

Cooperation among the Littoral State, User States Navies and Coast Guards to Safeguard Shipping through the Malacca Strait*¹

INTRODUCTION

The importance of the ocean for humankind has been described by Alfred Mahan in a simple but very accurate observation: “The first and most obvious light in which sea presents itself from the political and social point of view is that of a great highway; or better, perhaps, of a wide common, over which men may pass in all directions.”² It is now widely recognized that the ocean “is the common heritage of mankind” and has provided much of the inspiration for the Convention on the Law of the Sea.

While the ocean has over the year retains its primacy as a transport medium, there are now greater expectations of the immense resources that can be obtained from its confines.³ Growing interest in oceanic resources is a natural tendency as we realize that resources on land will not be sufficient to satisfy overwhelming demands worldwide. With its potential abundance of wealth and energy, the ocean has also come to be viewed as the last frontier on planet earth for the exploration and development of resources for the ever-growing needs of mankind.⁴ But over the year, excessive exploitation of sea-based natural resources and transport of commodities especially oil and other dangerous substance has created damaging effects of ocean pollutions and destruction on our marine ecosystem and ecological balance. New spectrum of maritime competition that seems to be emerging in the post-Cold War world, make maintenance of good order at sea more complicated.

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The growing importance of the sea for transportation, sea-based resources extraction, and the vulnerability of domestic societies to the threat posed by drugs and arms smugglers and illegal immigration also suggest that the task of carrying out good order at sea is more complex. Marine resources are steadily becoming economically more important to the burgeoning populations of the world. For this reason, there is a growing awareness over all aspects of environmental degradation, pollution, and resource depletion. Therefore, our concern is mainly on safety and security of sea-lane passages, drugs and arms smugglers, boat people, pollution control, resource supervision, illegal fishing and other low-level security threat. While this concern may encourage international cooperation, it may also be a source of creeping jurisdiction and competition.

Uni-polarity, one way or another, has also created or at least stimulated the rise of terrorism and terrorists. Sea mines can be used by terrorist to disrupt freedom of navigation through sea-lanes of communications. All these threats will understandably make the task of maintaining safety and security of the sea and the protection of marine resources a demanding and immense one.

THE STRATEGIC IMPORTANCE OF THE MALACCA STRAIT

With its importance as the world's highway and growing interests in oceanic resources, the sea presents itself to a wide variety of challenges. Security of passages of the ocean against piracy and armed robbery is a very high concern. Piracy, for example, seems to be a continuous threat in South Asian region, namely in the East and South China Sea, and armed robbery is happening in quite a number in the Strait of Malacca and Strait of Singapore, and it has earned a bad reputation as the "black area". Since 2002, the International Maritime Bureau (IMB) has recorded 258 pirate attacks in the Malacca Strait and

surrounding waters, including more than 200 sailors held hostage and 8 were killed.⁵

It is well recognized that the South Asian region is a “gateway” to Asia since it contains most of shipping routes to China, Japan, and Korea from the Middle East, Africa and Latin America. There are few strategic straits and water bodies in the region including the Sunda Strait, Gaspar Strait, Lombok Strait, Makassar Strait, Maluku Strait and the South China Sea. The most important channel, however, is the Malacca Strait, mostly because it is the shortest route to East Asia (China, Japan and Korea) from the Middle East, Europe and Africa. The Malacca Strait will shorten the voyage of at least 2,000 km compared to the next fastest route, the Sunda Strait.⁶

China, Japan and Korea depend on the Strait of Malacca for approximately 80 percent, 90 percent and 100 percent respectively of their oil imports. Estimates predict that for East Asia, oil imports will grow exponentially, meaning that China and the rest of East Asia will only increase its reliance on this sea-lane in the future.

As a strait used for international navigation, Malacca Strait is the busiest in the world. Over half of all vessels passing through the Strait head for East Asia, mostly to China, Japan and Korea, including to the US military bases in Guam, Japan and South Korea. Some 60 percent of China’s foreign trade passes through this strait to various destinations in the Middle East, Africa and Europe. Today, one-third of the world’s trade and half of the world’s oil supply are carried through the Straits by some 90,000 vessels which use the Straits each year.⁷

Keeping the waterway safe, secure and clean is made more difficult by the fact that littoral States have to rely mostly on their own limited resources with only some help for capacity-building from users States.

