5</sup> See appendix 2

destroy a ship by force, damage a ship, injure or kill someone on board, and endanger the safe navigation in territorial waters or international waters (Joubert, 2013, p.113-114).

Regarding the debate among institutions and the difficulties in establishing an international agreement on what definition better reflects the acts of piracy and maritime terrorism, piracy is placed as a low risk crime worldwide, hence the states do not consider it a priority in their agendas. Yet, if the link between maritime terrorism and piracy become blurred more efforts will be made to tackle piracy (Fort, 2006, pp.28-29). On the one hand, the easiness to blur both concepts may result in advantageous policy responses towards piracy as discussed by Fort (2006). On the other hand, to establish efficient counter-measures and policies it is essential to differentiate both acts (Joubert, 2013, pp. 112-131).

## *2.2. Conflation of Piracy and Maritime Terrorism*

After the global war on terror was implemented by Bush following the 11<sup>th</sup> September 2001 attacks in the United States the perception of the world towards terrorism changed. In Southeast Asia, it was noticeable the growing attention to the threat of maritime terrorism compared to more pressing issues such as piracy. By this time, academics, governments policy makers and the media started to conflate piracy and maritime terrorism (Young and Valencia, 2003, pp. 269).

The debate surrounding the conflation of piracy and maritime terrorism is contested. Ong (2004) contends that there is an overlap between both terms since they are transnational threats and there is a growing convergence in some of their activities. Regarding this, the author states that the increase of violence in pirate attacks is turning them into acts of maritime terrorism (Ong, 2004, pp.1-2, 13-18). Moreover, Ong (2006) argues that the political interests' terrorists intend to achieve are not shared by a majority, hence these should be regarded as private ends (Ong, 2006, pp. xii-xiv). Ong's (2006) argument lacks the statement of a clear definition of what he understands as piracy and maritime terrorism limiting the conflation of both crimes to a broad conception. Fort (2006) explains how the link between piracy and maritime terrorism is essential to bring awareness to the 'world stage' concerning the potential consequences of a terrorist attack in a harbour (Fort, 2006, pp.28-29). Thus, it is important to clarify that the author defines piracy as "an organized activity which exploits the maritime laws, the secrecy of flags of convenience and it has resulted in [the] theft of millions of dollars of cargo, kidnapping or worse murder, and the creation of "phantom" ships used for other transnational crimes such as drug and human trafficking." (Fort, 2006, pp. 28-29). This definition contests the perception of piracy as a

petty crime but regards the threat as a tool used by crime syndicates and terrorists as a mean to achieve easy money. Furthermore, the author conveys that in order to tackle piracy and maritime terrorism it is crucial to implement long-term and effective solutions which can only be achieved by bringing awareness to piracy through the conflation of piracy and maritime terrorism (Fort, 2006, pp. 30). However, Fort (2006) presents a western position, hence the conflation of piracy and maritime terrorism would converge with the American interests in Southeast Asia leading to a more prominent role of the United States in the region.

Contrary to the scholars who consider that the line between maritime piracy and maritime terrorism is blurred, Valencia (2006)<sup>6</sup> defends the separation between maritime piracy and maritime terrorism due to the different motivations that lead to each act: piracy is guided by greed in order to obtain economic gains, while terrorism is motivated by political goals. Furthermore, pirates try to cause minimum damage, especially casualties, to avoid attention. Maritime terrorists inflict the maximum harm with the purpose to call for attention (Valencia, 2006, pp. 86-87). Nonetheless, Valencia (2006) acknowledges the possibility of convergence between the acts of piracy and maritime terrorism since both concern violence at the sea. This convergence is more prominent on the high seas where the practices of piracy become more violent, increasing the difficulties in distinguishing between both acts (Valencia, 2006, pp. 86-87). Mitchell (2009) states that terrorists need to support their operations on land, and in order to do so, they may use pirates' methods to get funds which converges both activities (Mitchell, 2009, 156-8, *in* Nelson, 2012, pp. 16). Conversely, Nelson (2012) argues that the chosen targets and methods differentiate maritime terrorists and pirates. While pirates choose small vessels as targets, terrorists choose specific targets that will impact the political arena and bring them closer to achieve their goals (Nelson, 2012, pp.17). The different targets are correlated with the motivations that lie behind pirate attacks, as they seek private ends and maritime terrorists pursue political gains (Nelson, 2012, pp.18). Nevertheless, the author acknowledges the possibility of conflating maritime piracy and maritime terrorism but reinforces the fact that there is no evidence that this has occurred or may occur in the future (Murphy, 2008, 287, *in* Nelson, 2012, pp.24).

The conflation of maritime piracy and maritime terrorism is a result of the international and regional context in which both crimes develop. Young and Valencia (2003) argue that the political circumstances of the global war on terror as well as the political interests of the

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<sup>6</sup> See also Banlaoi (2005)



United States resulted in the conflation of piracy and maritime terrorism in Southeast Asia (Young and Valencia, 2003, pp.280). He (2009) argues that the attempts of conflation from extra-regional states, such as the United States could undermine the possibilities of cooperation among the Malacca Strait states (He, 2009, pp. 673-674).

Joubert (2013) argues that the separation between maritime terrorism and maritime piracy is due to different motives, targets, tactics and violence used by pirates and terrorists. Regarding this, it is unlikely that pirates and terrorists would cooperate since they intend to obtain very disparate objectives. However, they may work together if it benefits both groups in the transference of skills and experience (Joubert, 2013, pp. 112-131). Black (2014) reinforces the differences between maritime piracy and maritime terrorism, contending that the overlap of both concepts is due to the lack of determinate and updated definitions which is reflected in the policy making processes on a global scale. Furthermore, pirates rely on maritime trade in order to fulfil their economic aims, while maritime terrorists take advantage of maritime trade in order to fulfil their political objectives. Thus, the lack of a concrete definition allows the terms to be more malleable in the political sphere which exacerbates the threats instead of relieving them (Black, 2014, pp.39).

In short, the policy making processes are influenced by the difficulties in achieving a clear reasoning if both crimes should or should not be conflated. The choice of conflating over not conflating will have an impact over the measures applied to tackle the threat inside a country. Considering the previous arguments, maritime piracy and maritime terrorism are not the same activity considering that they have different motivations, *modus operandi* and objectives, hence there is the need to different political responses to fight both outlaws.

### *2.3. Regional perceptions: Conflating maritime piracy and maritime terrorism:*

The Association of Southeast Asian Nations (ASEAN) is the most important regional organization and to which Indonesia and Singapore are members. Thus, the national approach of Indonesia and Singapore is influenced by the regional constraints and management concerning maritime threats. ASEAN recognized maritime piracy and maritime terrorism as threats to the coastal states in the Malacca Strait, hence the ASEAN Regional Forum (ARF) issued the ARF Statement on Cooperation Against Piracy and other Threats to Security in 2003. Although ASEAN lacks a recognised definition over maritime piracy and maritime terrorism, it endorsed UNCLOS, the IMB and IMO (ARF, 2003, article 2)<sup>7</sup>, which provide

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<sup>7</sup> See appendix 3

various definitions on how to delimit both activities. Emmers (2009) contends that the principles of comprehensive security and resilience result in an individualistic attitude when combating maritime threats that vary according to the definition adopted by each nation (Emmers, 2009, pp. 160-161). Furthermore, the ASEAN countries are cautious in prosecuting pirates in their territorial waters, that might have committed crimes outside their jurisdiction (Emmers, 2003, pp.432). Regarding the principle of resilience, Indonesia and Singapore are responsible for finding the best tools to fight the maritime threats on their sovereign territories (Yates, 2016). The principle of resilience does not allow the interference of ASEAN in the domestic concerns of its member countries; however it is important to consider the role of the Association since it plays a crucial part in the regional development.

