

CHALLENGES IN COORDINATING A SECURITY ARRANGEMENT IN MALACCA STRAIT

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ABSTRACT

Malacca strait is an area connecting some countries in Southeast Asia. Indonesia, Malaysia, and Singapore are three countries truly connected by the strait. Malacca Strait has a strategic position for those three countries in such aspects as ideology, security, and economy. This article aims to analyze the security issues of Malacca Strait using content and document analyses. The results showed that Malacca Strait undergoes a complex situation where each country operating in the strait attempted to protect their own interests without considering a sound affiliation with other countries. In fact, a well-established relation among countries benefitting the Malacca Strait is necessary to create security in facing navigation issues, raid, and terrorism. Malacca Strait's strategic position has a great impact on the security and economic development of countries surrounded this area. Given this vital role of Malacca Strait, concrete and well-founded security coordination is, therefore, compulsory and it can be challenging for Indonesia, Malaysia, and Singapore.

Keywords: *security; cooperation; control; coordination; diplomacy*

A. INTRODUCTION

Malacca Strait is an important territory for its surrounded countries because geographically it links some countries in the Southeast Asia, especially Indonesia, Malaysia, Singapore, and Thailand. Of the four countries, Indonesia and Malaysia are very influential and the most contiguous with Malacca strait. Indonesia and Malaysia have the longest coast in the Strait of Malacca, hence, both countries

have a much greater responsibility for the Strait's safety and security.

Malacca Strait has a strategic geographical position. It is located between Sumatera Island (Indonesia) and Peninsular Malaysia. This position connects some countries in Southeast Asia like Indonesia, Malaysia, Singapore, and Thailand. Malacca Strait includes a narrow region, with an average width of the Strait is ± 1.5 miles. This area has the narrowest region; that is Straits of Philippines, situated in front of Singapore. Further, Malacca Strait

also has a vital role in bringing together the Pacific Ocean in the east and Indian Ocean in the west (Djalal, 2006). Additionally, the Strait also links countries with vital economic growth in Asia such as Southeast Asia, India, and China.

As a central gateway to enter and traverse the Southeast Asia region, Malacca Strait is likely confronted with armed threats from non-state forces like pirates and terrorists (Sutarji, 2002). Nevertheless, there is also a possibility of military threats provided that security coordination between countries near the Strait is not well reinforced. Many cases show that the security threat in Malacca Strait emerges because diplomacy from neighboring countries – and particularly between Indonesia and Malaysia; two countries having bigger accountability for the Strait's security – has not yet been satisfyingly settled. Both military and non-military forces are required to accomplish tangible and strong security cooperation. The diplomacy, especially between Indonesia and Malaysia, has not been able to create a truly solid collaboration. Thus far, both countries have not reached an agreement regarding the Malacca Strait regulation system

including the roles of each country within the regulation.

B. SECURITY ISSUES IN MALACCA STRAIT

Recently, a greater emphasis on various stakeholders lies in the security arrangement of Malacca Strait. The biggest problem in Malacca Strait comes from piracy and armed robbery actions that tended to increase from 1999 to 2005. Based on the annual report of the International Maritime Bureau (IMB) 2004, there were 300 piracy cases in the world, in which 169 of them were reported to occur in Malacca Strait and 68 other cases took place in Indonesia (Dzakirin, 2006) (see the following data).

Table 1. Schedule of robbery action in Malacca Straits 2003-2006

Year	2003	2004	2005	2006
Real attack	41	39	15	10
Attack attempt	34	29	7	9
Total	75	68	22	19

Source: The annual report of IMB 2003-2006 in Ahmad Dzakirin

Malacca Strait has long been targeted as the primary operating location by pirates. Moreover, since the terrorist attack on 11 September 2001 and several bombing incidents happened in Indonesia from 2003 to 2009 organized by the groups of Dr Ashari and Nordin M. Top from Malaysia together with associations of Imam Samudra from Indonesia, security issues of Malacca Strait get much more attention. One concern related to this issue is if that piracy and terrorism are organized for political reasons so that it eventually interrupts this one of the world's most important straits. Some piracy actions, like the one organized by *Aceh Independent Movement (Gerakan Aceh Merdeka/GAM)* use automatic weapons like M-16 rifles and grenades. To date, however, no piracy can be reliably associated with a particular terrorist group, but from the cases, the pirates were found to use military weapons commonly utilized by military forces likely indicating that there are indeed political motives behind their actions.

