



**PHILIPPINE INSTITUTE FOR POLITICAL VIOLENCE
AND TERRORISM RESEARCH**

No. 5, Road 7, West Crame,
San Juan, Metro Manila, Philippines
Tel: +632 6665763, Fax: +632 4335248, Website: www.pipvtr.com

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**MARITIME TERRORIST THREATS
IN THE STRAITS OF MALACCA:
A REALITY OR MYTH ?¹**

by

Ramli H Nik

Abstract

The Straits of Malacca is one of the strategic passageways and chokepoints which more than half of Asia's oil imported from Middle East transits through before reaching its final destinations. For this reason, the concern to the major powers particularly to the United States is the maritime terrorism coupled with the piracy attacks or armed robbery against vessels. This paper examines the relationship between piracy and contemporary/maritime terrorism and to what extent is the possibility of both threats working in concert to launch sea-borne attack in the strategic Straits. Initially the paper discusses on the fundamental objectives of piracy and maritime terrorism, thereby impressed upon of no connectivity between the piracy and maritime terrorism in terms of political agendas and modus operandi. On the notion of sea-borne terrorism to block the strategic maritime lane of the Straits of Malacca as envisaged by some analysts, five factors will be examined. First, the attack does not meet the political agenda of the terrorists and less international impact; second, the Malaysian Government has established an integrated intelligence gathering system and had the experience in defeating terrorism since 1960s; third, the element of cognitive dissonance in making decision by the political actors that is perception and misperception of the West; fourth, the advancement of information revolution which is both a force of stability and instability, and finally, with well in placed security mechanism and arrangement engaged by the littoral states as evidence of credible efforts to combat piracy and maritime terrorism, hence the notion of sea-borne terrorism in the Straits of Malacca is a myth.

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“It is crucial for countries to recognize that littoral states will have to remain in the driver’s seat and retain primary responsibility for implementation of measures designed to strengthen security and safe passage in the Straits.”

Dato’Seri Mohd Najib Tun

AbdulRazak



Source: www.maritime/worldchokepoints

Introduction

Aftermath of the 9/11 of 2001, the international community has to face with a changing pattern of contemporary terrorism because of the violence perpetrated against the non-combatant targets. This threat can occur in any form and in many dimensions including in the maritime areas especially in strategic passageways. Most of the strategic passageways lie on the world’s international maritime trade routes as noted by Nincic (2002) that “the security of maritime trade hinges on the conception of sea lanes and chokepoints as scarce resources.” The Straits of Malacca is one of the strategic passageways and chokepoints through which more than half of Asia’s oil imported from Middle East is transported to its final destinations in China, Japan and South Korea. As a result, the concern to the maritime powers particularly to the United States is the piracy attacks or armed robbery and acts of terrorism against vessels in the Straits of Malacca. For this reason, the debate on the nexus between maritime

terrorism and piracy continues to become a popular belief among academics with the notion that the terrorists sea-borne attacks on critical targets along the Straits of Malacca, would cripple or block the strategic passageway rendering economic losses, death and injuries.

This paper examines the relationships between piracy or armed robbery and maritime terrorism against vessels. In the light of the cohesive cooperation and effective law enforcement by the three littoral states of Indonesia, Malaysia and Singapore, the paper will also examine to what extent is the possibility of piracy attacks and maritime terrorism working in concert to launch sea-borne attacks in the strategic Straits of Malacca.

Piracy and Maritime Terrorism

There is a need to rationalize the objectives of piracy and terrorism. As clearly defined in Article 101 of UNCLOS 1982, that acts of piracy occur on the high seas between the two ships. To give a wider spectrum, the International Maritime Bureau (IMB) defines piracy“ as an act of boarding or attempting to board any ship with the intent to commit theft or any other crime and with the attempt or capability to use force in furtherance of that act ” either on the high seas or in the territorial waters. Also, the motive of pirates is for short term economic gain in cash and valuables. These pirates are driven by unemployment due to poor economic development and lacking of enforcement agency along the coastal areas. As claimed by the Institute of Southeast Asia Studies (2003) on contemporary piracy that “ piracy is an economic crime done for financial gain, and therefore the principal causes can be sought in prevailing economic conditions.” This clearly indicated that pirates have no political objectives and can be termed as armed robbery/or theft using violence or the threat of violence in the territorial waters or the high seas.