The Malacca Strait is a very important passage concerning the international maritime trade and consequently the international economy. Henceforth, the development of maritime crime and the regional states' lack of proper tools to tackle it resulted in the involvement of extra-regional countries (He, 2009, pp.668). In order to increase regional cooperation against piracy and armed robbery in Asia the "Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia" (ReCAAP) was implemented. The agreement comprises 14 Asian Nations and 6 extra-regional states; however Indonesia did not endorse the ReCAAP, it promotes information sharing, capacity building and cooperative arrangements (ReCAAP, 2018). In addition, the United States endorsed a broader security spectrum that includes a focus on terrorism, establishing a link between maritime piracy and maritime terrorism (Bradford, 2008, pp.483-484). ASEAN employs the US broader security definition with focus on terrorism to exploit the international efforts to combat terrorism in order to tackle other forms of transnational crime, such as piracy (Emmers, 2003, pp.432). Furthermore, ASEAN securitized terrorism and piracy in order to inject urgency to both issues and put them on the top of the political agenda. However, the securitization of such issues did not result in the expected political awareness, development of new policies, and regional coordination and resources allocation to tackle piracy and maritime terrorism (Emmers, 2003, pp. 436). He (2009) contends that piracy is not a priority in the international agenda, hence the conflation with maritime terrorism, during the global war on terror would bring awareness to piracy. Cooperation among the coastal states would improve and both threats would be tackled through naval exercises (He, 2009, pp. 671-672). Likewise, Bradford (2008) argues that the conflation of maritime piracy and potential maritime terrorism by policy makers occurred due to the fact that they might take advantage of the same vulnerabilities to perpetrate an attack (Bradford, 2008, pp. 478).

The thesis thus argues that states conflate piracy and maritime terrorism in order to facilitate their securitization. Furthermore, it is asserted that whether the securitization occurs or not it only serves short-term goals rather than long-term. This claim is based on how Singapore securitizes the conflation of piracy and maritime terrorism in order to tackle piracy and other maritime issues with short-term policies. While Indonesia separates both threats and combats them with different policies however achieving short-term solutions. Hence, it is crucial to examine how the definition of piracy and terrorism is operationalized as well as the conflation of both threats in the Malacca Strait. The next section examines the methodology used to analyse both case studies: Indonesia and Singapore.

### **3. Methodology**

In this section we examine the methodology used in the analysis of the case studies. The method used is process tracing in order to explain the puzzling outcome of Singapore and Indonesia. In the first section the process tracing methodology as well as the case selection process is depicted. Following the study of the theoretical framework, focusing on the Copenhagen School, more specifically the securitization theory of Buzan and Weaver (1998).

#### *3.1. Process-Tracing*

Process-tracing is the method used to study causal mechanisms in research designs that focus on case-study analysis (Beach and Pederson, 2013). The method allows to identify the conditions that promote or prevent a certain outcome, hence it is possible to identify the intervening factors in the causal process (Trachtenberg, 2006). According to George and Bennet (2005) process tracing can be defined as “the causal chain and causal mechanism – between an independent variable and the outcome of the dependent variable.” (George and Bennet, 2005, *in* Trachtenberg, 2006). Regarding the study of Singapore conflation of piracy and maritime terrorism in order to securitize them, and Indonesia attempt to separate both concepts and avoid their securitization it is crucial to analyse the mechanisms that led to the outcomes in both cases. To do so, it is vital to examine the casualty of the process of how we get from X to Y. Considering it a small-N case study there is a necessary condition that it will allow or prevent the outcome. Furthermore, if this condition is present the outcome should always take place. Thus, the causal mechanism is the set of variables that explain the causal effect on the outcome, in Indonesia the focus is on how the various political and socio-

economic factors contributed to the separation of both concepts. While, in Singapore the international political context led to the securitization of the conflation of piracy and maritime terrorism and later to the desecuritization and de-conflation of both concepts.

To further study the two countries the analysis section is divided accordingly to a temporal frame: during the worldwide use rhetoric of “war on terror”, from 2001 to 2011, in which there was securitizing power relating terrorism (Acharya and Acharya, 2007). From 2011 onwards, the “war on terror” rhetoric is diminished, consequently it is analysed in Singapore and Indonesia the various mechanisms in both time frame’s in order to establish how important this was to the different outcome in each country. Singapore during the “war on terror” rhetoric supported the United States policies and conflated both concepts in order to obtain sustenance from the US in tackling its maritime threats. Following 2011, there was the maintenance of this approach, since Singapore kept a westernized and strong alliance with the US (Gunaratna, 2013, pp-1-2). Contrarily, Indonesia kept itself separated from the “war on terror” rhetoric and it did not conflate piracy and terrorism (Acharya and Acharya, 2007). Subsequently, the countries which come from the same regional context assume different perspectives towards the “war on terror” rhetoric, however, when tackling both maritime threats, Singapore and Indonesia opt for short-term policies which do not eliminate the problem on the long-run.

Process-tracing as a method presents an important strength that fits the objective of this thesis, it is the ideal method for small-N case studies, since it allows more detailed information about each case to be taken into account (Trachtenberg, 2006). Given the fact that both cases have different outcomes it is crucial to understand what are the mechanisms and casual mechanisms that lead to the results. Nonetheless, process-tracing as a method has limitations, generalizations cannot occur (Trachtenberg, 2006), it is a case-centric method which is better suited for small-N cases and it may only conclude a minimal sufficiency of explanation (Beach and Pederson, 2013). Thus, some readers may find gaps in the whole causal process which is due to the fact that it is a small-N case study analysis. Likewise, the temporal frame is used as a causal variable which has an impact on the outcome process. Regarding this, further studies could reach different conclusions changing one of the case-studies or the time frame.

### *3.2. Case Study Selection*

To select the case studies to analyse in the next section it is important to consider the outcomes of each case. Considering that, the process-tracing methodology used focuses on a

case-centric study they should produce interesting variables to the study (Beach and Pederson, 2013). The two cases selected to be analysed in the following section are: Singapore and Indonesia. The two cases have distinct outcomes, Singapore attempts to conflate piracy and maritime terrorism and securitize them, while Indonesia tries to prevent the conflation and securitization of these same threats. However, the policies implemented by the two countries serve short-term rather than long-term goals. Henceforth, it is important to identify the factors that lead to the lack of long-term policies in tackling such maritime threats.

Considering the threat of maritime terrorism, the Jemaah Islamiyah is the studied radical Islamic group due to its cells and plans to attack both Indonesia and Singapore (Abuza, 2003, pp.138-140). The Jemaah Islamiyah emerged in Indonesia during the late 1970s and has as its main objective to establish an Islamic state in Southeast Asia under an Islamic caliphate (Clark and Juergensmeyer, 2012). The group has various cells around Southeast Asian countries, in 2001 in Singapore it planned to attack the western and US targets present in the territory (Abuza, 2003, pp.140). In 2002, in Indonesia it caught public attention after the bombing of a Balinese night club (Clark and Juergensmeyer, 2012). Since the beginning of the 21<sup>st</sup> century the Jemaah Islamiyah evolved, however after a series of counter-terrorism measures implemented in the region the group lost many supporters and some of the radicals were arrested. Henceforth, a new generation of radicals is emerging posing new challenges to the law enforcement agencies and policy makers (Ismail and Ungerer, 2009). Considering the plans of the Jemaah Islamiyah, the radical group is assessed in the analyses section in order to study the securitization of conflation of piracy and maritime terrorism in Singapore and the separation of both threats in the Indonesia case. Furthermore, Jemaah Islamiyah presents itself as an example of how the imposed policies had a short term range, since this emerged again with a new generation of radicals that still pose a threat to the region (Counter Extremism Project, 2018).

The outcomes of Singapore and Indonesia analysis are different. Singapore conflates piracy and maritime terrorism during the period of the “war on terror” as a way to obtain funds and international support to tackle a variety of maritime crimes. Furthermore, the country established a close relationship with the United States engaging in a variety of initiatives to fight terrorism and piracy in the region (Gunaratra, 2013, pp.1-2). There are no documented cases of terrorist attacks in Singapore, however the security forces were able to locate an active cell of the JI in their territory (Reuters, 2009). Concerning piracy, Singapore had the occurrence of a low number of cases that were reported (Chong, 2017). When the

government opts for securitizing the conflation of piracy and terrorism, there is an enhancement of the amount of violence of the acts, even further they are considered undistinguishable from terrorism (Strait Times Interactive, 2003, *in* Chong, 2017, pp.73). After the end on the global “war on terror” rhetoric there is a separation of both crimes, and piracy is described as mainly petty crimes that occur in the maritime arena but that do not cause major disturbances (Minister for Defence of Singapore, 2016). It is noteworthy that despite the securitization of the conflation of piracy and terrorism the policies implemented did not result in the elimination of the crimes nonetheless, the crimes still occur. Moreover, the securitization led to short-term results as well as the desecuritization, which means that the governments in order to eliminate both threats need to tackle them from a different perspective in order to obtain long term solutions. Indonesia, on the other hand, never aligned with the United States policies and global “war on terror” rhetoric. As a country, it has different characteristics from Singapore, it has domestic problems and a larger territory to patrol. Considering that Indonesia is the largest Muslim country in the world the rhetoric used by the United States it is not appealing for a country where there are Islamic parties in politics (Acharya and Acharya, 2007). Adding to this, there is the fact that Indonesia keeps a wary position towards foreign forces in their maritime territory, portraying themselves as a country capable of protecting their sovereignty. However, Indonesia is one of the countries that suffers not only major terrorist attacks, but also it is portrayed by the international media as “the world’s most dangerous waters in the world” (Ramones, 2013), thus it requires long-term solutions to both problems. Regarding the end of the “war on terror” rhetoric, the position that Indonesia took did not change, moreover, there was a denial of how dangerous the territorial waters are (Wargadiredja, 2017). Hence, Indonesia maintained the position towards the maritime threats, despite the country suffer from terrorist attacks and piracy. This reveals that the policies imposed did not solve the problem, moreover in Indonesia it is crucial to identify the sources of piracy, since these vary from transnational crime to petty crimes.