THE STRAIT OF MALACCA: A NEW HOT SPOT?

A high dependence on the Malacca Strait leaves it vulnerable not only to threats of piracy and perhaps terrorism, but also along the road will turn it into a hot spot as the region is facing a danger of competition between the United States, China, Japan and India, who seek control of these sea-lane and taking actions accordingly. In 2001, The United States introduced the *Cargo Security Initiative* (CSI), followed by the *Proliferation Security Initiatives* (PSI), established in 2003, both involve the Malacca Strait Region and Indian Ocean in guarding against transportation of weapons of mass destruction and serve to secure international waters. In addition, in 2004, the United States introduced the *Regional Maritime Security Initiative* (RMSI) which called for the littoral states to allow US Naval Forces to patrol against piracy and terrorism. However, RMSI – the one most directly relevant to the narrow shipping lanes - has never been presented as a mechanism open to Chinese or Japanese participation,⁸ and therefore it could be regarded by other user States as challenging. Nor do the littoral states favor these initiatives for fear that this will only complicate the situation around those vital sea-lanes as it will invite further competition.

Japan and India have also taken similar actions to increase their control of the Malacca Strait.⁹ In 2005, Japan put forward a security mechanism to promote anti-piracy and anti-maritime armed robbery in Asia in the form of the ReCCAP (Regional Cooperation Agreement on Combating Piracy and Armed Robbery) by “unofficially” requesting littoral countries to allow the presence of the Japanese Self-Defense Force.¹⁰ This proposal was not very much welcomed

by South Asian countries, mainly because Japan's power projection capability beyond defense of its homeland¹¹ and of its increasing reach into the western Pacific with its naval power¹² would be viewed with suspicions. Under ReCCAP, an Information Sharing Office has been established and operational in Singapore, and Indonesia and Malaysia have indicated their preparedness to cooperate with the Center.¹³ But at the implementation level, ReCCAP is still a big question mark. Among other reasons, Indonesia, being co-responsible for security of navigation in the Malacca and Singapore Strait and three other important archipelagic sea-lane passages, feels that it should be regarded more properly and given a leading role, and hence questions the decision to put the center in Singapore rather than in Batam, Indonesia. Being not very successful with that initiatives, Japan is trying to increase its presence in the region through its Coast Guard and intensify its engagement through dialogue and seminars on sea safety and security.

The Indian Navy is also showing its growing desire to be involved in safeguarding of the Strait of Malacca. Their establishment of military bases in Andaman and Nicobar Archipelago at the west end of the channel – beginning in the 1990s- and growing blue water patrolling capability from the Indian Ocean to the South China Sea demonstrates the Indian Navy's ambition.¹⁴ The US and Japan in early May 2007 made a direct reference for the first time to the importance of engaging India.¹⁵ For Japan, India is a key part of the "Arc of Prosperity and Freedom" that Abe government is trying to build around the outer rim of the Eurasian continent skirting the borders of China and India.¹⁶ Malabar 07, a long-running bilateral naval exercise between the US and India, has been extended as a joint naval exercise among the US, Australia, Japan, India and Singapore. Conducted in September 2007 covering the vast area from the Indian mainland to Andaman and Nicobar islands and practiced nothing less than maritime interdiction, inspection of suspect ships at sea, air combat exercise

as well as surface and anti-submarine warfare¹⁷ will surely be seen as threatening by China. And this will be considered by China as an attempt to contain it.

In recent years, China has also taken important steps to address the inherent risks of the Malacca Strait. To begin with, China has actively developed closer cooperative relationships with Singapore, Malaysia and Indonesia to secure China's interests in the Strait and to alleviate the growing rivalries among the world's major power. China has also expressed its willingness to take active part in relevant cooperation for maintaining and enhancing sea-lane security and prevention of oil leak in the Malacca Strait. It is quite obvious that, while China is willing to cooperate in international cooperation to improve effective measure to enhance security of the Malacca Strait, it is also willing to go all-out for playing a major role and is likely to use its military in the act of self defense.