From the Malaysian perspective, to combat the unlawful activities at sea, the government established an integrated Maritime Enforcement Coordinating

Centre (MECC) in Lumut in early 1992 in order to make most effective use of resources of the Malaysian Maritime Police, the Royal Malaysian Navy and the Royal Malaysian Air Force (Abbot & Renwick, 1999). At the same time, Malaysia had carried out coordinated patrols with their Indonesian/Thai and Singaporean counterparts. Today, piracy attacks have been effectively suppressed in most parts of the Straits as shown in Table 1, because of coordinated security mechanisms adopted by the three littoral states (IMB, 2005 &2006). The declining incidents of piracy especially with 8 and 3 cases of actual attacks in 2005 and 2006 respectively, was another evidence, of successful enforcement and security arrangements. In particular, the security arrangement of the Trilateral Coordinated Patrol involving navies of Malaysia, Indonesia and Singapore to carry out surveillance in their respective territorial waters, strengthened their commitment to combat piracy attacks in the strategic passageways.

**Table 1: Actual Attacks in St of Malacca
From 1997 to 2008**

Year	Actual Attacks
1997	0
1998	1
1999	0
2000	37
2001	8
2002	13
2003	15
2004	20
2005	8
2006	3
2007	3
Jan- Jul 2008	0

Source: IMB Reports/MECC Reports

On the contrary, terrorism in the context of the guerrilla warfare or revolutionary warfare, is an act of violence by freedom fighters, bandits or

peasants, who are part of the guerrilla movement, to carry out assassination, or sabotage and destruction of specific targets. It is one of the techniques used to create fear or intimidate the government machinery. However, contemporary terrorism or maritime terrorism is designed to inflict injury and destruction in order to publicize a cause for the international community's attention (Baylis, 1997). Further, it is motivated by political goals that is, the acts of terror for the purpose of advancing their ideological causes. The three fundamental objectives of terrorism are: the need to create fear thereby to draw support towards their political ideology; to complement the revolutionary warfare against the ruling regime and to publicize to the international community. Therefore, one really needs to understand the modus operandi of contemporary terrorists and their political agendas. Terrorists are capable to carry out attacks on critical infrastructures/targets either in land based or maritime domain in most part of the world; be it in London, New York City or Madrid. In essence, the contemporary terrorism can be classified as an irregular warfare without "war frontage" as compared to the conventional warfare.

Many Security Resolutions on various aspect of terrorism prior and post 9/11 of 2001 were adopted by the United Nations General Assembly and the Security Council *inter alia* Security Council Resolutions 1269 (19 Oct 1999), 1373 (28 Sep 2001) and 1540 (28 Apr 2004), unfortunately there is no unanimous agreement on the *definition of terrorism* by the 192 Members of the United Nations (UNSC,2001). But, there is an international agreement on the condemnation of any particular incidents as acts of terror by terrorists and there should be no double standard in the efforts to counter terrorism. To this end, the international community continues to cooperate and participate in whatever actions against perpetrators under the banner of the United Nations. This crystal clear denoted that at international level, the Members States of the United Nations differed in their perception on concept of *terrorism* as waged upon by the United States, hence disagreed on its definition. As stated by Javier Ruperez (2006), because of "profound differences of opinion on the *definition of*

terrorism have prevented Member States from reaching agreement on a general convention against this threat to international peace and security.”

Clearly, there are distinct differences between piracy and maritime terrorism in terms of their objectives and modus operandi. Terrorism has political agenda while piracy is for short term economic gain without political agenda. In terms of modus operandi, is the choice of target; piracy or armed robbery attacks the vessels to gain quick cash/attractive items, while terrorists used the ships/vessels or oil tankers as weapons to attack the targets (passageway or ports). To substantiate further, the reports of the IMB from 2001 to 2004, have also indicated that there is no clear evidence of piracy and armed robbery working together with the terrorists cells to launch sea-borne attack in the Strait of Malacca. Similar view was also expressed by the Malaysian maritime experts.