The term "strategic" embedded to Malacca Strait location also has a rather negative connotation. It entails that there

are numerous non-military incidents such as piracy, illegal migrants, drug and human trafficking occurred along the coast of Malacca Straits, predominantly in Riau and Riau Islands, a traversing area before heading to Batam; a port of departure to Malaysia or Singapore. Indonesia and Malaysia, for possessing longer coastlines compared to others in Malacca Straits, are deemed as the two major countries accountable for those incidents, for stable security in Malacca Strait.

Security cooperation for Malacca Strait is very crucial as it is one of the world's largest trade routes (Clearly and Chuan, 2000). Geographically, Indonesia, Malaysia, and Singapore are in charge for the strait's security. These three countries are situated directly within the Malacca Straits area. Yet, as previously mentioned, Indonesia and Malaysia have a bigger role and accountability for their long coastlines.

The main difficulty in coordinating the security system in this Malacca Strait is that the current cooperation between Indonesia and Malaysia has not yet been able to prevent the piracy and both countries, including Singapore have different viewpoints and understandings

regarding the security scheme. This difficulty is made worse by intervention from powerful countries benefitting from Malacca Straits, including the United States. The U.S intervention triggers more trouble as other countries like China and India will likely do the same thing as the U.S.

As previously stated, Malacca Strait is a vital area perceived from economy, politics, and military point of view. These three dimensions are connected to each other; thus, changes or developments in one of the three affect the others. Furthermore, from a political perspective, Malacca Strait has been politically open for foreign intervention, especially in regard to the strait use regulation. One of the extra-regional parties trying to intervene in this Malacca Strait issue is the United States. The U.S proposes a new setting for the strait called *Regional Maritime Security Initiative (RMSI)*. The proposal is opposed by ASEAN countries – particularly Indonesia and Malaysia. Indonesia and Malaysia have a sort of similar belief on Malacca Strait regulation where both use *the United Nations Convention for Law of Sea (UNCLOS)* as their basis.

From an economic perspective, Malacca Strait has a vital economic position due to its geographic situation. There are numerous trade vessels going through the strait so that economically, the strait has high economical values. It implies that the wealth of the world brought to this strait was invaluable that Malacca Strait brings welfare for some of the world's inhabitants.

In terms of military viewpoint, Malacca Straits is also considered as a strategic defense area. It connects countries like Indonesia, Malaysia, Singapore, and Thailand. A security threat to the strait also means danger to those countries. To prevent exploitations of the strait as a place for foreign military activities or for a group of people doing violence or hijacking the trade vessels, Malacca strait security supervision thus must be a serious concern and emphasized by the countries surrounded the strait.

It is a truism that sea is one of the vital world trade routes. This has happened not just today but since centuries ago. It indicates that the sea will also be opted as one route for world important trades, one of which is Malacca Strait. According to its position,

Malacca Strait has a fundamental role in the economic and strategic security of its surrounding area. As the author previously explicated that economically, Malacca Strait is an important cruise line in the world, alongside other cruise lines as Suez Canal and Panama Canal.

Data of 2003 demonstrate that 25% of the world's sea trades was brought through Malacca Strait. This situation is believed to continuously occur until 2011 and expected to increase in the following years. The data of 2003 also showed that there was an average of 50.000 vessels crossing the Malacca Strait within a year, and in the same year, 11 million barrels of oil were transported through the strait every day (IMB Annual report 2003 – 2006). This represents half of the total oil trade worldwide. Given that there is a growing demand for oil in East Asia – especially China – those numbers will keep raising.

Malacca Strait is also physically complex. The strait is not a very wide world trade area. As stated earlier at the outset, this strait has narrowed in the Philippines Strait. This narrowing could distract the security of Malacca Strait for it is truly crowded so that it may trigger piracy and is even targeted by the

terrorists. The hijacking of trade or merchant ships and vessels occurred in Malacca Strait has been a serious problem since the 90s until the 2000s. IMO reveals that there were 25 hijacking cases taking place in 1994 and this number kept raising in 2000 for 220 attacks and was decreased in 2003 to 150 attacks (IMO, 2016). The decrease was believed to be due to a joint patrol between Indonesia, Malaysia, and Singapore. Though the number of attacks in 2003 has dropped slightly, it was nonetheless not a secure condition for Malacca Strait. As the countries with huge accountability towards the strait security, Indonesia, Malaysia, and Singapore improved the security control in that area started in July 2004.