The differences between Singapore and Indonesia as well as the contrasting outcomes led to the fact that they have been chosen as the main case study. The fact that both countries reveal different perspectives considering maritime crimes, domestic politics and the international and regional context makes them the regional cases to assess how the securitization of the conflation of piracy and terrorism or the not securitization result in short term policies. Furthermore, what needs to be changed in order to establish policies with long-term results.

### 3.3. Theoretical Framework

The Securitization Theory was proposed by Buzan, Weaver and de Wilde in 1998. First, they defined security in a military setting, however, the authors recognized that there was the need to broaden the concept of security. Henceforth, security is defined as the need to guarantee survival, it is “when an issue is presented as posing an existential threat to a designated referent object” (Buzan *et al*, 1998, pp.21). This logic can be applied to five groups: military, environmental, economic, societal and political security. Still, the securitization process is established by the securitizing actors in relation to the referent object. The securitizing actors are defined as “actors who securitize issues by declaring something, a referent object, existentially threatened” (Buzan *et al*, 1998, pp.36) they can be political leaders, pressure groups, bureaucrats... The referent objects are “things that are seen to be existentially threatened and that have a legitimate claim to survival” (Buzan *et al*, 1998, pp.36).

For the Copenhagen School, the concept of security is socially constructed as well as the concept of threat and vulnerability (Buzan *et al*, 1998, pp. 57). The securitizing agent defines an existential threat and elevates it above the normal political process due to its urgency. The Copenhagen School, also emphasises the importance of the speech act. According to Buzan *et al* (1998) the securitizing agents have to convince an audience that a determined referent object is threatened, and it needs to elevate its position in the political agenda. Consequently, the securitization process only occurs if the securitizing agent succeeds in persuading the audience of the existent threat. If so, the securitizing actors use extraordinary measures to combat the threat (Buzan *et al*, 1998).

Considering the speech act as the basis of the securitization process, security practices can be criticized and consequently transformed (Williams, 2003, pp.512). The point Williams (2003) makes can be exemplified by the two security cases and their perspectives over the United States rhetoric of “war on terror”. During the “war on terror” rhetoric period, Singapore used the high securitization of terrorism to conflate it with piracy and consequently manage to get the international assistance and the necessary funds to tackle the maritime problems in their shore. In the political discourses it is visible how it starts from stating how violence in piracy is increasing, to the argument that it was increasingly difficult to distinguish between both crimes in the territory (Singapore Business Times, 2004, *in* Chong, 2017). Thus, the political leaders used the worldwide securitization of terrorism in their advantage, since they demonstrated how the security of Singapore was essential to maintain

the worldwide economy due to the international trade passage through the Malacca Strait (Ministry of Defence of Singapore, 2003, *in* Chong, 2017). On the contrary, Indonesia considered the “war on terror” rhetoric did not apply to terrorism in its territory, moreover, the government recognized the presence of radicals in the country but refused the various attempts of the US to help the country to tackle the threat. Indeed, the country has maritime problems, however, the government does not agree with the “Islamic terrorism” discourse and keeps a nationalistic position in an attempt to guarantee their sovereignty and security (Acharya and Acharya, 2007). The two governments adopt different speech acts that diverge between them, while Indonesia takes advantage of the international worldwide war on terror, at the same time tries to keep distance from this same war by adopting a more neutral speech.

The work of Buzan and Weaver is criticized by McSweeney (1996) who argues that they do not problematize the concept of identity. The author argues that “identity is not a fact of society; it is a process of negotiation among people and interest groups” (McSweeney, 1996, pp.85), which assumes that identity is in constant change. Furthermore, the author argues that identity and society are concomitant. Finally, McSweeney (1996) adds that the concept of collective identity is not something to be discovered, but something that results from the discourse of political leaders, bureaucrats, academics, ... (McSweeney, 1996, pp.85). Buzan and Weaver (1997) counterargument states that “identity is not a ‘value’ (i.e. the individual’s), it is an intersubjectively constituted social factor” (Buzan and Weaver, 1997, pp. 245). The authors contend that McSweeney affirms that security can be reduced to individual security, leading to a narrow and more limited definition of security compared to the Copenhagen School’s one<sup>8</sup>. The identity of a society is crucial to analyse the political responses given to determinate issues. McSweeney (1996) raises an important point by questioning which are the groups securitized as threats, in order to evaluate this, it is vital to understand which are the sources of the threats. When securitizing the conflation of piracy and terrorism is assuming that both threats have the same source, especially in Singapore case, where there is a growing convergence between the two cases which results in tackling piracy and terrorism with the same tools due to the fact that they are both violent crimes (Strait Times Interactive, 2004, *in* Chong, 2017). Henceforth, the conflation of the two different crimes is subjective considering that they do not have the same sources or use the same methods. Singapore legitimized itself to fight any maritime threats in their territorial

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<sup>8</sup> For more information see also William, 2003



waters using exceptional measures without the identification of the perpetrators, moreover this undermines the possibility to establish long-term policies.

Knudsen (2001) adds to the critique of Williams (2003), that the definition of threat is overlooked by Buzan and Weaver (1998), his argument is that “political life is often marked by misperceptions, mistakes, pure imaginations, ghosts, or mirages, but such phenomena do not occur simultaneously to large numbers of politicians, and hardly most of the time.” (Knudsen, 2001, pp. 359). Hence, the notion of threat varies according to different perceptions and contexts. The basis of securitization theory has some limitations namely in the concept of threat. It is important to point out that the concept of threat plays a very important role in the securitization theory, considering that it is the fact that something is perceived as a threat that allows it to assume a prominent role in the political agenda (Buzan and Weaver, 1998). However, as earlier exposed by Williams (2003) critique, the perception of threat is subjective since it is the government of a state that portrays that same threat and tries to convince the audience of it (Buzan and Weaver, 1998). In Singapore this is portrayed during the “war on terror” speeches, regarding the fact that there is an increase conflation of piracy and terrorism and subsequently securitization (Chong, 2017). However, after the “war on terror” rhetoric there is a change in the political speech that conveys that piracy is more related to petty crimes than linked with terrorist activities (Hen, 2015, pp.2). On the contrary, Indonesian government has a different perspective of the concept of threat considering that piracy does not pose a great threat to its security (Acharya and Acharya, 2007). There is never conflation between both crimes, notwithstanding this is also a concern, since Indonesia is one of the countries in the world with high rates of piracy and a great number of terrorist groups in its territory (Ramones, 2013). Nevertheless, the country assumes the opposite position compared to Singapore which demonstrates how subjective is the concept of threat.

#### 4. Securitising piracy and maritime terrorism in the Strait of Malacca

In this section we analyse the two case studies: Singapore and Indonesia. Each subchapter is divided according to the timeframe; hence the securitization of the conflation of piracy and maritime terrorism is assessed in the different international context. In Indonesian's case, the subdivision is the same, however it is researched how there was a separation from the US counter-terrorism policies. Moreover, it is studied what should have been changed in order to tackle long-term goals rather than short-term policies.

##### 4.1. Singapore:

Singapore is a country-state that developed its infrastructure and economic hubs towards the sea, due to its dependence on maritime trade. The dependence of the country's economy on maritime trade generates fear of a possible terrorist attack against its ports and hubs (Huang, 2008, pp.89). Thus, the Singapore Government recognizes that an attack would have devastating consequences for the country (Hahn, 2004, pp.10).



