Ganging up on Jolly Roger in Asia:
International Cooperation and Maritime Piracy

by

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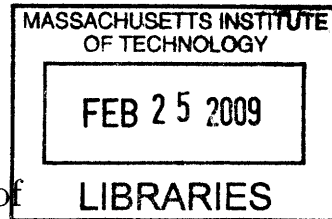in partial fulfillment of the requirements for the degree of

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Abstract

As non-traditional security threats such as terrorism and organized transnational crime gain greater prominence around the globe, the need for international cooperation against these non-state actors has consequently acquired greater urgency. Due to the cross-boundary nature of these activities, international cooperation is particularly critical for eradicating these threats. This thesis analyzes a particular instance of a non-state threat, maritime piracy, and uses it as a probe for understanding the nature of international cooperation vis-à-vis non-state actors. I observe a somewhat surprising trend while collating a database of all instances of international cooperation against maritime piracy throughout the world – Asia, and in particular Southeast Asia, has been the source of a disproportionately high level of international cooperation that is focused on eradicating the piracy problem. Furthermore, this trend has occurred even though Asia is often regarded as lacking the conditions necessary for international cooperation in the traditional security domain – binding multilateral institutions that can facilitate the institutionalization of cooperation agreements, as well as a hegemonic power with the ability to enforce cooperation. What has enabled international cooperation against maritime piracy to flourish in Asia, and what does this imply about non-traditional forms of security cooperation?

I propose that non-traditional security cooperation has thrived in Asia for at least two unconventional reasons – the ability of non-binding institutions such as ASEAN to facilitate and promote non-traditional security cooperation, as well as the effective use of national coast guard agencies to avoid the political sensitivities that often result from security cooperation in the traditional domain. I make these arguments by relying on evidence post-processed from two international datasets that I have collated – one on the instances of international cooperation against maritime piracy, and another on the geographical distribution of piracy attacks over time. It is hoped that these datasets, made publicly available for the first time, will be expanded upon for further research by the academic community. Finally, non-traditional forms of security threats appear to greater enable national governments to leverage off their commonality of interests to promote cooperation, and may even be an important confidence-building measure for generating greater cooperation in the traditional security domain in future.

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I would also like to thank the Singapore Armed Forces for funding my education experience at MIT. It would have been impossible for me to venture to this new country, half the world away from home, without their financial assistance.

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Throughout my four years at MIT, the Singaporeans in Boston have provided an important source of friendship so far away from home. Wee Lee, Shiming, Charlene, Serene Hung, Rika, Shirleen, Guo-liang, Wenxian, Christian, Kah Keng, Sarah, Jianlong, Amanda, Serena, Serene Lee, and Kah Seng have drastically reduced my feelings of homesickness though the numerous occasions where we cooked Singaporean food together, had dinner at Asian restaurants, or simply broke out into the Singaporean slang.

Finally, and most importantly, three individuals mean more to me than anything else in this world. Mum, Dad and Ruimin have been by my side since I was born, and have been absolutely indispensible in my growth and intellectual advancement. It is only because of their unconditional love, care and concern that I am able to write this acknowledgements page today. This thesis is dedicated to my family.

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Chapter 1: Introduction

1.1 Motivation

With the end of the Cold War, non-traditional security issues have risen in prominence. The September 11 attacks on the United States brought the subject of international terrorism to the top of the global security agenda, and threats from non-state actors, such as terrorism, maritime piracy, transnational organized crime, etc. have since gained prominence as an area of academic and policy research. Some scholars have even argued that transnational threats are "perhaps the major threat to the world system", and that fighting against non-state actors will be the "new wars of globalization", with states increasingly on the losing side.[1]

Non-state threats encompass a wide variety of problems that states have to grapple with, and general characteristic of threats that fall under this category include the sub-state or trans-state origins of the threat's actors, as well as the multi-dimensional and multi-directional outcomes that the actors seek to achieve. With the exception of terrorism, the fundamental existence of the state is also seldom threatened. For these reasons, the threats are not always effectively neutralized by traditional military means, and there is an urgent need for international cooperation amongst national governments to effectively combat the problem. Victor Cha, for instance, suggests that both security enforcement efforts and the containment of non-state threats will be increasingly ineffective through national or unilateral means.[2] Drug traffickers, terrorists, pirates and other transnational criminals cross international borders

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[1] See (Strange, 1996), p. 121 and (Naim, 2002)
[2] See (Cha, 2000), p. 394

freely, whereas national law enforcement agencies are bounded by international law to the territorial confines of their own countries. The perception that these threats are not as dangerous as their traditional counterparts also often reduces the priority that individual governments place on eradicating the problem. Without effective international cooperation across international borders, non-state threats will therefore continue to proliferate.

Unfortunately, international cooperation is difficult to achieve. Here, cooperation must be distinguished from harmony, which is accomplished simply from a synchronization of interests amongst different actors.[3] In contrast, cooperation materializes only when conflicting and complementary interests are involved, and actors actively adjust their actions and behaviors to make them aligned with the preferences of others. Based on this definition, not only does the need for compromises and sacrifices from all agents make cooperation difficult, but furthermore, cooperation at the international level often becomes even more elusive due to the anarchic international system that persists in society today. In the 1980s, for instance, the central question of international relations theory was why states in an "atomistic, anarchic, Hobbesian" international system would even want to cooperate with each other in the first place.[4]

The prospects for international cooperation become even less promising when one focuses on cooperation against non-state threats. Given that these threats are often considered more of a nuisance rather than threatening the fundamental existence of nation states,

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[3] This definition of cooperation was adopted from (Axelrod & Keohane, 1985)
[4] See (O'Neill, Balsiger, & VanDeveer, 2004; Waltz, 1979),

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national governments often exhibit reduced enthusiasm and willingness towards making the necessary compromises to tackle the problem effectively.

1.2 Maritime piracy in Asia

Given the difficulties in promoting international cooperation, this thesis analyzes the nature of international cooperation against non-traditional security threats by empirically analyzing the problem of maritime piracy. A classic example of a non-state threat that has long existed in international society, maritime piracy refers to any act of armed robbery that uses violence, or the threat of violence, in remote areas of the sea, with the focus on achieving financial gain.[5] Often operating within and across the maritime territorial borders of coastal states, maritime pirates evidently exhibit the trans-state nature common amongst non-state actors, since pirates "do not recognize the interstate borders sanctioned by international law and treaties".[6]

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[5] See (Johnson & Valencia, 2005), p. xi
[6] (G. Ong, 2005).

