

CHAPTER II

PIRACY AND COUNTER PIRACY EFFORTS IN SOUTHEAST ASIA

Southeast Asia is a region which consists of mainland and maritime area. Mostly on the maritime area, piracy has long been a threat. The financial crisis in 1990s became one of the reasons in the increasing number of piracy and armed robbery incidents. Since 2004 however, the number started to decline, but only to increase again in 2010 because of the shift of focus in global economy toward the region. The impacts of the increasing piracy and armed robbery vary from safety and security threat, to economic, political and environmental issues.

The rising of piracy and armed robbery incidents in the late twentieth century triggered the establishment of various counter-piracy initiatives, whether by independent maritime security-related institutions, the ship owners, or by states. International organizations such as the International Maritime Organizations (IMO) provide help to attacked ships by facilitating a reporting center, while shipping companies focus on capacity building by conducting discussions and workshops. At the same time, individual state's efforts in fighting piracy and armed robbery are shown in the enhancement of maritime law enforcement which focuses on the territorial patrols as well as joint patrol with their neighboring states. However, when speaking about piracy and armed robbery, there has been lack of cooperation shown by the Southeast Asian states. Since 2006, the Regional Cooperation Agreement on

Combating Piracy and Armed Robbery in Asia (ReCAAP) is a breakthrough to a more cooperative arrangement in regional level in fighting against piracy and armed robbery, particularly in Southeast Asia.

A. Piracy and Armed Robbery in Contemporary Southeast Asia

Piracy had become a part of the social and economy of Southeast Asia for over centuries. Piracy still remains complex, being a diverse phenomenon, where it is difficult to be conceptualized. Despite the fact that piracy has existed for a long time, its forms has evolved throughout time. Though it revolves around the same area with the same people involved, the material, political, social, and cultural concept of piracy has changed. While in the past, piracy was regarded with conditional illegitimacy; in contemporary world it is completely illegitimate.¹

While piracy is diverse and difficult to be conceptualized, it is necessary to be categorized. The article 101 of the (United Nations Convention of Law of the Sea) UNCLOS 1983 defined piracy as “any illegal act of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft” toward any ship, person or property on the high seas and outside the jurisdiction of any state. It also includes any party who “voluntarily” participates and facilitates of such actions. In a simple and more original meaning, piracy is every illegal act done by any individual or group on a vessel against another

¹Johnson, Derek and Mark J. Valencia. *Piracy in Southeast Asia; Status, Issues, and Responses*, ISEAS Publication, Singapore, 2006. p.15-16

vessel on the high seas intending for money and/or goods.² It is recognized as international crime, and any state anywhere can “arrest, try and punish” any individual or group which has committed piracy anywhere, even if it is outside of their jurisdiction.³ The armed robbery against ships is the act of violence toward ships, or any individual on ships using weapon in territorial water.⁴

The number of piracy and armed robbery incidents in contemporary Southeast Asia began to appear significantly after the end of the Cold War, on the late twentieth century. The significant rise in late 1990’s and entering 2000 is caused by the Asian Financial Crisis. The number of piracy and armed robbery in Southeast Asia began to decrease from 2004.

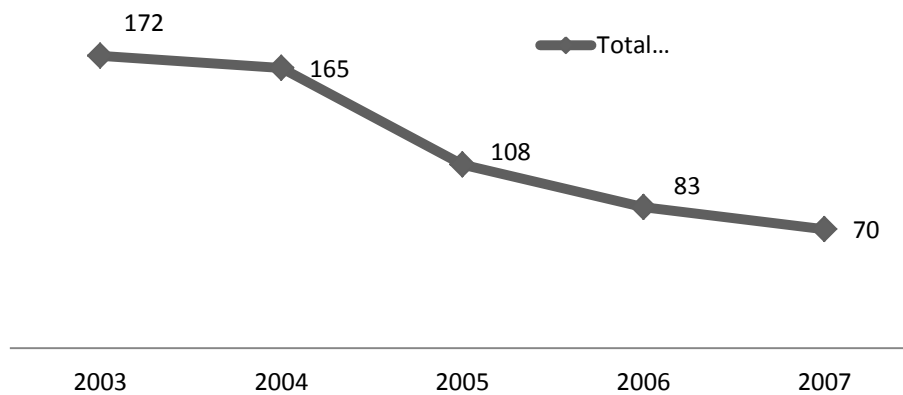


Figure 2.1 Total of Piracy and Armed Robbery Incidents in Southeast Asia from 2003 to 2007