One very important aspect to consider when discussing the Malacca Strait is to assess the maritime interest of its littoral States. The safety and security of passages and protection of marine resources and environment in the Malacca Strait are definitely of paramount interest of the littoral States, namely Indonesia, Malaysia and Singapore. Most of the traffic through the Strait of Malacca will make a stop over in the port of Singapore for logistics and trans-shipment. Port of Tanjung Pelepas in Malaysia is also becoming major hub-port to link Europe, Middle East and Africa to Asia. These facts show how much the Singaporean and Malaysian economies depend on the Strait. For Singapore, the Malacca and Singapore Strait are its only veins. Most of Indonesia's import and export are also through this strait, including its oil import. Indonesia and Malaysia are also dependent quite heavily on the straits for its fishing industry. Indonesia and coastal states are faced with an increasing intensity and severity of major oil spills from foreign tankers in the Malacca Strait as well as the possibility of

catastrophic accidents involving carriers of ultra-hazardous cargoes including plutonium which may pass through the Strait. Therefore, it is obvious these littoral States take very high priority for the safety, security and marine environment protection of the Malacca Strait, and therefore are very much willing to cooperate with user States for the safeguarding of the Strait of Malacca, in a way that could ensure cooperation, not competition.

POSSIBLE COOPERATION

In the broad political and economic scenario there are great challenges that must be catered. The end of the Cold War may have defused tensions resulting from the ideological rivalry of erstwhile power blocs, but it has brought in new problems and complexities. An adjustment of policies and postures to cope with the realities of the uni-polar world ensued. And this process is continuing against the backdrop of an international scenario characterized by competition but also cooperation, change and uncertainty. Unfortunately, we have not succeeded in laying the foundation of a framework that will ensure a more stable order in the future. Not much comfort can be drawn from the fact that there are areas in our region where tensions not only persist but have, in fact, intensified. There are possibility of an arm race among major power in the region that could be escalating out of control with urgent need for transparency in military spending and military dialogues from the two countries.

Nevertheless, there are very important international compulsions demanding our attention and indeed involvement in economic, political and technological opportunities. The most important is that the increasing globalization of trade, finance, and communications that make use of sea transportation will continue to increase as the world economy becomes more

integrated. Therefore, it is of paramount interest to address safety and security of the Malacca Strait in a stronger and more comprehensive cooperative effort.

The solution to safety and security of sea transportation in Southeast Asia must be addressed on the basis of a balance-of-interest principle. Any solution in which interest imbalances exist is inherently unstable and lacks the resilience to absorb the stresses and strains of an evolving crisis. Huge differences in the size and maritime capability of states in the region seriously complicate the task of establishing cooperation among the littoral and user States navies to safeguard shipping in the Southeast Asian region, especially in the Malacca Strait. There is no easy solution, but given the geopolitical situation in the region and as safety, security and protection of marine resources and environment protection remain the prime concern of littoral and user States, there must be a comprehensive frame work for cooperation.

Discussion about cooperation among littoral state and user states navies and coast guards must start with cooperation among littoral states. Safety, security and maritime environment of the Malacca Strait have been and will always be considered vital by the three littoral states. In 1971, the Government of the Republic of Indonesia, Malaysia, and the Republic of Singapore made a joint statement concerning the Malacca Strait. They agreed that the safety of navigation in the straits of Malacca and Singapore is the responsibility of the coastal states concerned and realized the need for tripartite co-operation on the safety of navigation in the two straits. The three Governments also agreed that a body for co-operation to coordinate efforts for the safety of navigation in the straits of Malacca and Singapore be established as soon as possible and that such body should be composed of only the three coastal States concerned. The joint Statement of 16 November 1971 has been followed by several others, namely Joint Statement of 19 February 1975, Joint Statement of 24 February 1977, the

Joint Batam Statement in 2005, the Jakarta Statement in 2005, the Kuala Lumpur Statement in 2006 and Singapore Statement 6 September 2007. The essence of these statements is that, while the three littoral States take full responsibility and put on their best efforts to safeguard safety, security and marine environment in the Malacca Strait, they always welcome participations of user States.