YEARLY STATISTICS OF INCIDENTS WHICH OCCURRED SINCE 1984 (WORLDWIDE)

Legend: Malacca Strait, Indian Ocean, East Africa, West Africa, Latin America and the Caribbean, Mediterra-nean Sea, North Atlantic, South China Sea, Arabian Sea, Others, Total
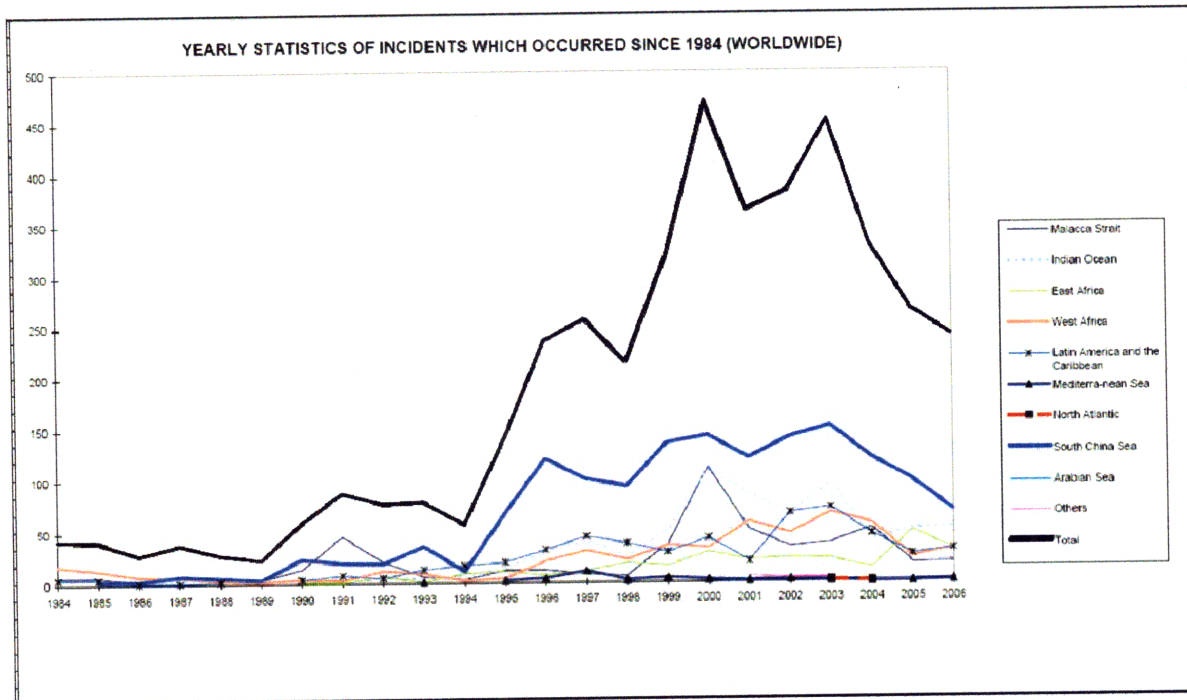
Figure 1 Yearly statistics of piracy incidents throughout the world since 1984, sorted by region. (Source: (IMO, 2007)**)**

Although the maritime piracy threat has existed since time immemorial, I have witnessed a significant escalation of the problem over the past two decades. Figure 1 underscores the extent of this problem by displaying the number of piracy incidents that have occurred annually between 1984 and 2006. Since the end of the Cold War in 1989, the annual rate of piracy incidents globally has increased dramatically, reaching a peak of nearly 500 attacks in 2000, or an average rate of more than one piracy attack per day. In 2007, the piracy threat has continued to persist with 263 ship attacks recorded throughout the world, out of which the territorial waters of Nigeria and Somalia witnessed the highest levels of piracy attacks.[7]

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[7] International Maritime Bureau, "Reported piracy incidents rise sharply in 2007", London, (9 January 2008)

Maritime piracy has been particularly rampant in Asia. As shown in Figure 1, the South China Sea and the Malacca Straits together consistently account for more than half of all piracy attacks in the world. This is particularly worrying because the two bodies of water make up an important portion of the world's Sea Lanes of Communication (SLOC) and lie on the busiest shipping trade route between the East and the West. In particular, the Malacca Straits is one of the most congested waterways in the world, and any security threat in those waters could significantly disrupt the international global trade system. Underscoring this growing security threat, the British insurance giant Lloyd's of London declared in June 2004 that the Malacca Straits was a high war-risk area. Since 2001, the maritime piracy threat has further taken on an added dimension, after the international community realized that a piracy attack could easily act as a cover for a maritime-based terrorist attack. Instead of merely pursuing financial gain, terrorists with a political agenda could hijack a commercial ship and drive it into a busy sea port, causing unimaginable damage to the region.

International cooperation is critical for combating maritime piracy effectively. The actions of a single state alone are usually inadequate to combat the problem, because even though pirates disregard international boundaries when attacking merchant ships, law enforcers are constrained by the very same boundaries to avoid infringing the sovereignty of neighboring states. In the absence of international cooperation, pirates can evade arrest by crossing these borders. Indeed, as Singapore's former Deputy Prime Minister, Dr. Tony Tan, reiterated, "Individual state action is not enough. The oceans are indivisible and maritime

security threats do not respect boundaries".[8] Consistent and comprehensive multilateral cooperation is the only solution to this growing problem.

Yet, the high incidence of piracy attacks in Asia does not immediately imply that international cooperation would naturally materialize to tackle the problem. In contrast, traditional theories on international cooperation, which heretofore have focused on cooperation against security threats from other nation states, would have predicted that international cooperation should not be witnessed in Asia. As elaborated upon in the literature review presented in Chapter 2, the academic literature, at one extreme, is led by neoliberal institutionalists emphasizing the establishment of strong multilateral institutions with the binding power to enforce cooperation amongst sovereign nation states. Alternatively, cooperation could result via Charles Kindleberger's hegemonic stability theory (Kindleberger, 1986), where a strong hegemonic power in the region possesses the political clout to enforce the necessary cooperation amongst the nation states.

If we cross-apply either of the hypotheses to the non-traditional security domain in a naïve manner, Asia would be an unlikely candidate for witnessing international cooperation against maritime piracy. Despite the presence of regional institutions such as the Association of Southeast Asian Nations (ASEAN), the Asia-Pacific Economic Cooperation (APEC) Forum, and the ASEAN Regional Forum (ARF), it is often lamented that Asia lacks the well-institutionalized framework that is necessary for regional cooperation, especially in contrast to regions such as

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[8] Tony Tan, "Maritime Security after September 11," International Institute for Strategic Studies conference, Singapore, 1 June 2003.

Europe.[9] Regarded as no more than a "talk shop" for government officials, the regional institutions are perceived by many academics and policy analysts to hold little promise for security cooperation in Asia, since their non-binding nature make them unlikely to be the foundation for meaningful collaboration amongst nation states.

The lack of strong multilateral institutions in the region may provide less cause for pessimism towards the prospects of cooperation if Asian states were less averse to the presence of a global hegemon in the region, which would have enabled the hegemonic stability theory to operate. Instead, coastal states in Southeast Asia, such as Malaysia and Indonesia, have expressed unequivocal opposition towards any security role offered by potential hegemons such as the United States Navy. This opposition was best represented by the coastal states' hostile reaction to US Admiral Thomas Fargo's pronouncement for a Regional Maritime Security Initiative (RMSI) in 2004.[10] Citing sovereignty sensitivities, the coastal states have managed to repel hegemonic attempts to enforce cooperation in the region, in the process reducing the likelihood of future cooperation with the United States. Traditional theories of international cooperation therefore suggest that the Asian region should be devoid of any meaningful cooperation against maritime piracy.

Nevertheless, empirical data suggests that Asia has become the center of maritime piracy cooperation in the world. My data collation of all instances of cooperation against maritime piracy amongst nation states, which I describe in Chapter 4, reveals that the large

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[9] (Tsunekawa, 2005).
[10] (Bradford, 2005)

majority of all piracy cooperation in the world has been established in Asia. The MALSINDO coordinated patrols, which commenced in 2004 between the navies of Malaysia, Singapore and Indonesia to secure the Malacca Straits against piracy attacks, the Information Sharing Center established in 2006 in Singapore as part of a 11-country Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), as well as the frequent joint anti-piracy exercises amongst law enforcement agencies in the region are just some of the cooperation that have developed over the past decade.