Image 1: Singapore Strait

##### 4.1.1. Piracy and Maritime Terrorism – “War on Terror”

Piracy is one of the oldest maritime crimes that there is record. Indeed, the coastal states in the world have been developing ways to tackle the problem and eliminate the threat to nations. Singapore has been an avid regional country in its various attempts to try to combat and prevent piracy in the Malacca Strait region. In the 90's after several unilateral attempts from the regional states, namely Indonesia, Malaysia and Singapore it was clear that in order to tackle the problem, it was necessary to achieve cooperation. To do so, it was established in the region the Indonesia-Singapore Coordinated Patrols (ISCP)<sup>9</sup>. In 1992, the two states added a new agreement stating that Indonesia and Singapore had to mutual assist each other in case of a vessel attempt to cross from one sovereignty to the other (Chong, 2017). It is crucial to understand how until the rhetoric of the “war on terror” piracy was acknowledged as a regional threat to states’, however the problem was combated through

<sup>9</sup> The ISCP is a bilateral effort from Singapore and Indonesia in order to combat sea robbery in the Malacca Strait (Indonesian Ministry for Defence, 2012).

bilateral agreements while the governments faced more pressing matters, such as economic development concerning the 1997 Asian Financial Crisis (Monetary Authority of Singapore, 1998).

The US President G. W. Bush used the “war on terror” rhetoric to gather international support to fight those who perpetrated the 9/11 attacks in its sovereignty. In Southeast Asia, Singapore was in the forefront of the global war on terror, the country engaged in regional and international exercises and agreements in order to share knowledge, know-how, equipment and training among the various nations (Gunaratna, 2013, pp.1-2). Singapore was then considered a legitimate terrorist target due to a variety of reasons. The country was originally part of the Malay land, and it is perceived as an illegal creation and occupied by infidels. It is believed that the government oppresses and marginalizes the remaining Malay population, which is Muslim. Furthermore, the close ties between Singapore, the United States of America and Israel contribute to the anti-Muslim perception (Singh, 2017). Henceforth, Singapore adapted its own military through the acquisition of new equipment and the establishment of new enforcement laws to combat and disrupt the terrorist networks in the territory (Gunaratna, 2013, pp.1-2). In 2001, Singapore uncovered a cell of Jemaah Islamiyah with the plan to attack personnel from the United States, Australia, United Kingdom and Israel based in the country (Reuters, 2009). With the security challenge to the country’s sovereignty due to the existence of such cell in its territory, Singapore’s Government started to mention the potential consequences of a maritime terrorist attack. Notwithstanding, the speech starts with a focus on the international importance of Singapore’s geographical location to the international trade, followed by the impacts of an attack on the sea lanes of communication (SLOCs) to the world. In the Opening Ceremony of the International Maritime Defence Exhibition and Conference (IMDEX), in 2003, Rear Admiral Teo Chee Hean Singapore’s Defence Minister states “up to 80% of the approximately 6 billion metric tons of cargo traded each year... moved by ship” (Ministry for Defence of Singapore, 2003 *in* Chong, 2017). Hence, there is an emphasis on the economic and strategic position of Singapore in the world, the Rear Admiral on maritime terrorism then adds “the damage could be horrific if terrorists turned supertankers, LPG, LNG or chemical carriers into floating bombs” (IMDEX, 2003, *in* Chong, 2017). However, until 2003 it is not clear where is the actual threat since it is a speculation of what an attack “could” or “would” do not only to Singapore but to the SLOCs. Moreover, the Singaporean Defence Minister is a naval commander, considering that the threat is in the maritime arena, the government would increase the allocation of resources to the naval forces and a development of their equipment.

In 2003, the Deputy Prime Minister Dr. Tony Tan discusses the state concerns regarding piracy and maritime terrorism, he asserted that the Singaporean government had “been dealing with the problem of piracy for some time, and there are methods and tactics associated with terrorism which (it) can identify; and put in place several preventive measures” (Strait Times Interactive, 2003, *in* Chong, 2017, pp.73). Here, it is the first time that it is publicly mentioned the growing convergence between the acts of piracy and maritime terrorism. Considering the global securitization of terrorism, by converging both outlaws the mechanisms to tackle piracy would change and conflate with the possible use of exceptional instruments to combat securitized matters which are above the political agenda. The Deputy Prime Minister, however, does not discriminate which are the “methods and tactics” that overlap leaving it to interpretation. By the end of 2003, the then Singapore Home Affairs Minister, Wong Kan Seng contended that “if there’s crime at sea, sometimes we do not know whether it is pirates or terrorists who occupy the ship, so we have to treat them all alike.” (Singapore Business Times, 2004, *in* Chong, 2017, pp. 73). It is with this speech that it is conflated piracy and maritime terrorism for the first time, since it is explicitly said that these should be treated the same. Concerning the conflation, it is easier to label any maritime crime as terrorism, hence it increases the international support and the international funds (Young and Valencia, 2003, pp.277) allocation to combat these problems out of Singapore shore.

By 2004 in the Launching Ceremony of the frigate RSS Formidable, Rear Admiral Teo Chee Hean stated “Singapore being the world busiest port had significant interest in ensuring freedom of navigation and security in the sea lanes, so that international trade and economies of our globalised world can carry on unhindered.” (RSS Formidable, 2004, *in* Chong, 2017). Yet again it is reinforced the importance of Singapore to the globalised world, which calls the attention of the international users of the Strait of Malacca and the importance of them protecting their own interests. Moreover, the Rear Admiral shows how the consequences of an attack in Singapore would have an impact worldwide, enhancing justification for the securitization for not only maritime terrorism but the crimes associated to it. Furthermore, Wong Kan Seng argues that “pirates who often raid ships in Southeast Asian waters should be treated as terrorists” (Strait Times Interactive, 2004, *in* Chong, 2017, pp.73). The conflation of maritime terrorism and piracy is assumed by the government representatives; however, these do not justify why they should be treated the same. Singapore endorsed the IMO, hence it recognizes their definition of piracy, which during the “war on

terror” seems to be overlooked in order to facilitate the securitization of piracy and the combat of maritime crimes.

Deputy Prime Minister Professor S. Jayakumar reveals concerns regarding an increase of maritime crimes committed but also a development in their levels of sophistication in terms of material capabilities. Professor Jayakumar considers that piracy is no longer a petty-crime but has been transformed into a “high tech international enterprise” (STI, 2005, *in* Chong, 2017). Indeed, it is the first time that piracy is addressed as more than a similar crime to terrorism. Likewise, piracy is defined as organized crime which converges with the terrorist groups that are regarded as part of organized crime networks. Thus, this definition heightens the necessity of securitizing piracy. Furthermore, Deputy Prime Minister Jayakumar argues that “kidnapping of crew for ransom and the hijacking of vulnerable tugs and barges for their valuable cargo suggest that organised elements are creeping into what was previously the domain of opportunistic thuggery” (STI, 2005, *in* Chong, 2017). The Deputy Prime Minister seems to suggest that the petty-crimes characteristic from pirates seems not to exist anymore, consequently facilitating the conflation with terrorism and justifying the securitizing measures. Moreover, in order to argue the conflation of piracy and maritime terrorism, in 2005, in the Conference on the Law of the Sea Issues in East and South China Sea in Xiamen, China, Professor Jayakumar stated that there was the threat of maritime piracy since terrorists could be planning an attack with vessels, similar to the aeroplane attacks on September 11, 2001 in the US (Chong, 2017, pp.73). Regarding the war on terror, the possibility of another September 11 enhanced the fear of the population and the increase of international involvement in combating the maritime threats in the territory.

#### 4.1.2. *Conflation of piracy and maritime terrorism – After the “war on terror” (post-2011)*

The established regional relationship among the coastal states in the nineties was shaken by the different perspectives that states had concerning the international intervention in the region. Singapore has been a keen supporter of the United States and of their initiatives in the region. Contrary, Malaysia and Singapore keep a more constrained and suspicious position towards the international intervention in their territory. Singapore endorsed the SUA Convention, the 2004 ReCAAP, and bilaterally supports US-led initiatives, namely the Proliferation Security Initiative (PSI)<sup>10</sup> and the Regional Maritime Security Initiative

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<sup>10</sup> The PSI has as its main purpose to be a multinational response to the threat of the proliferation of weapons of mass destruction. It was launched in 2003 and it is a voluntary initiative (PSI.info, 2018).

(RMSI)<sup>11</sup>. Concerning the active role of Singapore in engaging with multilateral and bilateral initiatives in its territory have arisen the tensions with the other coastal states, namely Indonesia (Chong, 2017, pp.68).

