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NGOs, Piracy and Maritime Crime in Southeast Asia

BY JOON NUM MAK

Joon Num Mak, Independent Analyst based in Malaysia, writes that “The establishment of a regional forum where NGOs can meet to discuss a comprehensive strategy to end the problem of piracy and maritime crime in Southeast Asia over the long-term would be a very important development.”

Over the past two decades, piracy activities in Southeast Asia have been recognized as a serious threat to regional security. While states have played a leading role in fighting maritime piracy, anti-piracy nongovernmental organizations (NGOs)—ranging from industry and seafarer associations to think tanks and Track II scholarly networks—have also been influential in addressing this problem. These NGOs, especially the International Maritime Bureau (IMB), were able to successfully portray piracy as a threat to navigational safety, maritime trade, energy security, and a potential source of terrorism. The pressure exerted by NGOs on littoral governments in Southeast Asia resulted in greater state-to-state and regional military cooperation, as exemplified by the 2004 landmark maritime initiative between Malaysia, Singapore, and Indonesia—MALSINDO—to patrol the Strait of Malacca. Operation MALSINDO has been successful in curbing the number of pirate attacks and industry watchers assume that the current approach is working.

However, while the actual number of piracy cases may have dropped, the total number of maritime crimes in the Strait of Malacca has actually increased since 2005. In short, equating piracy with national and regional security has deflected attention from the fact that piracy is just one maritime crime among many other illegal activities committed by members of impoverished coastal communities in Southeast Asia. In particular, the smuggling of people and goods is rampant in the region. Each boatload of 50 to 100 undocumented migrants traveling between Malaysia and Indonesia across the Strait of Malacca, for example, earns the smuggling syndicates between US\$15,000 and US\$30,000, making the return high and the risk relatively low.

Unfortunately, undocumented migrants are just one commodity for smuggling syndicates. Other illegal but very profitable items include drugs, stolen motorcycles and outboard engines, cigarettes, timber, fish, sand, gravel and soil for reclamation work, not to mention maritime kidnappings for ransom. These unlawful activities offer coastal communities along the Strait of Malacca and in the Sulu Sea—between Sabah in Northern Malaysia and the Southern Philippines—a highly lucrative business that is in fact more predictable and less dangerous than actually boarding and robbing ships—an activity otherwise known as maritime piracy.

While anti-piracy NGOs, in particular the IMB, have played an important role in trying to frame the debate on maritime security, their efforts have focused primarily on the symptoms rather than the root causes of maritime crime, especially piracy. Anti-piracy patrols and other military approaches can, and are, effective short-term deterrents, but in the long-run the more important issue is not apprehending and incarcerating pirates but rather preventing coastal communities from turning to piracy and other maritime crimes in the first place.

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Piracy, in the final analysis, is a human security problem. It therefore requires a more critical nontraditional security approach that allows a wide range of NGOs to help target and wean impoverished coastal communities away from their dependence on maritime crime—including piracy and maritime kidnappings—for a livelihood. Research by this author along the Malacca Strait and the Sulu Zone indicates that many coastal communities in Southeast Asia are dependent on illegal maritime activities as a source of income. Overfishing in the Strait of Malacca in the 1990s—exacerbated by large-scale commercial fishing and illegal fishing by foreign trawlers, especially Thai boats—depleted fish stocks, leading to dwindling incomes for local communities. This, combined with political instability, in West Sumatra (Indonesia) and the Southern Philippines bordering Sabah, along with a lack of other economic opportunities forced many coastal residents to resort to piracy and other illicit activities for economic survival.

The areas in Southeast Asia where maritime crime is most prevalent, namely along the coast of Sumatra bordering the Malacca Strait, and areas along the Sulu and Celebes Seas, are characterized by poor governance, at both central and local levels, weak institutions, widespread poverty, corruption, and the existence of underground economies rivaling that of the formal economy. Significant numbers of the population in these areas do not have access to land, property rights, or resources, and have been excluded from meaningful political participation. This disenfranchisement of already poor communities makes them more open to illicit economic activities. The issue then becomes one of how to improve overall governance, curb corruption, and facilitate the political, economic, and social inclusion of marginalized coastal communities. This is where NGOs, and particularly development and political advocacy NGOs, can make a positive difference.

For instance, there are a large number of NGOs that have been working on peace building in Aceh in Indonesia and Muslim Mindanao in the Southern Philippines. Other NGOs work more broadly in the region to promote democratization, government accountability and transparency. However, there are no NGOs focusing on addressing the root causes of piracy and maritime crime. Similarly, anti-piracy NGOs, as noted above, are not looking at the developmental and political issues that lead to piracy. Furthermore, NGOs in the region operate independently of each other, seemingly unaware or oblivious of each other’s potential contribution in mitigating the impact of piracy and maritime crime.

There is clearly a need to bring anti-piracy, development and political advocacy NGOs together in order to exchange views and ultimately to cooperate together in developing a more holistic solution to the maritime security problem—one that addresses both root causes and symptoms. The establishment of a regional forum where NGOs can meet to discuss a comprehensive strategy to end the problem of piracy and maritime crime in Southeast Asia over the long-term would be a very important development. This could be funded by both external and regional governments, along with think tanks that currently tackle piracy and private foundations.

Policies also need to be implemented to frame maritime crimes in a wider perspective. Many of the actions currently characterized as criminal could be classified as economically legitimate activities. For instance, is it people smuggling when *kumpits* (barter boats) travel between Sabah and the Southern Philippines, or is this a necessary but informal goods and passenger service? A review of what is identified as piracy and maritime crime could potentially help tackle these issues in a more farsighted and sustainable manner. Otherwise, responses to piracy in Southeast Asia are likely only to continue to address the symptoms rather than the fundamental causes and miss the other more salient illicit activities that lead to this problem.

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