Another physical issue in Malacca Strait emerges at a certain area where the water is shallow; with a depth of only 25 meters. This shallow zone is likely benefitted by terrorists by hijacking large ships and drowning them in the area thus blocking the trades between nations. Although there are diverse viewpoints of experts regarding this case of terrorists hijacking the ships, the incident still can happen. The countries close to Malacca Strait have also

expressed the same belief over the possibility of terrorists organizing their

actions in the shallow sea.



Not only for its location (physical circumstance) and cruise traffic, but the security problem in Malacca Strait also emerges due to diverse attitudes and viewpoints of littoral states regarding the safety of the strait. Indonesia, Malaysia, and Singapore, for instance, have their own perspective on the ways to solve this security issue. Those countries are aware that the increase of piracy, armed robbery, arms smuggling, illegal drug, and human trafficking has endangered the security of Malacca Strait. This awareness, however, cannot easily unite those countries' beliefs in determining a strong common ground to solve the problem. The main cause of their different perspectives is the difference

between maritime doctrine and economic importance. These two dissimilarities shape distinct attitudes and viewpoints of those three countries in solving the issue.

Indonesia, specifically, has strengthened and focused its approach and standpoint on the basis of its status as an archipelagic state in dealing with the security of Malacca Strait. Indonesia realizes that as an archipelagic state, its sovereignty is greatly influenced by its territorial unity of the land and the waters. It is thus reasonable that Indonesia regards Malacca Strait as watershed which has a strategic meaning in politics and security. In a political point of view, Malacca Strait has a crucial significance to preserve Indonesian unity and sovereignty;

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although in the sovereignty aspect, Indonesia shares the strait with Malaysia and Singapore. The sharing of the sovereignty of Malacca Strait by these three countries is not a problem at all because establishing clear territorial boundaries is vital. For Indonesia, its territory in Malacca Strait must be legally regulated under Indonesian national law. The approach adopted by Indonesia is a strong political foundation for preserving national unity and sovereignty. Further, Malaysia and Singapore also deem that their territory in Malacca Strait should be under the management of each of both countries. Any country using the strait must then obey the laws of the sovereign states of Malacca Strait. Those who do not conform to the rules created by the sovereign states may receive warnings from the sovereign states.

Indonesia proposes this scheme initiated by the history of its struggle in gaining worldwide recognition of the concept of an archipelago state which is then developed to a concept of Archipelago Insight. Starting from Juanda Declaration on 13 December 1957 regarding the concept of Archipelago State, Indonesia's status as

an Archipelago State was eventually approved worldwide and recognized by the United Nations Convention for Law of the Sea (UNCLOS) in 1982. The recognition gives Indonesia the right to determine its own maritime boundaries as far as 12 miles from the outermost point of low tide on the coastline and 188 nautical miles of Exclusive Economic Zone measured from 12 miles of a territorial boundary point. Overall, Indonesia obtains the right over the EEZ mixed territorial for 200 miles; thus, with this UNCLOS recognition, Indonesia receives an additional 1.566.300 square meter maritime territory. In addition, UNCLOS recognition brings new site for Indonesia's ideological value, particularly in relation to the nation's unity, including the part of Malacca Strait as an area inseparable from Indonesia.