This plethora of cooperation efforts appears to have borne fruit. Since 2004, the number of piracy attacks in the Malacca Straits and the South China Sea has fallen, both in absolute terms and as a proportion of global piracy incidents. In August 2006, Lloyd's list lifted the war-risk insurance rating on the Malacca Straits, and in 2008, the IMB announced that Indonesia no longer ranked as having the highest number of reported incidents in the world. According to the IMB, much of the overall decrease in piracy attacks in the Malacca Straits can be attributed to the enhanced cooperation amongst the coastal states.[11]

This data just described presents an empirical puzzle. Why has there been international cooperation in a region which neither has strong, binding, regional institutions that can create and enforce international cooperation, nor strong hegemonic powers that can coerce states into cooperating? How should traditional theories of international security cooperation be modified in the context of non-state threats such as maritime piracy?

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[11] International Maritime Bureau, "Piracy figures up by 20% for first quarter of 2008", London, (16 April 2008)

These questions are particularly relevant today, because despite the growing threat of non-state actors to state security throughout the world, international cooperation vis-à-vis maritime piracy remains under-studied. Few analysts have written about maritime piracy cooperation, even though a significant amount of data on maritime piracy is readily available, especially if contrasted against other non-state threats such as terrorism. Greg Chaikin suggests that the international relations scholarship has largely neglected the maritime realm because it appears to play a minor supporting role in international order matters".[12] This role, however, appears to be increasing, and hence an understanding of international cooperation against maritime piracy will be a timely contribution to the existing literature.

Finally, it is worth noting here that while I do observe international cooperation against maritime piracy throughout the Asian continent, I specifically notice disproportionate levels of cooperation targeted at the Southeast Asian region, centered on the waters encompassed by the Malacca Straits and the South China Sea. Nevertheless, I regard the cooperation that has developed as an Asian-wide phenomenon, since much of the resultant cooperation has in fact involved many Asian nations external to the Southeast Asian region. In particular, Japan and India have played instrumental roles in evoking international cooperation against maritime piracy, targeted at both Southeast Asia and the greater Asian region.

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[12] See (Chaikin, 2005).

1.3 Problem Statement

This thesis attempts to solve an empirical puzzle that was witnessed. Although Asia, and specifically Southeast Asia, is often said to lack the pre-requisite conditions for international security cooperation, such as the presence of binding, multilateral regional institutions and a strong hegemonic power, this region nevertheless appears to be a leader in international cooperation against maritime piracy, and this cooperation has led to a decrease in maritime piracy incidents in the region.

I therefore attempt to answer a three-part question in this thesis:

1) Has meaningful cooperation against maritime piracy actually taken place in Asia?

2) Assuming that cooperation has emerged, what explains how this cooperation has materialized, given the lack of strong multilateral institutions in the region, as well as the aversion of small Asian states to security hegemons?

3) How does cooperation against non-state threats differ from traditional forms of security cooperation?

Through a data collection of all instances of cooperation against maritime piracy, I attempt to find trends that provide alternative explanations of how this cooperation has developed.

1.4 Summary of Findings

Our analysis of maritime piracy in Asia has revealed the following phenomenon:

1) A network of bilateral cooperation has developed against maritime piracy in Asia. However, instead of implying the irrelevance of non-binding regional institutions such as ASEAN, the increasing spread of cooperation in fact suggests that these institutions have played an important role of providing a platform for the diffusion of cooperation ideas, thereby promoting future cooperation against non-state threats.

2) International cooperation, especially those between coastal states and extra-regional powers, has been greatly facilitated by the use of national coast guards as the proxies for cooperation. These law enforcement agencies can promote significant cross-boundary interaction such as joint exercises, joint patrols, transfer of military equipment and training programs without raising the sovereignty sensitivities of the coastal states.

3) Comparing between traditional and non-traditional forms of security cooperation, I observe that not only are there greater prospects for cooperation against non-traditional security threats, but somewhat ironically, cooperation in the non-traditional security domain may even be providing unique opportunities for greater cooperation in the traditional security domain.

4) Finally, I have made efforts towards compiling a database of all instances of international cooperation against maritime piracy, and hope that this database will facilitate further research on international cooperation against maritime piracy in future.

1.5 Thesis Roadmap

The rest of the thesis elaborates on the above findings. I begin by detailing the pre-requisites necessary for the analysis in subsequent chapters. In Chapter 2, I survey the academic literature for prevailing theories on international cooperation, identifying the key areas of debate in the literature, and summarizing five hypotheses that posit what the conditions necessary for international cooperation are. Chapter 3 then focuses on the threat of maritime piracy, describing the nature of the threat, the need for international cooperation to effectively tackle the problem, the difficulties in promoting international cooperation against maritime piracy in Asia. Finally, I also survey the conditions that piracy experts have suggested to enhance international cooperation on this issue.

Chapter 4 begins the analysis portion of the thesis by first reporting the methodology and results of our data collation of all instances of maritime piracy cooperation in Asia. Using the empirical data, I not only show that significant cooperation against maritime piracy has been achieved in the region, but also that the cooperation appears to have been effective in combating the piracy problem.

The next two chapters hypothesize alternative reasons that explain why cooperation has materialized in Asia. Chapter 5 focuses on the dynamics within ASEAN, and argues that not only has there been a growing web of bilateral cooperation between countries in the region, but that the frequently-dismissed ASEAN multilateral institution provides a necessary platform for the spreading and strengthening of the cooperation network. Chapter 6 expands the geographical area of analysis further, analyzing the nature of cooperation between the coastal states, where most of the piracy attacks occur, and the extra-regional powers, which often have the necessary resources to tackle the problem effectively. I suggest that non-traditional forms of security cooperation, such as through the use of national coast guard agencies, have proven to be important facilitators of international cooperation in the security domain, especially in a region such as ASEAN, whose history has resulted in much aversion to extra-regional involvement.

Finally, Chapter 7 concludes the thesis by contrasting cooperation against traditional and non-traditional security threats, before suggesting areas for future work.

Chapter 2: Literature Review on International Cooperation

Let us begin by exploring and understanding the theoretical background required for this thesis. In this chapter, I survey the international relations literature for theories of international cooperation, and in particular, describe the conditions that have been hypothesized as being necessary for promoting international cooperation amongst sovereign nation states in an anarchic international system. As mentioned in Chapter 1, I note that the literature has thus far focused on theorizing in the context of traditional security cooperation against other state threats, and that there has not been an attempt to extrapolate these theories towards non-state security cooperation. Nevertheless, I rely on these traditional theories as a baseline for subsequent analysis, wondering if these theories are sufficient for understanding international cooperation against non-state actors.

2.1 Realism vs. Neo-liberalism: What is the Cooperation Debate?

In order to place the theories in context, however, let us first take a step back and understand the overall positions that major schools of thought in political science have adopted towards international cooperation. This is useful since it is noted that political science students often wrongly characterize the debate between the realists and the neo-liberalists over the nature of international cooperation.[13] Robert Jervis (Jervis, 1999), for instance, notes that there is a common misperception that realists believe that there is little prospect for international cooperation because the world is constantly in a state of anarchy, and that the pursuit of power is a zero-sum game. On the other hand, neo-liberal institutionalists are perceived to be big

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[13] (Jervis, 1999)

proponents of institutions because institutionalists are the only ones who accept that cooperation exists and believe that institutions are effective in promoting cooperation.