The Perception of Maritime Terrorism

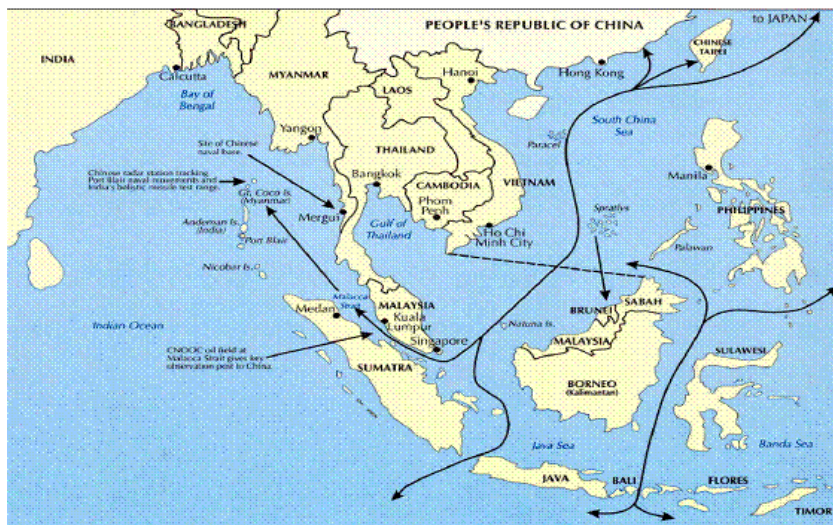
The threat of maritime terrorism has become an international security concern especially in the strategic passages or chokepoints like the Straits of Malacca. This is well stated by Watkins (2007), that “ the narrow Straits running largely between peninsular Malaysia and the Indonesian Island of Sumatra, represent one of the world’s most vital economic arteries and, for that reason alone, cannot be doubted as the target of the terrorist organizations.” The three littoral states are equally committed to deter these maritime terrorism activities and have taken a concrete security mechanism to counter terrorism. To this end, Malaysia has established not only intelligence sharing with the other littoral states of Indonesia and Singapore, but also the Southeast Asia Regional centre for Counter Terrorism (SEARCCT) in Kuala Lumpur in November 2003 indicating our sincere commitment. Seminars and training courses relating to interdiction of terrorists organizations are conducted by the Centre in collaboration with the United States, United Kingdom, Australia, Canada and Germany. The Centre is most beneficial to the members of the Southeast Asia countries and has become suitable location for the international discussions or

forum to address regional terrorism. However, there are skeptics, who advocated the notion of sea-borne attack that “were this attack to occur in the Malacca Straits, the Suez canal, or in the vicinity of petrochemical complex in a crowded urban area, the result would be catastrophic” (Burnett, 2003). There is a possibility that any strategic passageway can be mined, blocked by sinking ship or floating oil tankers as bombs. But, the fundamental question is, can the terrorists obtain sea-mines and the expertise to lay mine the Straits of Malacca? It requires skills, training and knowledge of sea conditions. At present, the Southeast Asian terrorists are incapable.

From another perspective, the critical issue of sea-borne terrorism is governed by the fact that about two-thirds of the world’s petroleum production is shipped by sea transiting through narrow straits and passages or chokepoints to reach their final destination. Indeed, petroleum has been labeled as a commodity of strategic importance since the last century and has led to geopolitical conflicts for access, control and distribution. In this regard, Jean-Paul Rodriguez (2004) argued that, “to ensure a constant and uninterrupted oil supply, the strategies of industrialized nations have been articulated by the use of military force (primarily by the United States), economic incentives and uneasy alliances with oil producers, namely in the Persian Gulf.” Another justification used by the major powers to dominate their role in the strategic passageways is the physical geography of the passageways or chokepoints which further constrained the traffic flow as clearly experienced in the Straits of Malacca. This narrow Strait forces traffic to converge and by virtue of its physical characteristics or configuration, such as depth, width or navigability, forcing ships to reduce speed, is vulnerable to terrorist attacks. Therefore, to avoid the risk of maritime terrorism in the case of the Straits of Malacca, there is availability of alternatives. Dennis Blair, the former Commander-in-Chief of the United States Pacific Area Command (PACOM) and Kenneth Lieberthal (2007) emphasized that “shipping lane in the Straits of Malacca is safe and secure, and if shipping through the Straits were crippled, ships could be temporarily resort to alternate routes around Lombok, or even south of Australia” as shown in Map 1.

The crux of the matter is the alternative to the Straits of Malacca exists, but major maritime powers impressed upon the notion of sea-borne terrorism in the chokepoint/strategic passageway as a pretext in order to play a policing role in the region. It is a similar case of how major powers convinced the international community to gain support for their actions as clearly stipulated by Noam Chomsky (2003) in pursuance of United States Strategy for the invasion of Iraq in March 2003, the decision makers justified with the reasons that “we will do what we choose, giving whatever pretext happens to be on hand.”