²Hamid, Abdul Ghafur. *PUBLIC INTERNATIONAL LAW; A Practical Approach*. 2nd Edition. Pearson Malaysia Sdn. Bhd., 2007. p. 318

³ Ibid. p.320

⁴Ong-Webb, Graham Gerard. *Piracy, Maritime Terrorism and Securing the Malacca Straits*. ISEAS Publishing, 2006. p. xiii

*Source: IMB Report*⁵

The number of actual piracy attacks presented in Figure 2.3 shows a slow decline from 2003 to 2007. Prior, there was an increase in the number of incidents by nearly 60% from the year of 2003 to 2004. However, as the years proceed, since 2004, the number started to decline from 172 attempted and actual incidents in 2003 into 108 in 2005. The number continues to decrease to 83 incidents in 2006 and 70 incidents in 2007. During this period the number tended to decline because of the emerging counter-piracy efforts in the region. One of the most significant efforts is the establishment of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia (ReCAAP). The regional cooperation aimed to enhance the cooperation among the states on government-to-government basis in reducing piracy and armed robbery in the region. Another explanation for this decline is because in the end of 2004, there was an earthquake off the west coast of Sumatra, Indonesia, and impacted to the tsunami which hit the coastlines bordering Indian Ocean, with Aceh being devastatingly destroyed. This phenomenon also impacted the piracy incidents as it is shown that even on the area which had no tsunami, there were no piracy attack.⁶

⁵Bradford , John F. "Shifting The Tides Against Piracy in Southeast Asian Waters." *Asian Survey*, Vol. 48, No. 3 (2008): 473-491. Downloaded from <http://www.jstor.org/stable/10.1525/as.2008.48.3.475> on 14 December 2014.p. 475.

⁶ Raymond, Catherine Zara. "Piracy and Armed Robbery in the Malacca Strait: A problem Solved?" *Piracy and Maritime Crime: Historical and Modern Case Studies* (2009): 32-44. p. 37.