After 2011, the rhetoric of the “war on terror” changed, the term gradually stopped being used by the worldwide political leaders (Indyk *et all*, 2012). Notwithstanding, the combat against piracy and maritime terrorism continued to be a concern to the Malacca Strait states (Kit, 2013, pp.5) since these were not eliminated in Singaporean waters through the securitization imposed by the government. Concerning the following years to the end of the use of the “war on terror” rhetoric the government started to separate the concepts of terrorism and piracy. In 2015, the Singaporean Minister for Defence Dr. Ng Eng Hen stated that the maritime terrorism threat was real, due to the strong emergence of the Islamic State of Iraq and Syria (ISIS), he contends: “using the social media to spread its extremist ideology, and promote the ‘lone-wolf’ agenda.” (Hen, 2015, pp.2). Regarding the use of the internet as a method to spread its ideology, Singapore recognized the possibility of an attack in the country, since there were still radicals operating in the region (Hen, 2015, pp.2). Moreover, Dr. Ng Eng Hen contends that the ReCAAP Annual Report from 2014 demonstrates that the number of piracy and sea robbery in Asia increased by 20 percent since 2013. Notwithstanding, it reveals that after the end of the war on terror and the desecuritization of the conflation of maritime piracy and maritime terrorism the policies reveal themselves short-term, which demonstrate to be ineffective on the long-run. Dr. Ng Eng Hen reveals that the attacks were “petty in nature and seldom involved the use of violence” (Minister for Defence of Singapore, 2013). Thus, there is a change in Singapore’s perspective towards piracy and terrorism. Piracy is no longer perceived as an organized crime, highly dangerous and with a great level of sophistication, hence it is considered “petty” and not “violent” diverging from the “war on terror” rhetoric regarding pirate attacks in Singapore maritime arena. This reveals the end of the conflation of piracy and maritime terrorism. In the same speech the Singaporean Minister for Defence argues that “While the littoral states have successfully suppressed piracy and sea robbery in the Malacca Strait, we will now need to extend our efforts to new hotspots in the South China Sea.” (Minister for Defence of Singapore, 2013). Thus, the Malacca Strait during the “war on terror” was a crucial point due to the economic interests in the region, especially the Singapore ports and

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<sup>11</sup> The RMSI relates to the PSI, since it the operationalization of the PSI and the Malacca Strait initiative to improve the international cooperation. The RMSI was proposed by the United States in 2004 in order to combat transnational threats such as: proliferation, terrorism and piracy (Ho, 2004, pp.2).

the city-state security due to its development towards the sea. However, there is a change in the concerns towards piracy to the South China Sea, hence the Strait of Malacca which was once the top priority and securitized due to the maritime terrorism threat and the various cases of piracy, it was desecuritized by the government when the Minister for Defence, Dr. Ng Eng Hen, recognized that the new priority in the political agenda was the piracy in the South China Sea (Minister for Defence of Singapore, 2013).

In 2016 it was clear how the conflation of piracy and maritime terrorism had been completely desecuritized by the Government given that the political discourses were being addressed to both threats separately. The Minister for Defence Dr. Ng Eng Hen contended that “We should remember that Al-Qaeda funded radicals at that time<sup>12</sup> to bomb seven targets in Singapore, and when arrested their Jemaah Islamiyah cell had hardened our defences, they shifted their signs and bombed Bali instead” (Minister for Defence of Singapore, 2016). Dr. Ng Eng Hen refers to the happenings of 2001, when they uncovered the plan of the Jemaah Islamiyah to attack in their territory, however the links with the Al-Qaeda were never officially established. Following 2011 the terrorism fear was linked to the growth of ISIS, thus the Minister for Defence added that “In Singapore, there are presently 17 persons in detention, 2 on suspension direction, and 25 others on restriction orders for terrorism-related activities. This is a clear and present danger.” (Minister for Defence of Singapore, 2016). The fear of a terrorist attacks maintains the country alert to possible cells and developments. Nevertheless, after 2011, the end of the use of the rhetoric of the “war on terror” there was a change in Singapore’s government rhetoric as well. The conflation of piracy and maritime terrorism ended, and it is noteworthy how piracy stopped being portrayed as the violent, organized and efficient crime that conflated with the terrorist activities, to be depicted as a number of petty crimes with no great violence. Furthermore, it is important to point out the fact that piracy it was not eliminated from Singapore’s maritime arena, since the numbers of attacks increased since 2013 which illustrated the limitations of the securitization. The short-term policies lead to short terms solutions. Therefore, in order to tackle piracy, it is important long-term solutions that allow the country to end the threat in the Malacca Strait. To do so, Singapore should obtain a deeper knowledge on the roots of piracy on who, why and how are they acting and what do they intend to obtain, this way it would be possible to develop more appropriate and effective policies with long-term success.

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<sup>12</sup> The Minister for Defence is referring to the planned attacks of the Jemaah Islamiyah in Singapore in 2001.

#### 4.1.3. *Assessing Singapore's case*

Singapore is a noteworthy case concerning the securitization of the conflation of piracy and maritime terrorism. During the 90's the acknowledgment of piracy as a threat to the regional coastal states led to a variety of bilateral and multilateral agreements that changed throughout the times due to the growing influence and presence of international vessels in the regional waters. With the difficult to achieve accords towards this, the various countries adopted unilateral positions and agreements, Singapore sticks out on their openness to international presence in their territory. Hence, the rhetoric of "war on terror" and the worldwide securitization of terrorism lead to the conflation of maritime piracy and maritime terrorism in Singapore

Piracy is considered a non-traditional threat which overlaps some of the security sectors. Nevertheless, during the war on terror rhetoric the needed mechanisms to tackle piracy were difficult to get considering the worldwide attention given to terrorism. Regarding the avid role that Singapore played in the forefront of the global war on terror (Gunaratna, 2013), the conflation between piracy and maritime terrorism facilitated the securitization of both crimes. The military sector improved its material and know-how capabilities (Gunaratna, 2013) due to the shared military activities to fight terrorism. Concerning the plot attacks that Jemaah Islamiyah planned on the territory of Singapore, the country emerged under the radar of possibly threatened by terrorism. However, there was not any attack in Singapore territory, thus the securitization of terrorism is an exaggerated measure given that no lives were at risk and the securitization was based on the future possibility of a terrorist attack. The economy of the country, on the other side, is highly vulnerable to the occurrence of such attacks, due to the dependence that the country in the sea lines of communication (SLOCs) and how Singapore grew to the sea (Huang, 2008). Thus, a terrorist attack on the maritime arena of Singapore would have serious consequences, regarding the economic dependence to the sea. Thus, during the war on terror rhetoric it was the beginning of the conflation of piracy and maritime terrorism by the government of Singapore. The Singaporean government by using the worldwide securitization of terrorism conflated with piracy, allowed them to tackle various maritime crimes on their shore using the measures they considered adequate. It is crucial to take into consideration that it was not only piracy attacks, since in the various political discourses it is never defined which are the crimes regarded as piracy. The crime is just identified according to the increased violence and the fact that it is becoming more and more organized. Likewise, by conflating both crimes, Singapore was able to implement policies and measures to tackle maritime crimes. Indeed, these policies had a short-term



reach, considering that the securitization of an issue has an ending due to more pressing needs a country is facing.

Following 2011 and the end of the use of the “war on terror” rhetoric the once securitization of piracy and maritime terrorism from the Singaporean Government started the process of desecuritization. Piracy and maritime terrorism stopped being conflated and were regarded as separate threats to the country. It is important to point out how from 2013 onwards there was an increased number of pirate’s attacks, which demonstrates a failure in the securitization policies implemented during the “war on terror”. The securitization process has a short-term range, therefore when the exceptional measures stopped, the crime emerged again. However, the re-emergence of pirate attacks may be related to the source of piracy, as financial crisis. This conveys that in order to tackle piracy it is crucial to go to the source and adopt long-term effective law enforcement mechanisms. To do so, it is significant to know who commits the crimes. Subsequently it would be crucial to understand what leads to piracy, where do the pirates come from, in the nineties piracy was related to the 97 Asian Financial Crisis. Hence, to tackle it would have been important to understand who were the most affected population recurring to the crime to subsist.

In short, Singapore used securitization of the conflation of maritime terrorism and piracy during the “war on terror” to get international funds and aid to combat the maritime crime in their sovereignty. Following the end of this rhetoric there was a change in hotspot and the desecuritization of piracy and maritime terrorism as well as their conflation. Hence, this reveals that the securitization of pressing issues carries the problem of short-term solutions that do not tackle the problems on the long-run. Furthermore, the next chapter is focused on Indonesia which adopted a different perspective towards the crimes of maritime piracy and maritime terrorism.