Resulting from those joint statements, the three littoral States have long established routine coordinated patrol and established a mechanism for such cooperation. The littoral States have also equipped, improved and maintained better navigation aids and established a traffic scheme to allow for a safer navigation especially for VLCC and large vessel. Under the recent Malacca Strait Security Initiatives (MSSI), the three littoral States have intensified their cooperation and conducted Malsindo (Malaysia-Indonesia-Singapore) Coordinated Patrol everyday of the year and bilaterally in Malindo and Malindo Optima (Malaysia-Indonesia) Coordinated Patrol, Indosin (Indonesia-Singapore) Coordinated Patrol. The three littoral States also actively support other MSSI projects, such as Malacca Strait Identification System, Eyes in the Sky, Integrated Maritime Surveillance System, Intelligence and Information Exchange, Public Information Campaign and Margin of Allowable Hot Pursuit. But this concept is not easy to be implemented. For one thing, littoral States often lack sufficient resources, especially for Indonesia, which must also maintain safety, security and marine resource and environment protection and other threat including keeping its national integrity in other high priority area.¹⁸ There are other constrains as well. Coordinated patrols become entangled with the complexities of maritime jurisdiction, especially if we talk about warship and navies. A major function of navies is to assert sovereignty in national waters. For this reason, there is no right of hot "pursuit" into neighboring territorial water, and so far the three littoral States have not been able to establish even a margin of allowable hot pursuit.

Even though the spirit of cooperation does exist among the littoral States, there is no mechanism of security cooperation. It is not that of a “solid” security community, predicated upon extensive military cooperation or mutual threat or common threat perception. It is rather regarded as part of a “nascent” security community based on the shared knowledge of the so-called ASEAN way, i.e. none interference in one another’s internal affairs, pacific settlement of intra-regional disputes, respect for one another’s independence and respect for one another’s territorial integrity. While Indonesia would like to see a more comprehensive look on the threat perception in the Malacca Strait, Singapore and Malaysia perhaps do not see smuggling of commodity, transport of illegal logging and illegal fishing as a high priority in their sea security agendas.¹⁹

Fortunately, the littoral States subscribe to the notion of freedom of navigation and the ability of merchantmen to go about their normal business without let or hindrance. On this basic issue, there is no fundamental difference of opinion and these can be used to provide the foundations of a common approach to the question of cooperation regarding safety, security and marine environment protection in the Malacca Strait.

Since cooperation is the key in safeguarding the Malacca Strait, it must take into account the balance of interests among littoral States and user States and among those States themselves. There are basic principles that must be observed in forging cooperation, and that is to include territorial integrity and political independence, as well as the betterment of well-being of the people.

The question remains, what is the best way to improve cooperation for safety, security and marine environment protection in the Malacca Strait? As it lies at the crossroad of two oceans and two continents, the Strait is highly accessed by

the world's maritime transportation, and it brings littoral and user States' maritime interest converge into one spot. Coupled with the tendency of major power in practicing unilateralism and intervening in many parts of the world, sovereignty becomes a practical concern. Therefore, cooperation in safeguarding shipping through the Malacca Strait can only be successful if it is of a step-by-step approach, starting with Confidence Building Measures (CBMs) to avoid competition that could be escalate out of control. Confidence building measures (CBMs) should be aimed at increasing transparency among States by sharing of information including their security policies and plans, and maintain good and reliable communication among States. Another important aspect of CBMs is to ensure that constraint measures is followed, meaning that States must regulate their various military activity and limit their maneuvers as not be viewed as threatening or interfere with other's sovereignty. CBMs are of particular importance because they could help remove inter-state suspicion and promote and develop a sense of security community.