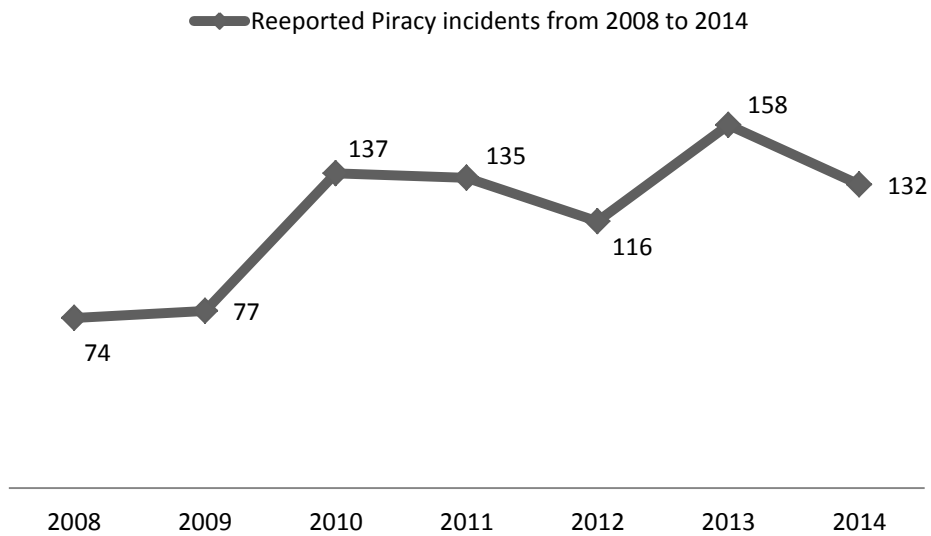


Figure 2.2 Reported Piracy and Armed Robbery incidents from 2008 to 2014

Source: IMO Annual reports from 2008 to 2014⁷⁸

However, according to IMO 2008 annual report, the number of reported piracy incidents increased 8.5% that year, with Far East and East Africa mostly affected.⁹ In 2009 it increased again, this time 24.6% worldwide. However this rising percentage did not really affect Southeast Asia, with only 3 reported incidents in the straits of Malacca, because it was in East Africa where the piracy incidents had drastically emerged. As seen on figure 2.4 above, a significant number of incidents shifted from West Africa to Southeast Asia in 2010. The number of incidents in Southeast Asia increased significantly in 2010 and continued to remain on the state in 2011, with 137 and 135 reported incidents. This is due to the fact that the gravity of

⁷ IMO annual reports from 2008 to 2013
⁸ IMO monthly reports from Jan-Oct 2014
⁹ IMO annual reports from 2008 to 2013

the world economy was shifting to Southeast East Asia.¹⁰In 2013, the number of incidents in Southeast Asia has increased again, this time it peaked into 158 reported incidents. It was reported that the number a more violent type of pirates in the region has increased. In the previous years, the world focused on pirates on the Horn of Africa because it had caused loss of \$12 million of the world economy. On the contrary, incidents in Southeast Asia are mostly filled by petty thieves who operate at anchor.¹¹ It was suggested that this change of pattern occurred also because while most of the world focused on East African pirates, organized syndicates of piracy has emerged in Southeast Asia.¹²

B. The Impacts of Piracy and Armed Robbery in Southeast Asia

Piracy in contemporary world is regarded as a non-traditional threat¹³ because it is a transnational crime which often occurs in the area of more than one country's territories and even in the high seas. Piracy has direct and indirect impacts toward social, economy, politics, and environment. The direct impact of Piracy and Armed Robbery is loss of life and social insecurity for seafarers. As more violent pirates appeared in Southeast Asia, the threat toward the life and welfare of seafarers, regardless of their nationalities, has increased. This is shown on IMO's 2008 annual

¹⁰The Japan Times. "Southeast Asia Now Global Danger Zone for Piracy: U.N.". Geneva, 13 June 2014. Retrieved from <http://www.japantimes.co.jp/news/2014/06/13/asia-pacific/crime-legal-asia-pacific/piracy-falls-somalia-ticks-southeast-asia/#.VMxeLWiUdqU> on 31 January 2015.

¹¹BBC Indonesia. "BajakLautRugikanPerekonomianDunia." 14 January 2011. Retrieved from http://www.bbc.co.uk/indonesia/dunia/2011/01/110113_worldpiracy.shtml on 19 January 2015

¹²Gray Page. "Piracy in Southeast Asia: organised criminal syndicates or small scale opportunists?" 2 April 2013. Retrieved from <http://www.graypage.com/piracy-in-southeast-asia-organised-criminal-syndicates-or-small-scale-opportunists/> on 19 January 2015

¹³Johnson, Derek and Mark J. Valencia. *Piracy in Southeast Asia; Status, Issues, and Responses*, ISEAS Publication, Singapore, 2006. p.1

report. The year of 2008 was the reemergence year of increasing piracy incidents in Southeast Asia. On that year, 4 crews were killed during pirate attacks, 19 wounded and assaulted, and 58 people were held on hostage and went missing.¹⁴The most recent case is the attack toward *VP Asphalt* on 7 December 2014. The asphalt cargo ship was attacked by pirates and a Vietnamese crew of the vessel was shot to death, while all the other crews were held on hostage¹⁵.