## 4.2.Indonesia

Indonesia is a peculiar country in Southeast Asia. The country has a strategic position in the Strait of Malacca, hence it has the responsibility to maintain the security of the Strait. Furthermore, Indonesia is the largest nation in the world covered of only islands (CIA, 2018),



Images 2: Map of Indonesia

thus it creates a favourable environment to the emergence of maritime crime given that the criminals have a variety of places to hide. Adding to this, the heavy forests in the various islands guarantee an escape to the outlaws trying to flight the law enforcement forces.

The domestic constraints of Indonesia pose a challenge to the attempts of internal development. Indonesia faces endemic poverty, corruption, the need for political reforms, territorial integrity and militant Islamism (Huang, 2008, pp.91). All these factors combined difficult the government's role to increase economic development and prosperity. Moreover, Indonesia was one of the most affected countries by the 1997 Asian Financial Crisis. Indeed, the crisis led to a political and social crisis which startled international investors. The political crisis was enhanced by the refusal of the government to implement economic reforms, thus it culminated in Suharto's, former Indonesian President, stepping down from presidency (Indonesia Investments, 2018). The social effects of the crisis were crippling for the country, the inflation increased on high rates, hence there was an increase of unemployment that resulted in high levels of poverty (Sherlock, S. 1998). Furthermore, the levels of corruption inside the elites grew which contributed to the Indonesia's instability (Indonesia Investments, 2018). Henceforth, Indonesia presents a series of characteristics that propitiate the emergence of outlaws, such as pirates and terrorists.

### 4.2.1. Piracy and Maritime Terrorism – “War on Terror”

Terrorist attacks in the United States had a great impact in Southeast Asia and the Islamic groups in the region. Hereafter, the first country that G.W. Bush visited first after the attacks on US territory was Indonesia due to the Islamic groups in country and the fear of attacks in the region. The meeting between G.W. Bush and Indonesian President Megawati resulted in a joint statement “President Megawati condemned that barbaric and indiscriminate acts carried out against innocent civilians and pledged to cooperate with the international

community in combating terrorism. She underscored that terrorism also that terrorism also increasingly threatens Indonesia's democracy and national security." (Wise, 2005). The sympathies that Megawati expresses in her speech are noteworthy since Indonesia is the biggest Muslim democracy in the world (Acharya and Acharya, 2007, pp.81). However, there was still doubts about the existence of terrorist networks capable of carrying out attacks as the 9/11 in the United States, this changed after the Bali bombings<sup>13</sup> (Acharya and Acharya, 2007, pp.81). President Megawati made a public statement regarding the Bali bombings contending that "[t]he bombings, once again, should be a warning for all of us that terrorism constitutes a real danger and potential threat to national identity." (The Guardian, 2002). Following the Bali attacks, the Indonesian government acknowledged the existence of Islamic radicals in the country, however President Megawati keeps a neutral position in the statements by not accusing any specific groups and not aligning with the worldwide terrorism concerns. Thus, considering the consequences of the Bali bombings, the international assistance increased sharply, with the support of the US, Australia, Japan and Singapore (Wise, 2005).

The relationship between the United States and Indonesia regarding terrorism was constrained by Indonesians perspectives, since the United States were spreading discourse of "Islamic terrorism"<sup>14</sup> (Jackson, 2007). However, the radical groups present in Southeast Asia diverge from the Middle Eastern Islamic groups. In Southeast Asia there is a focus on the near enemy and their main aim is to replace the governments in order to establish Islamic countries in the region. Moreover, the groups portray the current governments as corrupt, undemocratic and compliant with western views (Acharya and Acharya, 2007). Hence, there are differences between the threat of terrorism that the United States intend to fight after the 9/11 attacks and the radical groups that can be found in the region. Concerning this, the government of Indonesia separated itself ideologically from the US fight on terrorism. After the recognition of terrorism in Indonesia, the government accepted the United States assistance in police training and in the improvement of Indonesia's military equipment (Wise 2005). However, Megawati kept a cautious position in avoiding any references to the radical group Jemaah Islamiyah. Likewise, Indonesia kept a low profile regarding piracy in its

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<sup>13</sup>The Bali Bombings occurred in October 2002 in Kuta Island a touristic area from Indonesia. The attack was planned by the Jemaah Islamiyah and caused more than 202 casualties. Bali was chosen "because it was frequented by Americans and their associated", this was a rebellion act against the Afghanistan invasion (BBC, 2012)

<sup>14</sup> The "Islamic terrorism" discourse has deep consequences on societies since it is a politicized discourse, intellectually questionable that is harmful to societies and does not tackle the problem of violence at its source (Jackson, 2007).

territory, it is important to point out that terrorism is a political matter, so after the Bali bombings the Indonesian government faced a variety of constraints in bringing the perpetrators to justice since the civil society questioned the repercussions in the state's democracy. This fear is the result of several years of abuse of power by the security forces during the previous political leader Suharto (Acharya and Acharya, 2007, pp.81). Thus, the way Indonesian government tackles the threat of terrorism is very cautious considering the linkages between the radical Islamic groups, the political arena and the population. Moreover, contrary to Singapore it is noteworthy how Indonesia kept a more constrained position towards the "war on terror" rhetoric not supporting Bush's countermeasures fully and maintaining a cautious position when referring to the radicals on its territory.

Adding to this, the possibility of more terrorist attacks in Indonesia was a concern due to the great consequences for the country fragile economy was the result of the 1997 Asian financial crisis. The fragile Indonesian economy is sustained by the western tourists which would be easily scared off by news of a country with active terrorist groups (Acharya and Acharya, 2007, pp.83). Thus, a terrorist attack in the country would lead to aggravated consequences for the various security sectors. It is important to point that the government of Indonesia never refers to the possibility of a maritime terrorist attack due to the fact that the country has more pressing needs in their domestic politics; and that from the three coastal states, Indonesia is the less dependent on international trade. Contrary to Singapore, Indonesia makes a clear separation between piracy and terrorism which is exemplified by the Joint Statement between Indonesia and Japan which stated "Both leaders reaffirmed that the issue of terrorism is one of the main obstacles in maintaining international peace and security and stated their intention to continue to cooperate in overcoming the threat according to the basic framework described in the Joint Announcement on Fighting Against International Terrorism. (...) Referring to the security situation in Indonesia, President Megawati expressed her appreciation for the decision of the Japanese government to lower the level of Travel Advice & Warning for Indonesia since it would give a positive effect on tourism." (Japan-Indonesia Summit Meeting, 2003). So, the economic difficulties of the country contribute to the devalue of the challenges that the terrorist threat pose to the country. The need of economic development through tourism increases the necessity to attempt to give the idea that terrorism is controlled in the country.

In the same Summit between Indonesia and Japan, also piracy was addressed "Both leaders attached the importance to overcoming the increasing problem of piracy occurring in South East Asian waters. Both leaders recognized the increasing number of piracy poses a

serious threat to the safety of maritime transportation of neighbouring countries, including Japan, and has adverse effects on the region's social and economic developments. In this regard, both leaders shared the view that there was an urgent need for both countries to strengthen their cooperation on prevention and suppression of piracy, including the early adoption of the Regional Cooperation Agreement on Anti-piracy in Asia." (Japan-Indonesia Summit Meeting, 2003). It is established that piracy and terrorism are separated since the country deals with the two crimes using different tools and mechanisms. Nevertheless, the avoidance of using the US help is maintained, due to the Indonesia's highly protective position of its sovereignty, the country opposes to any foreign interference in its waters. Hence, Indonesia contested the RMSI in the Malacca Strait waters, which was a US initiative to protect the region from piracy and terrorism. Even the radical groups in the country offered their support to the national Indonesian navy to expel the US fleet from their sovereignty (Acharya and Acharya, 2007, pp.83). This reveals the position of the public opinion regarding US actions in the Malacca Strait.