By this ideological perspective, Indonesia is an object to the idea and proposal that put Malacca Strait usage regulation under the authority of other parties or under the regulations of nations that agree to – in Indonesia is known as – “internationalizing” Malacca Strait. That is why Indonesia rejects

Malacca Strait regulation to be put under the Regional Maritime Security Initiative (RMSI) suggested by the United States and other similar recommendations. In RMSI regulation, the U.S advocates the involvement of user states, especially superpower countries like the U.S itself, to organize the security of Malacca Strait. The involvement of superpower countries includes a control towards their trading vessels going through the strait by the U.S Navy or its allies. Indonesia suspects that the proposal is merely the U.S attempts to make the security issue of Malacca Strait as an international issue. Indonesia understands that if that proposal is approved, not only Indonesia will lose its sovereignty towards Malacca Strait, but it will also disturb the state's unity and safety. Indonesia views sovereignty as a valuable principle above all other interests and is the prime basis for the development of geopolitical and geostrategic doctrine. Therefore, a threat to the state's sovereignty means a threat to the existence of the country as a whole. Other issues as security, economy, and culture are always identified and assessed on the basis of

this principle arranged within the concept of Archipelago Insight.

Malaysia, as one of the littoral states, also has the same viewpoint and interest as Indonesia. Malaysia deems Malacca Strait as a unit that cannot be separated from its sovereignty. A threat to the strait will threaten Malaysia's sovereignty. Hence, the Malacca Strait safety arrangement is as important as the country's overall security. As an effort to maintain its sovereignty, Malaysia created a map placing Malacca Strait as a part of its territorial waters so that the strait becomes entirely under Malaysia's sovereignty. On the basis of the 1971 map and fortified by the UNCLOS, Malaysia categorizes Malacca Strait as an area that can be used for the sake of navigation amongst nations. Malaysia divides the Malacca Strait into two zones. Zone A is an Exclusive Economic Zone; that is the continental shelves border between Indonesia and Malaysia, and Zone B is the territorial boundary between Indonesia and Malaysia. On the grounds of this policy, Malaysia no longer approves any proposal aiming to put the Malacca Strait management control to intergovernmental

organizations or groups as it will have a bad impact on Malaysia's sovereignty.

Subsequent to the end of the Cold War and terrorist attacks on 9 November 2001, Malaysia – as one of the countries having sovereignty over the Malacca Strait – got a problem associated with the fact that external parties have a different interpretation of the Malacca Strait security arrangement (Febrica, 2015). The interpretation accentuates that given that the countries responsible for the security of Malacca Strait are unable or unwilling to face those using *violent groups* that can distract the security of other countries in the strait, then foreign power can and has the right to intervene them by using the pre-emptive strike to solve the problems. This interpretation affords a chance for other countries of interest to Malacca Strait to take unilateral and one-sided action on the grounds of eradicating pirates, terrorism, and shipping of dangerous weapons (such as chemical, biological, and nuclear weapons) suspected across Malacca Strait.

On the basis of that interpretation, the U.S and India took unilateral action by sending their warships to escort the U.S trading vessels that cross Malacca

Strait. The vessels transported very priceless goods and that the security system available in Malacca Strait was not convincing enough are used as excuses by the U.S and India for their actions. This distinct interpretation is a big challenge for sovereignty countries, including Malaysia. Malaysia responds to the U.S and India action with accountability. Admiral Dato' Sri Mohd Anwar bin Hj. Mohd Nor gives a warning that foreign warships and private ships are strictly prohibited to enter the Malacca Strait and those ignoring the caution would be treated severely. The Malaysian government has officially issued a threat to seize the foreign escort ships entering Malacca Strait and arrest the crews on the basis of the Internal Security Acts regulation. Malaysia, through its Ministry of Defense, underlines that cooperation amongst nations should respect the sovereignty of a nation and that the security arrangement of Malacca Strait must be set under the littoral states' responsibility.

Singapore is the third coastal country – aside from Malaysia and Indonesia – with big importance and responsibility towards Malacca Strait.

For Singapore, Malacca Strait is not only an area of sovereignty but also the heart of the country's economy. There are many ships from big maritime forces countries such as the U.S, Europe, China, and India to sail in and out from the Singaporean port. This position puts Singapore both as the sovereign state and the user state of Malacca Strait. As the user, Singapore plays a leading role in the world's financial connection and economy, and its economic strength is highly dependent on the tradings in Malacca Strait. Any activity disrupting the trades and other transactions in Malacca Strait likely influences the Singaporean economy survival. A simple example is the cruising disruptions caused by Malacca Strait's sanitization from the pollution that will, to some extent, affect the economics of Singapore.