Map 1: Alternative Routes



Source: World Energy Trade Routes.

Sea-borne Terrorism

The notion of sea borne terrorism of using oil tankers to close or block the strategic maritime lane of the Straits of Malacca as envisaged by some analysts and academic, thereby to attack on the critical infra-structures like ports, and the destruction of which rendered economic losses, death and injuries. This inconceivable notion or maritime sea-borne attack is not likely to occur. Firstly, the political agenda or goal of the terrorists is to disrupt industrial supply chains in order to attain two objectives: to justify their cause and to render economic

losses and death. But, attacking critical targets in the Straits of Malacca is very less likely for the terrorists to launch, as the blockage is ineffective and the shipping vessels could be diverted to a longer route via Lombok or South Australia. Comparing with the terrorists attacks on the World Trade Tower in New York and the Pentagon in Washington DC on 11 September 2001, not only rendered huge economic losses and death, but also sent two powerful messages to the international audience and sympathizers: to demonstrate that United States as a global power was vulnerable and could be attacked at the heart of the system, and to demonstrate to the world that two pillars of United States' economic and military powers can be broken down by well organized attack. Can the sea-borne attack on the Straits of Malacca attain the same impact? The answer is No, hence the strategy of sea borne terrorism is not very compelling for the terrorists to strive for. In reality the risks of maritime terrorism in the Straits of Malacca is very low as commonly assumed by some academics and would have even less economic effect. Expressing the opinion of the sea-borne attack is less likely, an Australian maritime expert, Sam Bateman(2006) stated that "Ship sunk to block the Straits of Malacca and Singapore must be assessed as less credible." The reason is that to implement such a plan of hijacking a large vessel and to explode on target, certainly would require expertise, experiences and training.

Second, the Malaysian government has not only established an integrated intelligence gathering systems but also had the experience and expertise of defeating terrorism since 1957 by adopting a comprehensive security policy to address the root causes for terrorism. As well advocated by Mahathir, the former Prime Minister (2003), "Malaysia can claim to know how to deal with terrorists, be they Muslims or non-Muslims. We have been successful so far and we believe we can successfully handle future problems". In reality the international community needs to understand the root causes and the minds of the terrorists as to why they are encouraged to pursue with the acts of terror. Moreover as explained by Mahathir, "the belief that these terrorists act in that manner because of poverty or because of jealousy of good life and the freedom of other people does not reflect a deep knowledge of a terrorist mind." What is

importance for the governments facing the threat of terrorism, is to adopt with a well balanced development strategy to address their political, economic and social grievances. The extreme disparity between the rich and poor should be addressed. The developed countries also should continue to provide the economics developments and know how to the poor countries. The economic policy has to be formulated or developed for the multi- racial groups in the country as part of the efforts to fights against terrorism.

In the case of Malaysia, the Government's strategy of *Security and Development* not only provided the economic and social development by establishing New Villages and Federal Land Development Authority to the various communities but also provided the security to the communities. This strategy has managed to address the root causes of terrorism or insurgency and the only country which defeated terrorists/guerrillas movement after 42 years of fighting from 1948 to 1990 (Mahathir,2003). Indeed, Malaysia is an example of very fairly young nation that has achieved economic and political progress for other nations to emulate.

Third, the element of the *cognitive dissonance* exists in making decision. Basically in making decision, the political actors or decision makers are influenced or dictated by their core values, cultures, beliefs and expectation as advocated by Robert Jervis(1978). Normally, the decision makers refuse to change their images/beliefs when some evidence does not fit or support their policy. This concept is optimized by some nation-states to join the bandwagon of major powers. Therefore, the so-called term "*Your Freedom Fighter is my Terrorist, and your Terrorist is My Freedom Fighter*" is accepted in the international norm. For instance, *Nelson Mandela* was branded as terrorist who later is regarded as a known statesman. Similarly, *Menahem Begin*, once leader of the Irgun Movement that carried out murderous attack on British Forces in Jerusalem, became Israel's Prime Minister and a Nobel Peace Winner.