In economy, piracy threatens international commercial activity.¹⁶ Southeast Asia is one of the busiest waterways in the world because not only it is the main route between China and the west, it is the channel which connects the emerging economy of Southeast Asian countries, and it is also the gate from the west to Australia. Every day, more than 9.5 million barrels of oil cargo ships passes through the passage of Southeast Asia, mainly the straits of Malacca and South China Sea.¹⁷

The threat of piracy in trade ranged from direct financial loss of ships and cargo owners who passes the area to the stability of the states which relies on trade itself. Though almost 50% of the world's trade flows through the region, and the shipping industries have loss between \$450 million and \$1 billion from piracy per

¹⁴ 2008 IMO Annual Report

¹⁵ Koran Sindo. "ABK Kapal Vietnam Tewas Ditembak Perompak." 9 December 2014. Retrieved from <http://www.koran-sindo.com/read/934871/149/abk-kapal-vietnam-tewas-ditembak-perompak-1418098757> on 18 January 2015.

¹⁶ Abbot, Jason and Neil Renwick. "Pirates? Maritime Piracy and Societal Security in Southeast Asia." *Pasifica Review: Peace, Security & Global Change* (1999): 7-24. Downloaded from <http://www.tandfonline.com/doi/abs/10.1080/14781159908412867#.U5EjyHurFhY> on 14 December 2014. p.15

¹⁷ Bulkeley, Jennifer C. "Regional Cooperation on Maritime Piracy: A Prelude to Greater Multilateralism in Asia?" *Journal of Public and International Affairs* (2003): 1-26. Downloaded from <http://princeton.edu/~jpia> on 14 December 2014. p. 5.

year, less action has been done regarding the piracy threat.¹⁸ This is mainly because the actual loss for each individual shipping industry was small.

On the other hand, the indirect impacts of piracy and armed robbery are, among others, the rise of complicated sovereignty and jurisdiction issue and a threat to the ecological disaster.¹⁹ Because piracy incidents occurred not only in the high seas, but also the territorial area of any state, cases such as “hot pursuit” which would involve pirate pursuing in the territorial water of another state may raise the sovereignty and jurisdiction issue. The case of Indonesia is an example for this case. Despite the fact that the territorial waters of Indonesia have more piracy incidents, the country has never signed the ratification of ReCAAP. The reason given was due to sovereignty concern.²⁰

In environment, some piratical activities caused pollution, which will lead to ecological disaster. The majority of the ships which pass the passage of Southeast Asia contain cargo with non-renewable resources, such as oil and asphalt. When pirates attack and load off the cargo, the oil is likely to spill to the sea. The damage of oil in the sea ranges from destroying maritime life and offshore resources to a serious long-term damage toward the fertile coastal lowland. Aside from the cargo issue, another piratical activity which caused environmental damage is when the pirates

¹⁸Ibid p.6.

¹⁹Abbot, Jason and Neil Renwick .“Pirates?Maritime Piracy and Societal Security in Southeast Asia.”*Pasifica Review: Peace, Security &GLocal Change* (1999): 7-24. Downloaded from <http://www.tandfonline.com/doi/abs/10.1080/14781159908412867#.U5EjyHurFhY> on 14 December 2014. p.15

²⁰Panda, Ankit. “ReCAAPing Asia’s Fight Against Pirates”. *The Diplomat*.2 November 2013. Retrieved from <http://thediplomat.com/2013/11/recaaping-asias-fight-against-pirates/> on 9 January 2015.

bomb or burn the vessels. Such attacks happened in 1990s when pirates used petrol bombs when an Indonesian vessel *MV Banowati* was attacked by pirates and caught fire in 1992.

C. Counter-Piracy Efforts in Southeast Asia

Countering piracy means dealing and anticipating the act of piracy. In Southeast Asia, the counter-piracy efforts are shown by organizations and individual states. There are international organizations with maritime security concern counter piracy through establishing bodies focusing on the issue, such as the International Maritime Bureau (IMB) Piracy Reporting Center (PRC) by the International Chamber of Commerce. Individual states fight against piracy through patrolling on their territorial waters and obtain bilateral and trilateral joint patrols with the neighboring states.