Instead, the distinction is much more subtle. Both schools of thought agree that the lack of an overarching, sovereign international organization prevents the enforcement of binding agreements among states, making it simultaneously harder and more critical for there to be international cooperation. Furthermore, both sides do not deny that cooperation exists, nor do they disagree that an anarchic international society best describes international politics today. For instance, realists are not blind to the fact that states do cooperate with one another, and that multilateral institutions such as NATO are strong facilitators of international cooperation. Instead, the distinction lies in their beliefs regarding the necessity of conflicts in world politics, the level of unrealized cooperation in society, as well as their perceptions of the role of institutions in promoting cooperation.

Here, offensive realists, led by John Mearsheimer (Mearsheimer, 2003), argue that because states are in constant pursuit of power, conflicts that still persist in international politics represent the incompatibility of desires amongst different states in the world. Offensive realists therefore argue that there is little room for increasing cooperation because even the provision of more information will not lead to changes in preferences over state strategies. Originating from the subfield of international security, where there is often much grandstanding amongst nation states, it is perhaps unsurprising that offensive realists have a pessimistic view of the value of cooperation in international politics.

In contrast, neoliberals such as Robert Keohane, Robert Axelrod and Duncan Snidal (Axelrod & Keohane, 1985; Snidal, 1991) tend to focus on state cooperation in the context of international political economy and the environment. They believe that much international cooperation remains unrealized because of the failure of the international community to employ a wider range of institutions, which would move international society towards a Pareto frontier and maximize the gains for all sides. They argue that with better information about the interests and intentions of the other parties, state preferences can change, and cooperation can result. I return to the debate on the role of institutions in promoting cooperation later in this chapter.

Finally, the middle ground in this debate is occupied by defensive realists such as Robert Jervis, Stephen Van Evera and Stephen Walt (Jervis, 1978; Van Evera, 1998; Waltz, 1979). They argue that it is the intentions of states, rather than their inherent power, that determines whether conflict is necessary, and thereby whether international cooperation is even possible. In this regard, Robert Jervis' notion of the security dilemma identifies the conditions under which defensive realists believe states will cooperate – when the offense/defense balance is tilted in favor of defensive postures, and when it is possible to distinguish between offensive and defensive postures. They therefore argue that cooperation can be enhanced by making known one's intentions, so long as there are no outwardly aggressive states that have to be dealt with.

2.2 International Cooperation in the 80s: A Game-Theoretic Approach

According to Helen Milner (Milner, 1992), the academic focus on international cooperation began in the 1970s, as states started actively cooperating over security and economic issues for the first time since the end of the World War. Over the next decade, the theoretical literature on international cooperation adopted a strong game-theoretic focus, emphasizing the use of matrix games such as the Prisoner's Dilemma, Staghunt, and Chicken to analyze international politics. In these games, a number of agents choose from a set of possible actions, and the joint combination of actions determines the rewards for each agent. Out of this systemic analysis, three sets of hypotheses have emerged. Together, they "suggest a series of variables that might affect the likelihood of the emergence of cooperation among nations",[14] though this observation does not imply that the academic community has reached a consensus on the relative importance of these variables, nor are the scholars in each sub-field united in their conclusions.

2.2.1 Absolute vs. Relative Gains

First, building off the realist-neoliberal debate, the potential for cooperation varies depending on whether states are assumed to seek absolute or relative gains. On the one hand, Robert Axelrod (Axelrod, 1984) proposes that rational states are focused on maximizing their absolute gains, and thus suggests the use of a Tit-for-Tat approach to discourage cheating and encourage cooperation. Robert Keohane (Keohane, 1986b) proposes a similar principle of

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[14] (Milner, 1992), p. 470

reciprocity, so that states realize that they will be rewarded for cooperating and punished otherwise.

Realists, however, challenge the absolute gains assumption, and instead contend that states pursue relative gains, constantly comparing their absolute gains with those of other states. Waltz suggests that even when mutual gain can be achieved through cooperation, states will "ask not 'Will both of us gain?' but 'Who will gain more?'".[15] Extrapolating from this, Joseph Greico's (Grieco, 1990) central argument posits that cooperation should never occur, except when a perfectly "balanced", or "equitable" achievement of gains is achieved.

In a return salvo, Duncan Snidal (Snidal, 1991) argues that while states do seek relative gains, this pursuit is only consequential in limited scenarios, such as in a two-actor case and/or a prisoner's dilemma situation. Indeed, Keohane (Keohane, 1986a) further argues that when interstate threat is low, the security dilemma becomes less relevant, and states may be willing to let other states gain the relative advantage in an exchange.

Ultimately, however, there have been doubts about whether the debate in this area actually matters. Helen Milner notes that despite the different assumptions, the proposed cooperation outcome, a balanced distribution of gains, is similar under both the absolute and relative gains assumptions.[16] Similarly, Robert Jervis suggests in more recent times that realists have moved away from their insistence on relative gains as states' primary interest, in

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[15] (Waltz, 1979), p. 105
[16] (Milner, 1992)

recognition that international politics is not always a zero-sum game.[17] In the same light, neoliberals agree that it is naïve to believe that states have no regard of how their gains compare relatively to their counterparts. Underlying these observations is Jervis' criticism that academics during this period were too obsessed with analyzing international cooperation at the game-theoretic level, thereby failing to explore the conditions under which states exhibit either the relative or absolute gain behaviors.[18]

2.2.2 Number of Actors

Another area of debate centers on the optimal number of cooperating states for successful, sustained cooperation. The traditional hypothesis, as Kenneth Oye (Oye, 1986) describes, suggests that cooperation becomes more difficult as the number of players increase, since not only does the likelihood for defection by one of the parties increase, but the feasibility of sanctioning defectors diminishes and information costs rise. Cooperation between just two states is therefore ideal, and the likelihood of cooperation materializing diminishes as the number of players increase.

However, the interplay of other factors may instead suggest that fewer actors may not actually be better for cooperation. Greico (Grieco, 1990) argues that having more states may actually be more conducive for cooperation, since this provides more opportunities for exchanges and side payments. A larger number of partners increases the likelihood that each of the states will at least find some interaction within the multilateral cooperation that is in its

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[17] (Jervis, 1999)
[18] (Jervis, 1999)

overall interest. In addition, more actors may be useful when states are focused on maximizing relative gains, since competitors will be less united in a multilateral setting, as Snidal suggests.[19] In such an environment, coalitions can be formed amongst a subset of the cooperation partners, enabling individual states to feel more secure against losing out.

Finally, Charles Lipson (Lipson, 1984) provides some form of synthesis by showing that even if a small number of actors is more conducive for cooperation, a large number of actors may still be able to cooperate if they are sub-divided into smaller groups. Each instance of cooperation only involves a subset of the group, but together, a large group of actors are interlinked in a cooperation network. Evidently, the jury is still out on the effect, if any, of the number of actors on the likelihood for cooperation. Indeed, Milner summarizes by observing that insufficient empirical analysis has been carried out, and thus the causal relationship has not been fully understood.[20]

2.2.3 Iteration effect

Finally, another hypothesis resulting from cooperation theorists' heavy emphasis on game theory proposes that the willingness of states to cooperate increases when they believe that they will continue to interact indefinitely. Game theory suggests that when agents assume that the game is not a one-off interaction, the value of maintaining a reputation for being an actor who is willing to cooperate outweighs the short-term benefit of defection. Unfortunately, while most scholars agree that iteration enhances cooperation, this has little prescriptive value,

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[19] (Snidal, 1991)
[20] (Milner, 1992), p. 474

since as Oye recognizes, "with the possible exception of global thermonuclear war, international politics is characterized by the expectation of future interaction".[21] This has led Milner to lament that there has been little theorizing about "what conditions generate enough iteration or a low enough discount rate to induce cooperative behavior".[22]

Instead, the debate surrounds whether iteration is a structural variable, or if it is manipulable by the actors. At one end, Oye posits that for iteration to work, the structure of each successive round of play must not be altered, and that the norms of cooperation must be explicitly codified.[23] On the other hand, Axelrod and Keohane, as described above, suggest that it is instead how the actors exchange their gains, such as through a tit-for-tat, a strategy of reciprocity, or a tactic of decomposition which enhances cooperation amongst states. Milner further suggests that actors may vary the degree of iteration based on their expectations, and hence there is a need to account for subjective evaluations[24].