On the other hand, the element of *cognitive dissonance* is well exploited by Singapore, one of the littoral states in the Straits of Malacca to align its foreign policy objectives with the United States by insisting that maritime terrorism is a major threat in the region. The claim by Singapore's Deputy Prime Minister, Tony Tan concerning the piracy attack on *Dewi Madrim* vessel, by setting adrift with navigation and steering equipment inoperable in the Straits of Malacca in July 2003 that "the episode was assessed as a dry run for the terrorists" (Elegant, 2003). Singapore jumped with this assessment in order to support the United States' declaration of the Southeast Asia Region as the *Second Front on the War On Terror* (WOT) in February 2002, and to strengthen its strategic defence agreement with the United States. Further advocated by Evelyn Goh (2005) that, "the Singapore government now sees terrorism and political Islam as greater security priorities than the rise of China, has important implications for its relationship with the United States." This form of political assessment is incoherent with maritime security threat as adopted by Indonesia and Malacca. Thus far, the assessment is of no significant value, and no terrorist incident has occurred in the Straits of Malacca.

Fourth, the terrorists attacks on the tanker *Limburg* in Arabian Sea, and Bali Bombing in October 2002, indicated the vulnerability of maritime targets in most part of the world. These incidents have no influence in Malaysia or in the Straits of Malacca because of well coordinated security mechanisms. Our security forces (military/police) know the terrorists modus operandi, their strength and weakness, hence the terrorists activities/movements are kept at bay. It is the policy of the Bush Administration to play a policing in the Southeast Asian Countries with the world's largest Muslim population (More than 230 million), the fact that it pursued a delicate foreign policy of combating terrorism and anti-American in Southeast Asia (CRS, 2007). The rise in anti-American sentiment is propelled by both the United States led invasion of Iraq, and America's stance on the Israeli-Palestinian conflict as blatantly pro-Israel. In consistent with the United States' concept on WOT and the National Military Strategy (NMS-2004) described an "arc of instability stretching from the Western hemisphere, through

Africa and Middle East up to Asia, where terrorists have been able to flourish in sanctuaries that protect them from surveillance and attack” (Paul,2007). By advancing the images of sea-borne terrorism with huge losses as occurred in maritime areas, would convince the three littoral states of the Straits of Malacca to allow the United States Marine to patrol in the strategic passageway. This clearly substantiated by the fact that “ noninvolvement seems to be something that the West, and the United States in particular is unable to abide by ” (Lund, 2001).

Fifth, the advancement of *information revolution* which is both a force of stability and instability, significantly influenced the intelligence community. The flow of information through a de-centralized and multi-layered system of global communication is altering the shape of political, economic, social and cultural dimensions. No dimension of modern life has been untouched by the information revolution. Moreover, from the unilateral perspective, information revolution is one of the principle means of disseminating the information supporting their security and foreign policy objectives for the long term. This form of assessment/information that the Straits of Malacca is infested with piracy and terrorists activities, attained a number of objectives: emphasizing the likelihood sea-borne terrorism in the strategic passageway; giving the psychological effects to the shipping community of horrific images and huge losses; justifying for the major maritime powers to impose their influence on the littoral states, and enforcing their jurisdiction in the territorial waters of the littoral states under the pretext of instability and terrorism. It is clearly a pretext of the major maritime powers, do not want to see the management of strategic passageways become contingent upon approval by littoral states. For instance, “the United States considers its important that Sea Lines of Communication remain open, not merely because passage is essential for implementing the national security strategy.” (Peele,1997). This is in consonance with the information/assessment used by the Washington to justify for invasion of Iraq in March 2003. The speech of the United States’ Secretary of State, Colin Powell to the United Nations Security Council on 5 Feb 2003 to justify for the United States’ invasion of Iraq,

was based on the “cooked-up intelligence” and incorrect assessment. Later in 2005, during the interview with ABC-News interviewer Barbara Walters, Powell said the speech was a blot on his record, and “*I’m the one presented it to the world and will always be part of my record. It was painful. It is painful now.*” As agreed by some, the United States has planned to invade Iraq come what may. This is well noted by Bob Woodward (2004) that “after the National Security Council Meeting at the White House Situation Room on 21 November 2001, President George W Bush ordered Secretary of Defence, Donald Rumsfeld to produce war plan for Iraq.”