1. International Organizations Counter Piracy Efforts

With Southeast Asia being one of the busiest trading routes, the safety of the vessels that pass the passage from piracy and armed robbery attacks has been one of the concerns of international organizations such as the trading and commerce organizations, shipping companies and ship owners, ASEAN and the United Nations. The international organizations assist in facilitating reporting media for attacked ships, providing capacity building through training and workshops, and releasing monthly and annual reports on piracy and armed robbery incidents for further counter piracy strategies.

One of the earliest institutions is the International Maritime Bureau (IMB) Piracy Reporting Center (PRC) held in October 1992. The PRC which was centered in Kuala Lumpur was established due to the high demands from ship owners regarding piracy and armed robbery attacks toward their ships. Previously, because piracy was not considered as priority by states, it was a long process for ship owners to report piracy attacks.²¹ It works as the mediator between national security services gives advices to the shipping industries, and assists attacked vessels. The IMB PRC collects piracy and armed robbery reports and helps the attacked vessels by passing the reports to the local law enforcement agencies, as well as broadcasting the reports to all other ship masters to be aware.²²

Another international organization is the International Maritime Organization, which is a UN agency specialized in the safety and security of shipping. While the IMB PRC is active in collecting piracy attacks reports, the IMO focuses more on capacity building, by facilitating discussions regarding piracy and maritime security issues among industry, member states, security forces and other UN agencies. In countering piracy and armed robbery, the IMO had a long term project which was started in 1998. The project is divided into two parts which includes creating seminars and workshops for piracy-invested states representatives, and then evaluate and assess mission to different regions. The main objective of this project is to

²¹Johnson, Derek & Mark Valencia. *Piracy in Southeast Asia; Status, Issues, and Responses*. ISEAS Publishing .Singapore, 2005. p. 42

²²ICC Commercial Crime Service.“IMB Piracy Reporting Center”. Retrieved from <https://www.icc-ccs.org/piracy-reporting-centre> on 23 January 2015.

promote regional cooperation as counter-piracy measures. The IMO also issues monthly and annual reports of piracy and armed robbery incidents, collected from governments and other international organization, though most of the reports are from the IMB.²³

International trading and shipping organizations with maritime security concern have also shown some initiatives regarding piracy and armed robbery. Organizations like the International Chamber of Shipping (ICS), International Shipping Federation (ISF), Baltic and International Maritime Conference (BIMCO), Organization for Economic Cooperation and Development (OECD), International Confederation of Free Trade Unions (ICTFU) and International Transport Workers' Federation (ITF), assist in maritime security coordination by conducting periodical seminars and assemblies, routine reporting contacts, seminars and workshops, as well as providing working groups and personal contact between officials.²⁴

Aside from trading and shipping organization, there have been some efforts shown by the Association for Southeast Asia Nations (ASEAN). As a minimalistic regional cooperation, the counter piracy efforts are shown in less strict mandatory, due to sovereignty and territorial integrity issues. Through the ASEAN Summits and ASEAN Regional Forum (ARF), the initiatives are in form of discussions, training,

²³ Beckman, Robert C. "Combatting Piracy and Armed Robbery Against Ships in Southeast Asia: The Way Forward." *Ocean Development & International Law*.(2002): 317-341. Downloaded from <http://dx.doi.org/10.1080/00908320290054800> on 14 December 2014. p 333

²⁴ Abbot, Jason and Neil Renwick ."Pirates? Maritime Piracy and Societal Security in Southeast Asia." *Pasifica Review: Peace, Security & GLobal Change* (1999): 7-24. Downloaded from <http://www.tandfonline.com/doi/abs/10.1080/14781159908412867#.U5EjyHurFhY> on 14 December 2014. p. 16-17.

and capacity building workshop²⁵, although there have not been a specific form of counter-piracy action plan. This is because piracy was categorized under transnational crime.