In Indonesia, piracy results from a variety of domestic and external constraints, subsequently there are various piracy sources, which need to be recognized in order to develop appropriate responses. Concerning the levels of economic instability and unemployment that resulted from the Asian Financial Crisis, the coastal inhabitants originated from rural areas resort to piracy as a source of income (Jane's Terrorism Security Monitor, 2002 *in* Emmers, 2003, pp.431). Adding to this, some cases of piracy are believed to be carried out by transnational organizations which are related to transnational organized crime. Allegedly, among maritime officials and port workers there are great levels of corruption, which in order to receive side money they keep the outlaws informed about maritime activities (Pereira, 2002 *in* Emmers, 2003, pp.431). Concerning this, to effectively tackle piracy and implement efficient policies it is crucial to understand the causes of piracy which are related to different sectors, mainly the economic but also, the political, societal and military. Moreover, it is important to acknowledge that what impels the different outlaws to commit the crimes is not the same. Therefore, in order to decrease piracy rates, Indonesia revealed in 2000 during a Conference in Tokyo, where piracy was assessed, that the growing domestic problems of the country did not allow piracy to become a political priority (Bradford, 2008, pp. 475-480). The international community supported Indonesia efforts to fight piracy through funds and improvement of the equipment. Furthermore, the United States, Australia and Japan agreed in providing international assistance without interfering in Indonesia's sovereignty (Huang, 2008, pp.91). Indonesia did not securitize terrorism or

piracy and kept both terms separated recognizing the existence of the crimes, however it maintained a low profile about them in order to avoid their international securitization. Moreover, Indonesia refused the entrance of warships in their territory to pursue pirates in the territorial seas and joint naval patrols. Also, while Singapore supported the various proposed US agreements, Indonesia rejected the ratification of the 1998 SUA Convention and the 2004 ReCAAP. Regarding the PSI and RMSI led-US initiatives, Indonesia kept a cautious position towards becoming part of them (Chong, 2017).

After the elections in 2004, when President Susilo Bambang Yudhoyono was elected, new policies were implemented in order to control the domestic concerns, such as endemic poverty, the high levels of corruption and violence. Concerning the threat of terrorism, more counter-measures were imposed new educational and ideological measures (Emmers, 2009, pp.164). Furthermore, more economic resources were allocated to the security forces of the country that consequently by improving the navy also fought pirates in the territorial waters (Bradford, 2008, pp.480). Indonesia during this period implemented some new policies that allowed to tackle the threats, however these did not provide the needed solutions considering that the threats maintained after the end of the use of the rhetoric of the “war on terror”. Thus, this is analysed in the next sub chapter

#### *4.2.2. Piracy and maritime terrorism – After the “war on terror” (post-2011)*

Although there were several national and international efforts in Southeast Asia to fight the threat of piracy, the rates of the activity kept on growing (Ramones, 2013). Furthermore, Indonesia is still portrayed as having the most dangerous waters in the world by the international media, such as Forbes (2013) and Vice (2009), however the Indonesian Government and its naval superiors disagree with this assumption. Soedewo, Chief of the Indonesian Maritime Security Agency agrees that the Malacca Strait is highly vulnerable to pirate attacks due to its importance as a shipping lane. Notwithstanding, Soedewo contends that “I was in touch with our ministry of transportation, and maritime affairs and fisheries ministry. Most piracy incidents didn’t take place in Indonesian waters, but Sulu (Philippines). So, it wasn’t our jurisdiction. We care about piracy, we are ashamed that (the media) portray us as ‘The most dangerous waters in the world’” (Wargadiredja, 2017). The media portraying Indonesian waters as the most dangerous in the world has an impact on how the country is seen in the world, and consequently affecting the important tourism industry. Concerning the end of the “war on terror” rhetoric, Indonesia maintained the same position avoiding the securitization of piracy and terrorism.

The international organizations responsible for monitoring piracy disagree with the representatives of the government, namely the IMO which in 2015 reported that in Indonesia occur 40% of all the Southeast Asia region pirate attacks (Paramesmaran, 2015). The relationship between the IMO and Indonesia is a debated topic in the literature since the it has suffered some changes throughout time. In the 90s and 2000s the organization focused their anti-piracy efforts in the Strait of Malacca, however the IMO is responsible for the implementation of regional responses to piracy such as the ReCAAP, which Indonesia does not recognize or accept on its maritime sovereignty (International Maritime Organization, 2018). However, that has been changing and President Widodo<sup>15</sup> has enhanced the relation between the IMO and the country, he contended that “Indonesia believes the future of global prosperity depends on how we manage the sea. And that future can be secured by taking care of the sea as our common heritage. We can do this through international cooperation, including at the IMO.” (International Maritime Organization, 2016). There is an opening in the Indonesian politics to multilateral cooperation, nevertheless, it is not stated in which areas cooperation would occur. The IMO presents another limitation that undermines the relationship with countries such as Indonesia, the reports in which the piracy rates are based come from the attacked vessels. The crew of the ship fills a report and the governments and regional or international organizations provide the information to the organization in order to develop the statistics. Hence, the reports may contain a variety of flaws that undermine the validity of what is exactly a pirate attack. Considering that IMO endorsed the UNCLOS definition and in the Malacca Strait the maritime area that corresponds to the high seas is very scarce (International Maritime Organization, 2018). Hence, Indonesia considers that the provided data could possibly be exaggerated or falsified leading to some suspicious by the Indonesian naval commanders. Soedewo contests the IMO data stating that “I can ensure that there’s no such thing (as piracy) in Indonesia. Piracy is when someone or a group of people takes over a ship by force, if someone loses their flip-flops or wristwatch, we can’t call it piracy.” (Wargadiredja, 2017). The information provided by the IMO regarding piracy in Indonesia indicate an amount of petty crimes considered as piracy acts. It is considering this fact that Soedewo argues that not every little crime that occurs in the sea can be considered piracy, but they should be analysed according with the degree of violence and consequences. On the other side, what Soedewo does raises questions regarding the Indonesian naval forces who should act in their waters in order to tackle all the minimum threats that occur. The Head

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<sup>15</sup> President of Indonesia from 2014 to present.

Vice Admiral argues that piracy is not affecting Indonesia maritime arena and he states “If incidents happened in Malacca Strait, that would be Indonesia’s problem. But let me ask you, were there any piracy incidents in Indonesian waters that require international force to free the hostages?” (Wargadiredja, 2017). Soewedo uses the lack of international forces in the region to justify that there is no piracy in the region, however, Indonesia does not accept foreign intervention in their maritime sovereignty which conveys that this statement is refused by the prior arguments used by the country, even to reject their recognition and integration in multilateral institutions and naval exercises. The position of Indonesia towards piracy it is the same keeping a more open foreign policy, notwithstanding still with difficulties in implementing long-term policies.

Henceforth, concerning terrorism some changes took place. Terrorist attacks in Indonesia territory are still a present reality (The Strait Times, 2018) hence, there is a great necessity for the country to tackle the threat on the long run, the number of casualties are increasing. In order to do it Indonesia has increased cooperation with Russia in cyber-security and counter-terrorism, given that the spread of Islamic radicalism in Southeast Asia is growing, as well as the fear of ISIS influence (The Strait Times, 2018). Regarding this, Indonesia maintains the cautious position towards the United States, even after the end of the use of the “war on terror” rhetoric. Indonesia opts to align with Russia in the counter-terrorism efforts in order to avoid the “Islamic terrorism” discourse. It is noteworthy that the Islamisation process in Indonesian politics has been growing, which conveys some limitations regarding the counter-terrorism laws. Peter Mumford, Southeast Asia Director at Eurasia Group argues that “Although ties between the government and military are stable, this is essential but not sufficient to tackle terrorism and other threats. The growing Islamisation of the political environment could make it harder to tackle terrorism if it prevents the parliament passing tough new anti-terror laws.” (The Strait Times, 2018). Nevertheless, the political arena has been trying to fight terrorism and in order to do so Muhammad Syafi’i, the Indonesian parliamentary committee chairman stated that “We are actually finished with the revisions, except for the definition (of terrorism) and also the extent of TNI’s (military) involvement.” (The Strait Times, 2018). To deal with the threat of terrorism the government seem to have changed their tools by cooperating with countries as Russia, and implement a national definition of terrorism which will help to effectively create policies to fight terrorism and implement long term policies.

#### 4.2.3. *Assessing Indonesia’s case*



Indonesia assumes a different position from Singapore by not securitizing the conflation of piracy and terrorism during the global “war on terror”. The two countries have a very different domestic context, Indonesia was economic instable due to the 1997 economic crisis and politically volatile due to the fall of Suharto a long-time political leader (Acharya and Acharya, 2007). Hence, maritime crimes or terrorism were not in the top of the political agenda as in need of pressing solutions. With the 1992 Bali attacks, there was a political acknowledgement of the existence of terrorist groups in the Indonesian territory. However, the country did not conflate piracy and terrorism and furthermore, it did not securitize any of the crimes. However, the results obtained by both countries were not so different considering that the policies implemented had short-term results. The naval sector in Indonesia lacks funds and resources to tackle the maritime crimes that the country faces, thus, there was foreign assistance to improve the country’s capabilities to fight piracy and terrorism. Nevertheless, there was an ideological and material distance from the United States, since the population and political forces revealed themselves wary towards them. Concerning terrorism there was an avoidance of being close to the American ideology. Indonesia recognized the potential threat in the country but maintained a nationalistic and closed attitude regarding the topic (Chong, 2017). Moreover, the pressure made by the United States through visits to the country and the various regional attempts to establish joint naval exercises and the mechanisms imposed were overlooked by Indonesia (Chong, 2017). Regarding piracy the country acknowledged the existence of some acts but the lack of resources and mechanisms to deal with the threat led to international assistance under Indonesia supervision (Wise, 2005).