2.3 Cooperation in the 90s: The Institutions Debate

As the international political system underwent a significant shift with the end of the Cold War, a similar shift appeared to occur within the academic literature on international cooperation. Perhaps due to the spirited debates of the role of international institutions such as NATO and the UN in a post-Cold War era, academics focused on analyzing the role of institutions and regimes in promoting international cooperation. Indeed, Randall Schweller and

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[21] (Oye, 1986), p. 12
[22] (Milner, 1992), p. 474-475
[23] (Oye, 1986), p. 16
[24] (Milner, 1992), p. 475

David Priess (Schweller & Priess, 1997) suggest that no topic in international relations theory generated more debate in the 1990s than the role of international institutions.

Despite such proclamations, however, it is doubtful that the shift is as drastic as one might have imagined. The definition used by academics for what constitutes an institution is broad, inclusive of any "enduring pattern of shared expectations of behavior that have received some degree of formal assent".[25] Such a broad definition not only includes formal international organizations that act directly as agents that influence state preferences and options, but also encompasses any form of international norm, belief, and knowledge that moves the international system away from an absolute state of anarchy. Indeed, Kenneth Abbott and Duncan Snidal (Abbott & Snidal, 1998) have lamented that the academic literature has dealt with institutions "at such a general level that it has little to say about the particular institutional arrangements that organize international politics", and have instead focused on the role of "formal international organizations" in promoting international cooperation. In effect, what this institutions debate has done is to shift the literature's focus from assuming a game theoretic structure in analyzing international cooperation to one that challenges the underlying assumption of whether such a structure should even be used to analyze international cooperation. In the process, the debate has also become the center battling ground of the major schools of thought, realism and neo-liberalism, in international relations.

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[25] (Jervis, 1999)

2.3.1 Formal International Organizations

We first focus on the role of *formal* international organizations, which Abbott and Snidal have identified as institutions that distinguish themselves from their alternatives by having the unique characteristics of centralization and independence – they must have a central, concrete organization structure and be able to act with a degree of autonomy within defined spheres.[26] Placing emphasis on this subset of institutions provides a more tangible answer to the question of what conditions are necessary for promoting international cooperation, in contrast to the constructivist approach of analyzing ongoing social processes and prevailing ideas.

Unsurprisingly, neoliberal institutionalists are optimistic about these institutions, arguing that these organizations help promote cooperation by changing the pattern of transaction costs, and that the information shared by international regimes helps reduce cheating and promotes compliance, thus "lengthening the shadow of cooperation".[27] Similarly, Peter Hass (Haas, 1990) suggests that such institutions ensure the extensiveness and durability of cooperation by reducing the uncertainty in the relationship.[28] According to Jervis, institutions can operate in three distinct ways. First, by binding states to agree to particular sets of actions, institutions make it more difficult and costly to defect in the future, enabling the international system to shift away from anarchy towards mutual preferences between states. Furthermore, institutions create an even greater potential for cooperation, since the spread of information and understanding could herald cooperation that political leaders themselves may be unaware

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[26](Abbott & Snidal, 1998)
[27] See (Keohane, 1984), (Axelrod, 1984), (Axelrod & Keohane, 1985)
[28] Haas (1990), p. 57

of. Finally, institutions may have an important dynamic effect of not just binding states and preferences to particular sets of outcomes, but may even result in a deeper change in how states perceive their own interests. For instance, although NATO's mission remained constant throughout the Cold War, state officials have now become more enthusiastic towards joint action through NATO as a foreign policy tool, rather than resorting to unilateral action.[29]

At the other end, realists challenge the independence assumption of these institutions by arguing that these institutions, rather than having a life of their own, are mere instruments of statecraft. John Mearsheimer (Mearsheimer, 1994) provides the strongest attack, arguing that institutions "have no independent effect on state behavior" because neoliberal institutionalists have underestimated the barriers to cooperation that exist in an anarchic international system, such as the distribution of the gains that arise from cooperation. States do cooperate through institutions, but these institutions merely reflect that the states involved are already seeking the goals that the institutions are trying to achieve, rather than the institutions acting as an independent agent that can alter state preferences. Similarly, Charles Glaser (Glaser, 1996) argues that institutions are "the product of the same factors... that influence whether states should cooperate", suggesting that rather than being a remedy to enhance cooperation, they are merely a by-product of a process that would otherwise have taken place anyway. Indeed, Mearsheimer argues that the neoliberals have not presented enough empirical evidence to prove that instances of cooperation would not have materialized in the absence of these institutions, while Joseph Grieco (Grieco, 1990) further suggests that

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[29] (Jervis, 1999), p. 61

this focus on international regimes misses the fact that an earlier bargain had already taken place to create the regime. In addition, regimes may even be detrimental if the established norms hinder cooperation, as Ralf Emmers (Emmers, 2003) argues in the case of ASEAN's norm of nonintervention.

Despite the differences, however, it is worth noting that both schools of thought implicitly assume the need for these international organizations to be binding in nature, i.e. that they can hold individual states accountable to the cooperation agreements that have agreed upon. Even if there is always the risk of defection, both sides agree that these institutions are created because, as Jervis notes, "national leaders want them to have binding effects".[30] The difference lies in the targets of the binding commitments – realists argue that institutions are used to bind others to their commitments, whereas neoliberals suggest that it is equally as important for states to use these institutions to bind themselves and show commitment towards cooperation. Without the ability to enforce a binding agreement, it is often assumed that states will either cheat on agreements or reach agreements that do not actually require much change in state behavior.[31]

2.3.2 Hegemonic Stability Theory: Unilateral Institutions

A final hypothesis that emerges from the literature suggests that imbalances in power within the international political system may actually be conducive to international cooperation. Initially proposed by Kindleberger (Kindleberger, 1986) in the 1970s and 80s, this

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[30] (Jervis, 1999), p. 300
[31] (Abbott & Snidal, 1998)

theory regained relevance when the international system became dominated by a single power after the Cold War. According to this theory, hegemons may be able to generate international cooperation by possessing the capability to impose cooperation on weaker states. Conybeare (Conybeare, 1985) further suggests that these asymmetries increase the likelihood of retaliation in the event of defection, while Lipson argues that asymmetry allows for the reduction in the number of actors, which then facilitates cooperation.

Here, the literature differs on the ideal distribution of carrots and sticks for facilitating cooperation. Young (O. R. Young, 1986) suggests that hegemons can impose cooperation agreements using coercion and brute force, regardless of the preferences of the weaker partners. Alternatively, Albert Hirschman (Hirschman, 1980) suggests "the influence effect" for generating cooperation, a more devious version of the hegemonic stability theory by actively fostering asymmetric interdependence between the hegemon and the weaker state. Finally, a more benevolent option is proposed, where hegemons promote cooperation by both inciting fear amongst weaker states, as well as actively providing carrots for weaker states to accept their leadership. This is often done by having the hegemons cover the startup costs of the cooperation, since not only is it the only state with the necessary resources to provide the collective goods of cooperation, but it also often has the overriding interests for doing so. Indeed, Grieco and Haas found that under such institutional structures, weaker states tended to get the better terms of cooperation.[32]

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[32] (Grieco, 1990; Haas, 1990).