ASEAN's first maritime security agenda began in 1997 with the Declaration on Transnational Crime, which categorized piracy as transnational crime.²⁶ The declaration was declared in the ASEAN conference in Manila on 18-20 December 1997, with concerns on transnational crimes such as "terrorism, illicit drug trafficking, arms smuggling, money laundering, traffic in persons and piracy on regional stability and development, the maintenance of the rule of law and the welfare of the region's people."²⁷ The declaration resulted in the decision to confront transnational crimes by the demand for states to strengthen the commitment, hold regular discussions on transnational crime issues, as well as cooperate with each other.

Another "step forward" action by ASEAN was from the ASEAN Regional Forum on 2003. Piracy and armed robbery were finally recognized as a real threat in the region, as shown on the "AFR Statement on Cooperation Against Piracy and

²⁵ ASEAN Secretariat. "ASEAN and ARF Maritime Security Dialogue and Cooperation". 4 October 2007. Retrieved from http://www.un.org/depts/los/consultative_process/mar_sec_submissions/asean.pdf on 26 January 2015.

²⁶ Ibanez, Mayla. "ASEAN Maritime Security: A Proposal for Legal Cooperation". CIL Workshop on International Maritime Crimes. Singapore, 17-18 January 2011. Retrieved from <http://cil.nus.edu.sg/wp/wp-content/uploads/2010/10/Mayla-Ibanez-Session-6.pdf> on 26 January 2015.

²⁷ ASEAN Secretariat. "ASEAN Declaration on Transnational Crime Manila, 20 December 1997". Retrieved from <http://www.asean.org/communities/asean-political-security-community/item/asean-declaration-on-transnational-crime-manila-20-december-1997> on 26 January 2015.

Other Threats to Security 17 June 2003”²⁸ Piracy and armed robbery issue are also fused with terrorism. Then in 2004, the Vientiane Action Program was planned for the next six years until 2010, as an agenda for regional collaboration.

2. States Initiatives

Piracy and armed robbery are regarded as domestic problems by the Southeast Asian countries if it occurs on their territorial waters and the Exclusive Economic Zone (EEZ). Since the late twentieth century, the awareness toward piracy as a threat is increasing in the region as a result of the increasing incidents. The initiatives to counter piracy include individual state efforts such as enhancing law enforcement toward piracy and armed robbery, as well as bilateral and trilateral cooperation in form of joint patrols on border areas between neighboring states.

a. Unilateral

Counter-piracy initiatives also come from individual states of Southeast Asia, mostly on the piracy-invested area. Previously in Southeast Asia, the dominant form of counter piracy effort is handled domestically. Due to high sovereignty issue in the region, most states feel independent enough to deal with the issue on their territorial waters.²⁹ Territorial issue has been linked as the main dispute, particularly in the maritime area, mainly between Indonesia, Singapore and Malaysia, as well as the case of South China Sea. Over the years, there has been an increase in counter-piracy

²⁸ASEAN Secretariat. “ARF Statement on Cooperation Against Piracy and Other Threats to Security 17 June 2003”. Retrieved from <http://www.asean.org/communities/asean-political-security-community/item/arf-statement-on-cooperation-against-piracy-and-other-threats-to-security-17-june-2003-2> on 26 January 2015.

²⁹Guan, Kwa Chong & John K. Skogan. *Maritime Security in Southeast Asia*. Routledge. New York, 2007.p. 4.

efforts by lifting the issue into a priority through enhancing the maritime law enforcement.

Counter piracy efforts shown by Indonesia as a country with most of piracy and armed robbery incidents includes the existence of several maritime security-related agencies such as *BAKAMLA*, an official agency which covers the patrols of the security and safety of Indonesian waters, as well as the Indonesian Navy (TNI AL). *BAKAMLA* is the acronym for *BadanKeamananLaut* or in English means the Sea Security Agency. Singapore, as one of the Southeast Asian countries is also quite aware of the increasing piracy and armed robbery. It is shown by various counter-piracy initiatives that Singapore initiated since 1991. By increasing coastal patrols and enhancing surveillance equipment, the Singaporean government aimed to produce more efficient maritime monitoring.³⁰ However, for Singapore, focusing on cooperation is a more preferred way in handling piracy and armed robbery. This is why Singapore is active in regional cooperation, including the ReCAAP agreement.