Following 2011, when the use of the “war on terror” rhetoric stopped being used, some improvements have been made in order to combat terrorism. The political leaders were more open to cooperation, nevertheless this was happening with Russia (The Strait Times, 2018), which demonstrated that Indonesia still maintains a cautious position towards the United States. Furthermore, the Indonesian parliamentary and government have been trying to define clearly what terrorism is and what the military position should be towards these groups (The Strait Times, 2018). This improvement in Indonesia’s law will allow the development of new and more efficient policies in order to obtain long-term goals. Notwithstanding, the country remains with high rates of piracy, the Naval Commanders do not recognize the IMO rates and argue that the piracy on their shore is based on petty crimes, hence they should not be regarded as pirate attacks (Wargadiredja, 2017). The relationship between the organization and the country has been difficult, the country does not recognize

most of the activities that the IMO has developed has the ReCAAP, which included international vessels in the maritime sovereignty of Indonesia. Moreover, the IMO is based on records provided by the crew of the attacked vessels which can offer dubious information at times. Despite this, the relationship between the IMO and Indonesia has been improving, however there are still no practical actions on Indonesia maritime arena.

In short, there was no conflation of piracy and terrorism in Indonesia which maintained a separate position towards the US and the various multilateral agreements. The country has been making some improvements in order to be able to tackle the various threats however, even without securitization the policies implemented have demonstrated to have short-term goals.

## 5. Conclusion

Singapore and Indonesia have demonstrated different mechanisms that lead them both to the same results which was short-term policies when it came to tackle threats that needed long-term resolutions. Singapore used the securitization of the conflation of maritime piracy in order to obtain funds and international assistance to tackle maritime threats. With the conflation of both crimes deriving from the increase use of violence from pirates it emerged some difficulties in distinguishing between any of the maritime crimes in Singapore's coast (STI, 2005, *in* Chong, 2017). By taking advantage of the worldwide securitization of terrorism, Singapore was able to improve their own fleet and maritime capabilities while aligning closely with the United States (Chong, 2017). Indonesia, on the other side, kept a more cautious position. It did not recognize the existence of terrorism and considered piracy as a problem among others in the political agenda. However, there was a change when the Bali attacks occurred and placed Indonesia in the terrorist highlights worldwide. The country maintained a cautious position, adopting some counter-terrorism measures while at the same time it separated their own politics from the United States worldwide war on terror (Acharya and Acharya, 2007). Likewise, the difficulties in tackling maritime threats emerged also due to a lack of naval equipment and funds which were provided by international aid in order to develop the country (Wise, 2005). The United States kept a close eye on Indonesia, however, the country did not allow their fleet to intervene in their maritime sovereignty (Acharya and Acharya, 2007). The methods used to achieve policies during the "war on terror" rhetoric use, it was different in both countries, nevertheless they both obtained the same results, short-term solutions and consequently the emergence of new cases of piracy and in Indonesia case, terrorism.

After 2011, Singapore adopted a new point of view towards the securitization of piracy and terrorism. The country desecuritized both threats and stopped conflating them, considering piracy as a different criminal activity from terrorism. Furthermore, piracy was defined in a less violent manner and taking into account the petty crimes (Hen, 2015). The de-conflation of both concepts and the attempt to define them as different matters should contribute to better policies to tackle them. In order to establish long-term solutions, it is crucial to understand the source of the threats and develop focused policies to that point. Hence, Singapore seemed to have given a step forward by cooperating and integrating the multilateral institutions and its domestic policies. On the other side, Indonesia concerning terrorism, recognized the necessity to define the crime in a more limited way in order to establish new policies and the best mechanisms to combat the crime, as well as the position

that the military should assume (The Strait Times, 2018). The terrorist attacks are still a concern in the country which has been increasing the pressing necessity to tackle the threat. The inclusion of Islamic radicals in the Indonesian political arena have been difficulting the process of implementing new counter-terrorist measures (The Strait Times, 2018). Regarding piracy, new problems have emerged due to the tensions between the IMO data that affirms that Indonesia waters have 40% of the worldwide pirate attacks in the world, while the Naval officials contest this information (Wargadiredja, 2017). The tensions between the country and the organization are not new, the Indonesian navals argue that considering petty crimes as piracy is an exaggeration and that there was not international intervention in their water, hence the naval forces have been dealing with the problem (Wargadiredja, 2017). Henceforth, the IMO presents some limitations and the pirate crimes in Indonesia waters are indeed petty crimes that do not pose life threatening challenges. Thus, the countries now deal with the issues from different perspectives in order to obtain better results in fighting the problems that have been present in Singapore and Indonesia for the last twenty years.

The conclusions reached in this thesis demonstrated that by securitizing and conflating piracy and terrorism or the attempt to prevent securitization of terrorism and piracy only serves short-term goals. In order to achieve long-term goals there is the need to identify the root causes of piracy and terrorism. Who is committing these crimes? Why are they being committed? After these questions are answered the countries may start to develop policies that tackle the problem at the source in order to implement long-term and efficient responses to the threats. Notwithstanding, it is crucial to identify the context in which these crimes develop themselves, the context of Indonesia and Singapore demonstrated to be very different which contributed to the emergence of piracy and terrorism for distinct reasons. Hence, it is important when implementing policies to recognize the limitations of the countries. For example, Indonesia has a variety of sources for piracy among them the high rates of unemployment, subsequently one of the ways to solve the question would be to create more job opportunities for the coastal communities.

Hence, the method used for the analysis was process tracing which lead to the conclusions above mentioned, thus in further studies different conclusions may be obtained if instead of this methodology is applied a post-structuralist study with a focus on the discourse analysis, which could provide more detailed information and further develop the investigation concerning the root causes of piracy.

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## 7. Appendixes

### 7.1. Appendix 1: UNCLOS Article 101

#### Article 101

##### Definition of piracy

Piracy consists of any of the following acts:

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

### 7.2. Appendix 2: SUA Convention Article 3 and 4

#### Article 3

Among the unlawful acts covered by the SUA Convention in Article 3 are the seizure of ships by force; acts of violence against persons on board ships; and the placing of devices on board a ship which are likely to destroy or damage it.

The 2005 Protocol to the SUA Convention adds a new Article 3bis which states that a person commits an offence within the meaning of the Convention if that person unlawfully and intentionally:

- when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or to abstain from any act:
  - uses against or on a ship or discharging from a ship any explosive, radioactive material or BCN (biological, chemical, nuclear) weapon in a manner that causes or is likely to cause death or serious injury or damage;
  - discharges, from a ship, oil, liquefied natural gas, or other hazardous or noxious substance, in such quantity or concentration that causes or is likely to cause death or serious injury or

damage;

- uses a ship in a manner that causes death or serious injury or damage;
- transports on board a ship any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death or serious injury or damage for the purpose of intimidating a population, or compelling a Government or an international organization to do or to abstain from doing any act;
- transports on board a ship any BCN weapon, knowing it to be a BCN weapon;
- any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an IAEA comprehensive safeguards agreement; and
- transports on board a ship any equipment, materials or software or related technology that significantly contributes to the design, manufacture or delivery of a BCN weapon, with the intention that it will be used for such purpose.

### *7.3. Appendix 3: Article 2 ARF, 2003*

#### Article 2

The Participants of ARF endeavour to achieve effective implementation of the relevant international instruments and recommendations/guidelines for the suppression of piracy and armed-robbery against ships, including the United Nations Convention on the Law of the Sea, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation 1988 and its Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf; and the International Maritime Organization's recommendations and guidelines for preventing and suppressing piracy and armed-robbery against ships at sea; the International Convention for the Safety of Life at Sea, 1974 particularly the new Chapter XI-2 and the International Ship and Port Facilities Security (ISPS Code); and to enhance their coordination and cooperation to that end. The members of ARF express their commitment to become parties to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988 and its Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelves as soon as possible, if they have not yet done so.