2.4 Evaluation

This brief literature review on international cooperation has focused on identifying the key debates within the academic community, especially with reference to the conditions necessary for international state cooperation. Although we have identified five different hypotheses that attempt to explain how cooperation materializes amongst sovereign states, as Milner notes, each hypothesis "has its own problems and has only limited empirical support".[33] This is especially since the literature tends to adopt a very systemic focus, relying on much theorizing without the methodological testing of the theories on empirical evidence.

More importantly, the surveyed literature, where it applies to issues of security, has focused on international cooperation to tackle traditional forms of security threats; in most situations, the alternative to cooperation among states is interstate conflict. Yet, today's context suggests that cooperation is also needed to counter transnational threats such as terrorism and non-state actors, and hence the game-theoretic models that scholars above have frequently used may now be less relevant. For example, instead of the fear of defection of state actors, equally worrying is the consequences of inaction, an outcome not accounted for in the literature above.

Nevertheless, given the current state of the international cooperation academic literature, we can force ourselves to synthesize the theoretical debates and tie these theories back to our empirical analysis of maritime piracy cooperation in Asia. Assuming that the

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[33] (Milner, 1992) p. 480

traditional theories can be directly extrapolated to cooperation against the non-traditional security threat of maritime piracy, we should expect to observe the following:

1) The fewer the number of actors, the greater the potential for cooperation. This suggests that if we do witness cooperation in the region, it should comprise of a small number of bilateral cooperation that result when individual countries take proactive steps to promote cooperation with their neighbors, rather than multilateral instances of cooperation that involve a wide variety of nation states.

2) Multilateral institutions that have enforcement power are synonymous with greater cooperation. Given the weak of non-existent multilateral institutions in Asia, we should not witness any significant levels of cooperation, especially at the multilateral level.

3) Hegemons can generate cooperation by volunteering to take on the majority of the security burden. However, given the Southeast Asia's general aversion to security intervention by external powers, such hegemons will be strongly resisted by the region, at the expense of potential cooperation against the maritime piracy threat.

Chapter 3: Background on Maritime Piracy

Let us begin our focus on maritime piracy – a particular instance of non-traditional security threat – by providing the necessary background for understanding the problem. I first describe the extent of the maritime piracy threat in Asia by explaining why international cooperation is necessary to combat maritime piracy effectively, and exploring the unique difficulties that exist when encouraging this particular form of cooperation. Finally, as I did in the previous chapter, I survey the literature for suggestions on the necessary conditions for enhancing cooperation, except that in this chapter I focus specifically on conditions for promoting maritime piracy cooperation in Asia. In sum, this chapter hopes to bring the reader up to speed in understanding the nuances that are involved in combating the piracy threat in Asia.

3.1 "Pirata Este Hostes Generis"

Referred in the legal literature by this Latin term, which literally means "an enemy of all mankind", maritime piracy is an international problem that has had a long history. According to Adam Young, the term *pirates* found its roots in ancient Roman and Greek concepts, and in Southeast Asia, piracy has existed since there were people present to document it.[34] Within the anti-piracy community, the piracy definition that is most often adopted is the International Maritime Bureau's (IMB) version of "an act of boarding or attempting to board any ship with the intent to commit theft or any other crime and with the attempt or capability to use force in

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[34] See (A. J. Young, 2005)

furtherance of the act".[35] Put another way, any instance of an actual or attempted robbery in territorial or international waters constitutes a maritime piracy incident.
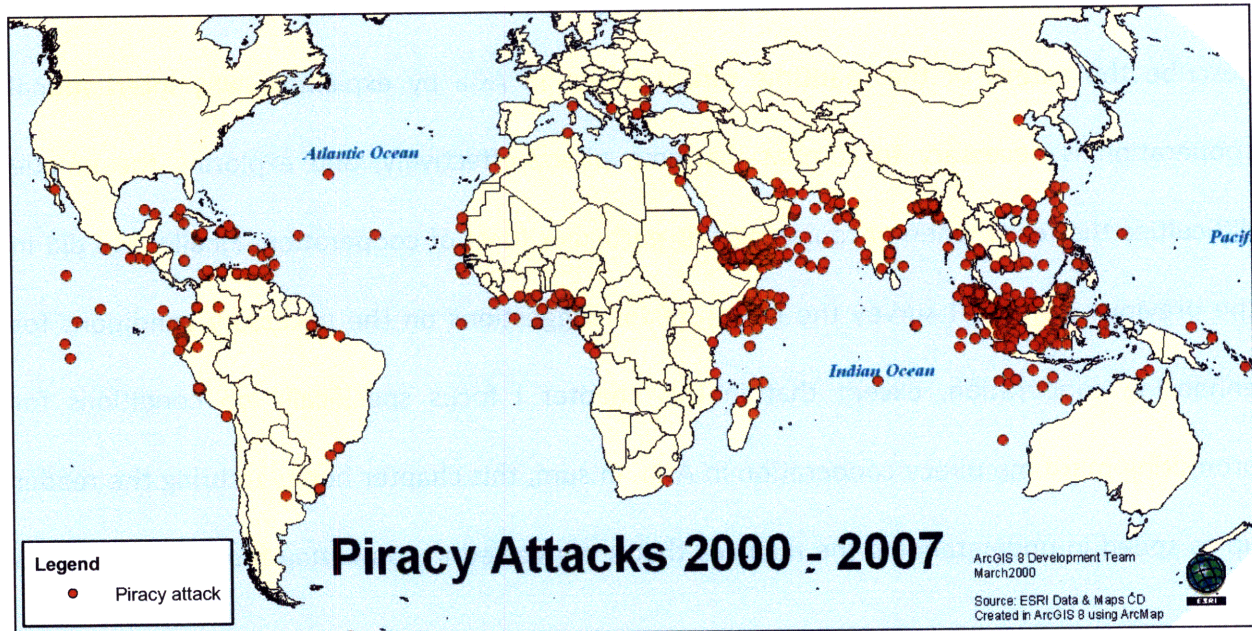
Figure 2: World piracy attacks from 2000 to 2007. Each red dot represents a maritime piracy incident. (Source: Data created using NGAS anti-shipping messages and ArcGIS software, with help from MIT Libraries ArcGIS staff)

With the help of the staff from MIT Libraries' Geographic Information Systems (GIS) section, I compiled a database of all maritime piracy attacks that were reported to the National Geospatial Intelligence Agency between 1985 and 2007.[36] This database consists of all actual and attempted attacks on commercial ships that were reported to international maritime safety agencies, and by having control over the source information, I was able to post-process the data to perform simple comparisons over space and time.

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[35] There are significant variations in definitions between the two international anti-piracy organizations, the IMB and the IMO. The definitions differ on whether the location of the attack matters in the piracy classification, as well as whether the victim ship needs to be boarded by another ship. We have adopted the IMB definition, since this choice has become accepted practice in the maritime piracy literature. See (Beckman, 2002; Johnson & Valencia, 2005)

[36] Anti-Shipping Activity Messages, National Geospatial Intelligence Agency, http://www.nga.mil/. Assessed on Aug 6, 2007. Once again, many thanks to the MIT GIS staff, especially to Lisa Sweeney, for her invaluable help in compiling the database.