Malaysia also maintains the security of its maritime from piracy and armed robbery due to its geographical position. There were four anti-piracy commando units, set up in 1993, which focused on tactical and intelligence units. The commando units consisted of ten men, and were located in Lumut and Langkawi for the west coast area, in JohoreBahru for the southern maritime area and in Kemaman for the east coast area. However, it is suggested that Malaysia does not vision piracy as the main

³⁰Chalk, Peter. "Contemporary Maritime Piracy in Southeast Asia." *Studies in Conflict & Terrorism* (1998): 87-112. Downloaded from <http://www.tandfonline.com/doi/abs/10.1080/10576109808436055#.U5EjKHurFhY> on 14 December 2014.p.98.

transnational security threat because the government tends to focus on drug smuggling and illegal workers issue.³¹

Thailand has maintained the maritime security of its territorial waters with maritime enforcement agency, particularly the Royal Thai Navy (RTN). By establishing a Coast Guard Command, the RTN has been able to protect the maritime area as well as to aid other national agencies. At the same time, the Philippines initiative in countering piracy and armed robbery is maintained by the combination of government agencies, national police, coast guards as well as local city and provincial representatives. Special patrols including Special Warfare Group of the Navy and the Coast Guard Security Group are set on the archipelagic area with high piracy potential such as the Gulf of Moro and Sulu Archipelago and the area of northern Luzon.³² The special patrols are set up by the Philippines Navy and the Philippines Coast Guard (PCG).

b. Bilateral/Trilateral

Although most states preferred to deal with piracy and armed robbery issues individually, it is necessary to cooperate with each other to have a more effective result. It is not only because piracy and armed robbery are being a transnational crime. The financial crisis in the late 1990s has caused some countries to minimize

³¹Sato, Yoichiro. "Perceptions of Transnational Security Threats in Malaysia and Singapore of Cooperative Opportunities for the United States." *Issues for Engagement: Asian Perspectives in Transnational Security Challenges*. 140-153. Retrieved from <http://www.apcss.org/wp-content/uploads/2012/02/140-153-Perceptions.pdf> on 25 January 2015. p.146-147.

³²Abbot, Jason and Neil Renwick. "Pirates? Maritime Piracy and Societal Security in Southeast Asia." *Pasifica Review: Peace, Security & Global Change* (1999): 7-24. Downloaded from <http://www.tandfonline.com/doi/abs/10.1080/14781159908412867#.U5EjyHurFhY> on 14 December 2014. p. 18.

maritime security expenditure, which has led to the increase of incidents toward the twenty-first century. The initiatives to cooperate are significantly shown by Singapore, Indonesia and Malaysia because these three countries are located between the straits of Malacca and the South China Sea.

The cooperation among states is mostly in form of joint anti-piracy patrols and information sharing with no specific counter piracy program. The bilateral cooperation are including joint patrols between Indonesia and Singapore, Indonesia and Malaysia, Malaysia and Singapore, Malaysia and the Philippines, Malaysia and Thailand, and Thailand and Vietnam. The concept of the joint patrols are basically maintaining the patrols of each of their territorial and EEZ.

In 2004, Malaysia, Indonesia and Singapore formed the first trilateral cooperation in the region called MALSINDO or Trilateral Coordinated Patrol. Launched in July 2004, the joint patrol consisted of the Indonesian, Malaysian, and Singaporean navies to patrol coordinately on each of their territorial waters. However there is no difference in the operational concept. The trilateral cooperation is similar to the bilateral joint patrols between Malaysia and Indonesia, Indonesia and Singapore, or Malaysia and Singapore. They only focus the coordination by patrols on their own territories.