Security cooperation does not necessarily mean that we have to have permanent presence of user States security forces in the Malacca Strait, as it might be perceived as contradicting with littoral States' sovereignty. Littoral States, especially Indonesia, would not welcome user States to deploy their naval forces in any part of its waters or escorting their vessels with their coast guard or naval forces when they navigate Indonesian waters.²⁰ Indonesia also would not welcome commercial cargo vessels or tankers with armed guards navigating Indonesia waters.²¹ It must be realized that the presence of foreign naval forces or commercial vessels with armed guards could only create more problems and complications rather than solution, as it will trigger more competition rather than cooperation among user States. But as the burden must be shared, positive support is very much welcome, and it must cater for the whole range of security

measure, and will achieve best result if directed for capacity building of the littoral States.

One good example of a good cooperation is between the US and Indonesia. As the need to suppress armed sea robbery and its possible link with terrorism at sea increases, in 2005, the US started giving assistance to Indonesia to establish Integrated Maritime Surveillance System for the Indonesian Navy in Malacca and Singapore Strait.²²

The program started with a multi-phase program for basic Maritime Domain Awareness, Common Operational Picture and Blue Force Tracking. In the first two phase (FY 2005 and 2006) two coastal surveillance stations were built along Malacca Strait equipped with Radar, AIS, long range camera, computer system and HF Radio and VSAT communications.

Also in this phase, Western Fleet ships will be equipped with blue force tracking system and Trident monitoring system as each ship will be equipped with camera and digital data recording, AIS and voice and data communications. This system will be integrated to allow command centre display and classified reporting system as well as basic data communications and data management exchange facilities. When this program completed, expected in 2008, there will be 12 stations built along the Malacca straits, considered sufficient to cover the Malacca and Singapore Strait, and it will enhance the Indonesian capability tremendously to maintain security and safety of navigation in the Malacca and Singapore Strait.

Cooperation in social and economic aspect through navy to navy or coast guard to coast guard must be considered especially in the field that could enhance capacity building in security measure. Neither Indonesia nor other

littoral States, on their own, have the resources or the expertise to explore the undersea wealth or the means to preserve the marine environment. Therefore, education, research and development in marine science is a good way to start, because clearly activities related to this fields can and should provide the basis for broad-based regional security cooperation in Asia Pacific. Maritime surveillance and exchange of intelligence is an important field in which user States can cooperate. In addition, cooperation can be further cemented through intensive training and regular exercise between naval security forces, first bilaterally and then expanded multilaterally.

Cooperation among littoral States and user States coast guards is perhaps less delicate, and should be made as a main pillar for further cooperation. But while the Republic of Singapore and Malaysia have integrated their maritime security forces into one coast guard agency, Indonesia has yet to improve its maritime security arrangement. But, realizing that it needs to change, Indonesia has started to work for the establishment of Indonesian Sea and Coast Guard. The objective is to make efforts in safeguarding safety, security and environment protection in its waters more efficient and to establish proper representative for cooperation among littoral and user States' coast guards. Indonesia for so long has denied its responsibility to establish a capable national sea and coast guard organization to conduct all necessary efforts for the safety and security of navigation in Indonesian waters. But now, the process to create a single agency responsible for those big tasks has already started, and user States' support can help to expedite this process.²³

With regard to the Straits of Malacca and Singapore, for the last twenty years, the three littoral states have been cooperating to promote the safety of navigation with support from Japan. This cooperation has resulted in improved navigational aids and hydrographic charts as well as other measures. Yet,

obviously, more need to be done to promote safety of navigation in the area, including the prevention of armed sea robbery and protection of marine environment in those waters.

The 1982 UNCLOS Article 43 encourages cooperation between user states and states bordering the strait (a) in the establishment and maintenance of necessary navigational and safety aids or other improvement in aid of international navigation, and (b) for the prevention, reduction and control of pollution from ships. So far, only Japan has co-operated with the three coastal States with regard to installing navigational aids, hydrographic surveys and other means to promote safety of navigation in the Strait of Malacca and Singapore.²⁴ Obviously, co-operations with or assistance from other user States to prevent, reduce, and control pollution from ships, or to help coastal states to combat sea armed robbery in the area are not sufficient as needs to safeguard the Straits keep rising due to many factors, including the continuous increase of traffic that continually demands increase of efforts by littoral States. In Singapore Statement 6, September 16, 2007, littoral States invite user States to support 6 projects, including removal of wrecks in Traffic Separation Scheme; co-operation and capacity building on Hazardous and Noxious Substance (HNS); setting up a tide, current and wind measurement system; installation of automatic identification system transponder on small ships and replacement and maintenance of aids to navigation in the Strait of Malacca and Singapore. China has confirmed that it will take care of the replacement of aids to navigation damaged by the Tsunami incidents in December 2004 in its entirety in a step-by-step implementation approach, and the US agreed to carry out a needs assessment to serve as the basis for the establishment of an HNS preparedness and response capability and capacity in the littoral States.²⁵ But other projects have not been able to secure any commitment from user States.