Figure 2 illustrates the scale of the worldwide maritime piracy problem by providing a

pictorial representation of this database. Between 2000 and 2007, at least 2,612 piracy attacks

and attempted attacks were recorded, and as the figure suggests, these attacks occurred in

many regions throughout the world, though they also tended to be concentrated in particular

regions, such as in Southeast Asia and the Horn of Africa. Nevertheless, the data suggests that

any country with direct access to the open sea is at risk to the maritime piracy threat.

In fact, the extent of the global maritime piracy problem could be far worse, given the

widespread recognition amongst the anti-piracy community that significant underreporting of

piracy incidents is taking place. International information-gathering agencies such as the IMB

and the International Maritime Organization (IMO) rely entirely on victims to report an incident

to them, but piracy victims, including the crew and shipping companies, have incentives not to

report an attack. The complicated reporting procedures often result in additional delays to the

ship's schedules, and these delays can cost more than EUR 10,000 a day due both to the extra

days in port and the additional fuel costs.[37] In addition, shipping owners are afraid that these

reports will dent their commercial reputation and increase their insurance premiums, though

they are now required to do so by their insurance companies. IMB estimates that between 40

and 60 percent of all attacks remain unreported.[38]

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[37] (Johnson & Valencia, 2005) p. xii.
[38] Report of the United Nations Atlas of the Oceans, "Piracy and Armed Robbery at Sea", New York, 2005.

Maritime piracy poses a potential threat to the global economy because it often takes place along the major economic sea trade routes, also known as Sea Lanes of Communications (SLOCs). Not only do these sea lanes provide a constant stream of goods-laden ships that make it valuable for pirates to risk an attack, but the important shipping nodes of the world, such as the Malacca Straits and Horn of Africa, also provide calm, sheltered water for pirates to hide and wait for the next target to pounce on. Furthermore, these crowded harbors cause ships to anchor for long stretches of time offshore while waiting for their turns to enter the port, resulting in pirates having additional opportunities to board the ships.[39]

3.2 Asia: Piracy Central

One such region with worrying piracy trends is the Malacca Straits and its surrounding waters in Asia. With more than 40,000 ships passing through every year, the Malacca Straits is the busiest sea lane in the world, providing the critical link between countries such as China, Japan and Australia on the East, and India and Europe on the West.[40] Together with the Sunda and Lombok Straits, the region lies on one of the world's most important oil trade route, and accounts for more than half of the world's shipping tonnage. In addition, Asia has some of the largest shipping ports in the world, such as Singapore and Hongkong, making the security of the waters in the region an issue of international concern.

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[39] (Johnson & Valencia, 2005) p. xiv
[40] (Chaikin, 2005)

Southeast Asia	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Cambodia		1	1	1	1							
Indonesia	49	10	22	33	57	47	60	115	119	91	103	121
Malacca Straits	7	5	3	2	3		1	2	75	17	16	28
Malaysia	2		4	5	5	4	10	18	21	19	14	5
Myanmar (Burma)					1	2		1	5	3		
Philippines	5		5	24	39	16	15	6	9	8	10	12
Singapore Straits			3	2	2	5	1	14	5	7	5	2
Thailand				4	16	17	2	5	8	8	5	2
Far East	**1992**	**1993**	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**	**2003**
China/Hongkong/ Macau		1	6	31	9	5	2		2			1
East China Sea	1	10	6		1	1			1	2	1	
Hong Kong/ Luzon/Hainan		27	12	7	4	1						
Papua New Guinea					1	1	3			1	1	
Solomon Islands						1		1	2		2	
South China Sea	6	31	6	3	2	6	5	3	9	4		2
Taiwan				2						2	1	1
Vietnam			2	4		4		2	6	8	12	15
Indian Subcontinent	**1992**	**1993**	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**	**2003**
Bangladesh			2	2	4	9	9	25	55	25	32	58
India	5	1		8	11	15	12	14	35	27	18	27
Sri Lanka		2	1	6	9	13	1	6	3	1	2	2

Table 1.Breakdown of maritime piracy attacks by country between 1992-2003. (Source: (Abhyankar, 2006))
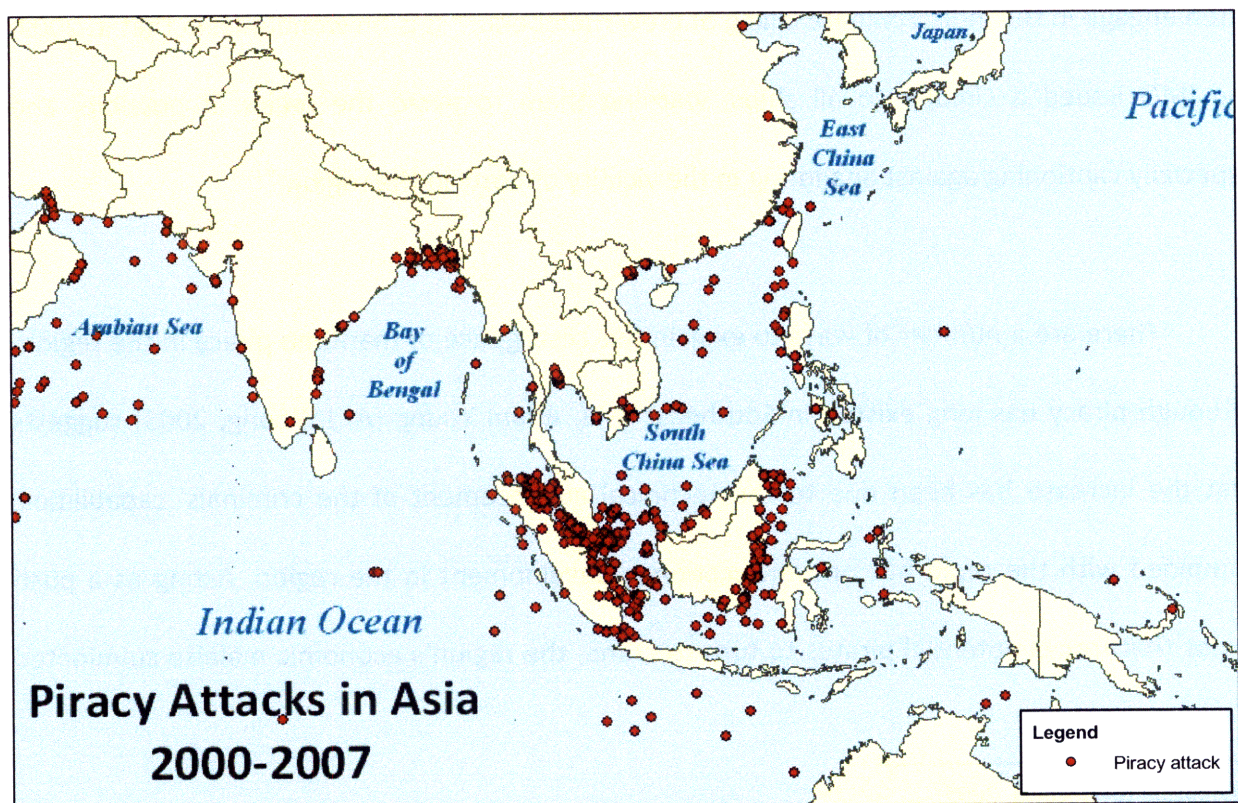
Figure 3. Piracy attacks in Asia from 1985 to 2007. (Source: Data created using NGAS anti-shipping messages and ArcGIS software, with help from MIT Libraries ArcGIS staff)