3. The Establishment of ReCAAP as the First Regional Counter Piracy Cooperation in Southeast Asia

Counter piracy initiative in Southeast Asia also derived from outside, including Japan. The Malacca strait was noted to be the passage of 80% of Japan's oil

trade³³. Aside from China, Japan also depends on the security of Southeast Asian waters for its trade. From 1989 to 2002, it was counted that total of 127 Japanese vessels were attacked by pirates on the Southeast Asian waters³⁴, mostly known is the case of Alondra Rainbow, a Japanese-operated cargo ship that was hijacked and converted into a “phantom ship” in Indonesian territory in October 1999. Seeing this issue, first initiative from Japan was proposed by former Prime Minister Keizo Obuchi in 1999. On the ASEAN+1 Summit in Manila on November 1999, Obuchi proposed an anti-piracy initiative called the Obuchi Initiative. Obuchi urged ASEAN leaders to level up counter piracy action through more cooperative way by establishing joint patrols and information sharing. Obuchi also stated that Japan will cooperate with the ASEAN states in combatting piracy as well as providing financial assistance.³⁵

In April 2000, the Japanese government hosted the “Regional Conference on Combatting Piracy and Armed Robbery against ships” in Tokyo. The conference was attended by heads of coast guards agencies and the director generals of maritime policies from 16 states included 10 ASEAN member states. From the conference, it was agreed that the regional cooperation to fight against piracy needed to be strengthened and three documents were published. The documents are including “Asia Anti-Piracy Challenges 2000”, “Model Action Plan”, and “Tokyo Appeal”. In

³³Johnson, Derek and Mark J. Valencia. *Piracy in Southeast Asia; Status, Issues, and Responses*, ISEAS Publication, Singapore, 2006. p.45

³⁴Ibid p.135.

³⁵ASIAN Political News. “Obuchi to Announce New Aid Initiative at ASEAN Summit”. 29 November 1999. Retrieved from <http://www.thefreelibrary.com/Obuchi+to+announce+new+aid+initiative+at+ASEAN+summit.-a057946698> on 27 January 2015.

September following that year, the “Mission for Combatting Piracy and Armed Robbery against ships” was sent by the Japanese government to coast countries including the Philippines, Indonesia, Malaysia and Singapore in order to consult about more specific counter piracy assistance and cooperation.

Another conference was hosted by Japan in October 2001. The “Asia Cooperation Conference on Combatting Piracy and Armed Robbery against ships” was also held in Tokyo and discussed visions concerning regional cooperation framework which covers short, medium, and long term. The result of the discussion in this conference was proposed by the ASEAN leaders to be further discussed on the ASEAN+3 Summit Meeting in November that year.³⁶

On the ASEAN+3 Summit, aside from discussing about the result from the conference in October, another idea was introduced. The then prime minister Junichiro Koizumi proposed the concept of a regional cooperation agreement. The concept was based on two documents from the conference in 2000, the “Model Action Plan” and “Tokyo Appeal”. The Tokyo Appeal contained the urge to better understand and combat piracy through encouraging reporting piracy incidents, improving counter piracy agendas, strengthening capacity building, as well as

³⁶Ministry of Foreign Affairs Japan. “Japan’s Effort to Combat Piracy and Armed Robbery Against Ships”. November 2001. Retrieved from <http://www.mofa.go.jp/region/asia-paci/asean/relation/piracy.html> on 27 January 2015.

enhancing multinational cooperation in fighting against piracy and armed robbery in Asia.³⁷

The proposed concept was then drafted into the Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia (ReCAAP) by 10 ASEAN states along with Japan, China, South Korea, India, Bangladesh and Sri Lanka in 2002. In November 2004, the agreement was finalized by 16 member countries and commanded to set up an Information Sharing Center (ISC) in Singapore. In order to come into force, at least 10 ratifications were required. This was fulfilled on 4 September 2006 when the agreement came into force with 14 ratifications. The signatories were including 8 ASEAN states, Singapore, the Philippines, Thailand, Vietnam, Laos, Cambodia, Brunei, and Myanmar, as well as Japan, China, South Korea, India, Bangladesh and Sri Lanka.

³⁷ Black, Lindsay. *Japan's Maritime Security Strategy: The Japan Coast Guard and Maritime Outlaws*. Palgrave Macmillan. 2014. p. 126.