The littoral States also welcome and invite initiatives from user states as well as other stake holders to assist law enforcement and security efforts at sea by maintaining and strengthening their capabilities at an operational level through intelligence sharing, pollution control, and capacity building in term of support of equipments and training. But after all, we also must consider the prosperity approach to handle this problem. Regional development will help address issues on economic marginality and help reduce poverty, and hopefully can stop or at least slow down sea robber recruitment as it provides alternatives to earn a living. User States and shipping companies threatened by armed sea robbery might become sources of funding for coastal development initiatives in armed sea robbery prone areas if such efforts would be seen to make an impact on reducing the prevalence of armed sea robbery.

CONCLUSION

Considering the importance of the Malacca Strait for stability, security, as well as economics importance for the region and the world, there must be a common perception on threats related to the safety and security of this important sea-lane of communications. It is also necessary for littoral States and the international community to contribute to the safeguarding of security in the Malacca Strait against armed sea robbery, pollution, drugs, arms and commodity smuggling, maritime terrorism, transport of illegal logging and safety of navigation of the strait. International contribution will serve best if it is not in the form of power presence in the Strait of Malacca, but through capacity building, exchange of information, support for improvement of navigational aids, hydrographic survey, mapping and removing of wrecks, support for Malacca Strait Identification System, Integrated Maritime Surveillance System Facility, and last but not least, coastal area community and economy development.

But most important, joint efforts of the three littoral states, namely Indonesia, Malaysia and Singapore, must be made as the key factor, and other measure must be evolved around the littoral States and ASEAN initiatives.²⁶ With MSSI and littoral States and ASEAN initiatives as a starting point for cooperation, and as trust and confidence between and among littoral and user States build up, safety, security and marine environment protection of the Malacca Strait will be highly improved.

References

1. This paper is excerpted or updated and revised from paper presented by Rear Admiral (Ret) Indonesian Navy Rosihan Arsyad in Japan-Indonesia Dialogue on Cooperation in Maritime Security, *"Indonesia's Maritime Security Arrangement"* and *"Perspective on Security Cooperation in Asia Pacific"*.
2. Admiral (Ret) Pakistan Navy Saeed M Khan, Key Note Address in International Seminar on Indian Ocean – *Indian Ocean, Security and Stability in the Post-cold War Era*", page 5.
3. Ibid.
4. Ibid.
5. Peter Gwin, *The Strait of Malacca Dark Passage*", National Geographic, October 2007, page 133-134.
6. Zhang Xuegang, *South Asia and Energy, Gateway to Stability*", China Security, Vol. 3 No 2, page 19.
7. Singapore Meeting on the Straits of Malacca and Singapore: *"Enhancing Safety, Security and Environment Protection"*, 4 – 6 September 2007, Agenda item 3, Annex, page 1.
8. Zhang Xuegang, *South Asia and Energy, Gateway to Stability*", China Security, Vol 3 No 2, page 20.
9. Ibid.
10. Ibid.