Finally, the use of independent assessment and analysis concerning the eminent threat of maritime terrorism is a case in point, when the Joint War Committee (JWC) of Lloyd’s Market Association in London declared that the “*Straits of Malacca as War Risk Zone*” in June 2005. The declaration was justified from their perspective but it could be deduced as a unilateral decision dictated by the *perception of the West*, the fact that the piracy attacks have increased exponentially in 2003 and 2004 as indicated in Table 1 in the Straits of Malacca, and linking the terrorists attack in the adjacent waters in Bali Resort of Indonesia in November 2002, therefore the Straits of Malacca could be the ideal target for the terrorists to launch sea-borne attack. It clearly indicates the level of ignorance of the analysts including some political actors by failing to recognize the comprehensive security mechanism well in place and fully engaged by the littoral states. Admittedly, the withdrawal of the declaration on the Straits of Malacca as a *War Risk Zone* by the JWC in August 2006 is a clear evidence of the littoral states credible efforts to maintain security and stability.

Conclusion

It is imperative that we understand the fundamental objectives of piracy and terrorism before trying to link the two concepts. A major difference is, the former pursued for short term financial gain without political motive while the latter has a clear ideological agenda. The issue of piracy attacks is a major

security commitments of the three littoral states of Indonesia, Malaysia and Singapore as demonstrated by the political will and cooperative mechanisms. To date, security and safety in the Straits are well maintained and to eliminate piracy in totality in a short spelt is a tall order, as history has shown that the Roman Empire took a major effort to wipe out the piracy in the Mediterranean Sea, when the Empire collapsed, piracy appeared again.

On the other hand, maritime terrorism is certainly a threat to the region and an immediate concern to the littoral states of the Straits of Malacca. However, with their collective efforts and comprehensive approaches, the threat is well contained and kept at bay. From the *Malaysian* perspective, to combat transnational threat of terrorism, there should be a political will to address the root causes of terrorism especially in the political and economic terms. The major power like *United States* should not hunting terrorists by bombs but cooperate with the regional countries especially the Muslim Nations as recommended by Richard Clarke (2004) that, “*we work with our Islamic friends to craft an ideological and cultural response over many years, just as we fought Communism for almost half century, in scores of countries, not just with wars and weapons, but with a more powerful and more attractive ideology.*”

In conclusion, the littoral states have shown their competence and credibility to guarantee the security of the Straits of Malacca, thereby Foreign Navies or Coast Guards have no role to play in this regard. Also, it is a myth that the scourges of *piracy* and *terrorism* are intertwined because *terrorism* has not spilled any blood in the Straits of Malacca, and *let us bury the notion of sea-borne terrorism in this strategic Straits once and for all.*

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CV of Colonel Ramli H Nik

Colonel Ramli H Nik (R) is a Senior Researcher at the Centre of Maritime Security and Environment of Maritime Institute of Malaysia (MIMA), Kuala Lumpur. He is a former diplomat (Defence Adviser)) at the Permanent Mission of Malaysia to the United Nations New York from 2001 to October 2004. Graduated from the Royal Military Academy Sandhurst, United Kingdom. Obtained his Master of Arts (MA) in Strategic Studies - Security Analysis from the University of Lancaster UK in 1991 and Post Graduate Diploma in Preventive Diplomacy and Conflicts Resolution from the University of Columbia, New York, USA in 2003.

He has written a number of articles on Security Issues amongst others is an article entitled “ The Relationship between Contemporary Terrorism, Guerrilla Warfare and Revolutionary Warfare” and has presented his papers on Peacekeeping and Security Issues at national and international seminars like in Pearson Peacekeeping Centre in Halifax, Canada, in Jun 2001, College of National Defence, Stockholm, Sweden in Jun 2003 and the Norwegian International Peacekeeping Centre in Oslo, Norway in Jun 2004. Also, presented his paper on the Impacts of Information Revolution in the contemporary Terrorism at the Southeast Asia Counter Terrorism Centre in Kuala Lumpur in May 2005. On 8 September 2007, presented a paper entitled on “Maritime Terrorism :Low Probability but High Impacts in the Straits of Malacca ” in the Council for Security Cooperation in Asia Pacific(CSCAP) in Jakarta, Indonesia. Presented a paper “ Threat in Straits of Malacca: a Myth or Reality?”at the LIMA International Maritime Conference from 2 to 3 December 2007 in Langkawi, Malaysia. Also, he presented a paper entitled “ Maritime Security Perspectives: ASEAN plus Australia and India” at the Australian National University, Canberra on 19 Feb 2008