This sort of situation elicits a dissimilar viewpoint between Singapore and Indonesia and Malaysia. Singapore's approach in regulating this Malacca Strait reflects three goals of the country. Firstly, Singapore would like to implement open navigation. Secondly, sea lane communication should be secured; and lastly, sea lane of trade and

independence must be ensured. On the basis of these three goals, Singapore arranges a different Malacca Strait security basic regulation, and this even contradicts the rules established by Indonesia and Malaysia. On one side, Singapore would like to give free entrance access for the ships (both trade and military ships) from the user countries – of Malacca Strait. On the contrary, Malaysia and Indonesia uphold the notion that the security of the strait lies solely on the sovereign states of Malacca Strait. This difference is frequently manifested in the recommendation given by the three countries, especially in the *Tripartite Technical Experts Group on Safety of Navigation* (TTEG) forum.

Singapore has a strong reason for involving large maritime forces in controlling Malacca Strait security. It is due to the raising of the global terrorism threat in Southeast Asia. Although the terrorist actions in Malacca Strait are not truly comprehended, the hijacking cases that occurred from 1999 to 2004 were quite intruding for Singapore (Febrica, 2015). The cases have made Malacca Strait as one of the most dangerous areas in the world. Singapore believes that the

possibility of terrorism happens at sea is very low yet (given that it happens) has a high impact scenario.

C. CONCLUSIONS

Malacca Strait is opted as the research object due to its strategic position for its sovereign states, especially Indonesia, Malaysia, and Singapore. This strategic position encompasses ideological, political, and economical aspects. These three aspects become a basic principle for those countries in determining the policy in the use of Malacca Strait. These three aspects also instigate varied perspectives, approaches, and policies for Indonesia and Malaysia on one hand, and Singapore on the other. Consequently, Indonesia and Malaysia face difficulties in creating satisfying and righteous steps to solve the Malacca Strait security issue.

Ideologically, Malacca Strait is a crucial part of the sovereignty of its littoral states. Its use should, therefore, adhere to the policies issued by those sovereign states of Malacca Strait. Any activities in the strait that do not comply with the policies are concerned as an

intrusion. The sovereign perseverance is absolute for each country so that any intrusion challenges the sovereignty itself which also threatens the unity and existence of the referred country.

The security concern is a major issue of Malacca Strait. This issue primarily emerges due to a large number of hijackings, turning the strait as one of the unsafe straits. Two groups of the country involved in the question of Malacca Straits: (1) sovereign states or countries and (2) user states. The former comprises Indonesia, Malaysia, and Singapore. They have full accountability towards the security in the use of Malacca Strait. Malaysia and Indonesia have given their best in resolving the problem by using either military or legal holistic approach. However, the piracy issue in Malacca Strait cannot yet completely be solved and this elicits hesitation to the user countries. The user countries thus impose the sovereign states of Malacca Strait, particularly Indonesia and Malaysia, to share responsibility in controlling and regulating the security in the strait on the grounds that the sovereign states are incapable of guarantee a secure line. This demand from large maritime and

superpower countries like the U.S generates a bigger problem for Malacca Strait security. The problem is even deteriorated when Singapore adopts an approach and principle contradictory to Indonesia and Malaysia.

Economical aspect is one of the vital issues related to Malacca Strait. As it is widely known that Malacca Strait is one of the busiest straits in the world. Many of user countries' economy is dependent on the strait, including Singapore. This economical aspect underlies dissimilar attitudes among the Malacca Strait sovereign countries in structuring its security system. Indonesia and Malaysia strongly espouse to the sovereign principle so that denying any intervention from foreign, non-sovereign states of Malacca Strait; whereas Singapore allows external groups or parties to be involved in the security arrangement and control to ensure its economic viability.

The situation described above has created a difficulty for Malaysia and Indonesia in running the security control of Malacca Strait as the cooperation between these two countries will likely reach the best results only if Singapore

upholds the same ideas and takes the same actions as Indonesia and Malaysia. The diplomacy carried out by Indonesia and Malaysia to build an independent and trusted regulations of Malacca Strait is interrupted by Singapore's action that allow foreign intervention, especially the U.S intervention, to participate in arranging the security of Malacca Strait. Singapore, on the other hand, is also aware that it cannot guarantee its economic prosperity if it does not permit open navigation along Malacca Strait.

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