11. Dewi Fortuna Anwar, *Abe a 'fool' nukes not an option: Forum*, Jakarta Post Vol. 25 No 139, Friday, September 14, 2007, page 12.
12. Zhang Xuegang, *South Asia and Energy, Gateway to Stability*", China Security, Vol. 3 No 2, page 21.
13. Singapore Statement on "*Enhancement of Safety, Security and Environmental Protection in the Straits of Malacca and Singapore*", 4 - 6 September 2007, Agenda item 4, page 4.
14. Zhang Xuegang, *South Asia and Energy, Gateway to Stability*", China Security, Vol 3 No 2, page 21.
15. Michael Richardson, *Asia Security Needs Cooperation not Competition*, Jakarta Post Vol. 25 No 139, Friday, September 14, 2007, page 7.
16. Ibid.
17. Ibid.
18. Indonesia would need more than 300 ocean going patrol vessel to protect its maritime interest including maintaining safety and security of navigation and protection of marine environment and resources. But it has only less than 50% of that requirement, consists of old and small vessel, so only about 2 dozens vessels that are operating at sea at any given time.
19. Personal observation, based on author's experience during his serving time as Commander, Sea Security Command, Western Fleet, Indonesian Navy.
20. Hasyim Djalal, "*Combating Piracy: Cooperation Needs, Efforts, and Challenges*", Piracy in South Asia, Status, Issues, and Responses, Edited by Derek Johnson and Mark Valencia, ISEAS Publications, 2005, page 147.
21. Ibid.
22. IMSS Program started in 2005 with Indonesia built 2 stations, followed by 10 stations built with support from USA, expected to be completed in 2008. Hopefully the program could be expanded to include the Indonesian Archipelagic Sea Lanes Passages.

23. There has been a continuous effort to solve this problem by establishing the BAKORKAMLA (Coordinating Body for Sea Security), but this agency does not put all agencies under one coordinated command control and does not have a comprehensive strategy in maritime security arrangement. Each member only puts a small portion of a mere 1 to 2 ships of its fleet to be placed temporarily under *ad hoc* command of the Sea Security Command of the Naval Area Fleet Commander. The bigger part of the remaining fleet under each agency will still be wasted, trying to enforce its responsibility with out coordination with other agencies; most of the times, they operate in the same area at the same time while other Indonesia waters are left with no one patrolling them. It is hopeful that the “New” BAKORKAMLA that has been created by Presidential Regulation Number 81 in 2005 will be able to forge an integrated security arrangement. But, again, it has no direct logistics support and operational capability and perhaps is best to remain in the policy-making level to synergize maritime security strategy with other strategic national interests. The latest idea is to establish Indonesian Sea and Coast Guard as a main maritime agency, together with the Indonesian Navy responsible for maintaining safety and security of navigation and marine resources and environment protection and other low level threat. Indonesia needs support to establish such Agency.
24. Presently, Japan through the Malacca Straits Council has been the most active in co-operating with the littoral States, in particular for the provision and maintenance of aids to navigation. Since 1969, Japan has contributed more than USD 130 million in this respect. Such arrangement has seen a significant impact in reducing the number of shipping incidents n the Straits of Malacca and Singapore. However, with remarkable changes in the economic landscape, in particular the emergence of other major economies in the region and their use of the Straits, it is timely to widen and enhance the existing partnership of co-operation in the Straits (Singapore Meeting on

the Straits of Malacca and Singapore: *“Enhancing Safety, Security and Environment Protection”*, 4 – 6 September 2007, Agenda item 3, Annex, the Updated Project Proposals, General Introduction, page 2).

25. Singapore Meeting on the Straits of Malacca and Singapore: *“Enhancing Safety, Security and Environment Protection”*, 4 – 6 September 2007, Agenda item 3, Identification and Prioritization of Needs for Projects on Safety of Navigation and Environmental Protection, page 3.
26. ASEAN itself has many initiatives attempting to combat piracy and armed robbery in ASEAN seas. The ASEAN work program to implement the ASEAN Plan of Action to Combat Transnational Crimes adopted in Kuala Lumpur on 17 May 2002, includes an agreement to work together on sea piracy regarding information exchange, legal matters, law enforcement, training, institutional and capacity building, and extra-regional cooperation. (Hasyim Djalal, *“Combating Piracy: Cooperation Needs, Efforts, and Challenges”*, Piracy in South Asia, Status, Issues, and Responses, Edited by Derek Johnson and Mark Valencia, ISEAS Publications, 2005, page 150).