Over the past two decades, Asia has witnessed a worrying increase in the number of piracy attacks in the region. Table 1 shows the geographical breakdown of piracy attacks between 1992 and 2003, while Figure 3 provides a pictorial representation of the location of these attacks between 1985 and 2007. Together, the two pieces of data highlight the high incidence of piracy attacks throughout the region. Not only did Indonesia account for more than 25 percent of all piracy attacks in the world between 2000 and 2006, but nearby waters, such as the Malacca Straits and the Bangladesh coast, have also witnessed rampant levels of maritime piracy. In addition, the data conceals a separate trend, whereby pirates are resorting to greater violence to achieve their aims. Said to contain the world's most organized piracy criminal network, pirates in Southeast Asia often have links with criminal organizations, underground markets and corrupt governments, resort to a greater use of guns and knives, and often engage in the indiscriminate killing of crew members. [41] It is no wonder then that in 2004, the IMO issued a circular to all ships, warning them to avoid the region if possible, and especially cautioning against anchoring in the vicinity of ports in the region. [42]

There are a number of ways to explain this resurgence of maritime piracy in the region. Although piracy has long existed in Southeast Asia, Adam Young (A. J. Young, 2005) suggests that the increase has been due to the technical advancement of the criminals' capabilities, combined with the rapid but uneven economic development in the region. Acting as a push factor that forces potential pirates to turn to crime, the region's economic malaise culminated

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[41] (Johnson & Valencia, 2005)
[42] IMO, "Guidance to Shipowners and Ship Operators, Shipmasters and Crew on Preventing and Suppressing Acts of Piracy and Armed Robbery Against Ships" MSC/Circ. 623/Rev. 3, 29 May 2002

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with the 1997 monetary crisis, pushing piracy from the backwaters to the busiest sea lanes in Southeast Asia. Furthermore, maritime pirates tend to flourish in areas where national authorities have difficulty exerting authority over their territories, as in the case of the weak governments of Indonesia and Bangladesh during this period.[43] The political turmoil in Indonesia at the close of the twentieth century, for example, enabled maritime pirates to run amok throughout Indonesia's territorial waters. It is no wonder then that where such political situations coincide with important trade routes, maritime piracy tends to thrive.

3.3 The need for cooperation

The growing threat of maritime piracy in Asia has led to greater calls for governments to take action against the threat. However, for a multitude of reasons, states are finding difficulty combating the threat alone. The nature of the maritime piracy threat provides the first explanation. Not only do pirates operate in maritime waters, where territorial boundaries are not clearly demarcated, but furthermore, these transnational criminals have little regard for these borders that have been laid out by international laws and treaties, and instead readily cross into the waters of neighboring states. This is in contrast to the jurisdiction of national law enforcement agencies, which by international law must stay within the territorial boundaries of their state. Therefore, even if states are willing and capable of chasing down a pirate, they are unable to do so if the pirate escapes into the territorial waters of a neighboring country. Indeed, pirates aware of such a loophole have actively exploited it in order to escape capture.

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[43] (Chaikin, 2005), p. 126

International cooperation is the only solution for working around this barrier to effectively combat the threat.

For the purpose of analysis, I classify the countries involved in potential cooperation against maritime piracy into two groups: coastal and user states. Coastal states refer to those states that have territorial jurisdiction over the waters where maritime piracy attacks are most rampant, and in Asia, these refer to the Southeast Asian states with long coastal boundaries, such as Malaysia, Indonesia, the Philippines and Thailand. In contrast, user states refer to countries whose primary interaction with piracy stem from the frequent use of the piracy-infested waters by merchant ships that fly their national flag, as well as the countries' heavy dependence on these sea trade routes for their economic growth. Countries such as Japan, China, and the United States do not have territorial jurisdiction over the maritime boundary in question, but ships that fly their national flags account for much of the trade in the region. For instance, Asia's sea lanes provide Japan with more than 80% of its oil supply and channels at least 60% of Australia's trade.[44] While there is undoubtedly some overlap between the two definitions, such as in the case of India simultaneously having a piracy-laden coast and also being a heavy user of the Malacca Straits, this distinction nevertheless helps to distinguish the contrasting capabilities, constraints and responsibilities of the different state actors in the region.

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[44] (Ho, 2006)

Both coastal and user states need to cooperate in order to effectively combat maritime piracy. First, while coastal states may have the territorial jurisdiction to execute law enforcement measures against maritime piracy, they often lack the necessary resources to effectively combat the threat. The majority of piracy incidents take place in waters that are not considered international waters – between 1999 and 2003, more than 70% of all piracy attacks occurred either in harbors managed by the coastal states or within their territorial waters.[45] This meant that the law enforcement agencies of the coastal states have had to shoulder the bulk of the anti-piracy burden. Furthermore, as part of the 1982 UNCLOS agreement, the definition of a nation's territorial waters had been extended from three to twelve miles from the shoreline; this greatly increased the water surface area that needed to be patrolled by a weak, or sometimes non-existent, maritime law enforcement agency. The coastal state of Indonesia exemplifies this problem. Made up of more than 17,000 islands, Indonesia has more than three million square kilometers of territorial waters to patrol as a result of the 1982 agreement. According to Hasjim Djalal (Djalal, 2005), p. 145), Indonesia thus needs at least three hundred patrol vessels just to have any chance of patrolling its shores, but as of 2005, it only had twenty-five ships that could operate at sea at any one time.

In contrast, user states, by their very nature, have the necessary economic resources, as well as the law enforcement expertise, to help coastal states combat the piracy threat effectively. Their disproportionate share of the trade passing through the international waterways reflects their economic capability to provide the necessary law enforcement

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[45] Numbers obtained from Table I.1 in (Johnson & Valencia, 2005), p. xv.

resources that the coastal states so desperately need. For instance, in the four decades up to

2006, Japan offered more than $130 million in aid money to the coastal states surrounding the

Malacca Straits, assisting them in a plethora of maritime activities.[46] Had the user states' law

enforcement agencies not been constrained by the limitations on their jurisdiction in external

territorial waters, these extra-regional powers could probably have combated the problem

unilaterally. Indeed, this was perhaps one of the motivations for the series of escort operations

proposed by the Indian and US navies in the Straits of Malacca from 2001-2002, though the

escorts had to be subsequently abandoned due to opposition from the coastal states.[47] This

opposition has led Greg Chaikin to suggest that even a hegemon "may find small

unconventional threats in a maritime context impossible to defeat without international

cooperation".[48] Nevertheless, user states can still provide the necessary law enforcement

expertise to their coastal state counterparts, if both sides work hand-in-hand to combat the

maritime piracy threat together.

3.4 Why Cooperation has been Difficult

3.4.1 Political Apathy towards Piracy

Despite the clear necessity for international cooperation, however, trying to promote

cooperation against maritime piracy has been challenging. Piracy experts lament that for a

multitude of reasons, it has been an uphill task to get countries to cooperate. First, national

governments are often politically apathetic to the piracy threat, and as J. N. Mak (Mak, 2006),

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[46] (Baziron, 2007)
[47] (Bradford, 2005)
[48] (Chaikin, 2005)

p. 157) suggests, this hinders cooperation because cooperation is often dependent on a state's hierarchy of interests and its capacity to participate in such efforts. Indonesia, for example, has had other urgent priorities to respond to on land, including the separatist movements that have arisen on certain islands, inter-religious strife, as well as the economic malaise resulting from the 1997 financial crisis. States that do not have an abundance of law enforcement resources tend to place piracy low on the priority list, since the immediate threats from piracy – the potential financial loss of a few merchant ships – appear much less significant than some of its other security concerns.

This political apathy towards piracy has been compounded by the enlargement of maritime territorial boundaries, put into force through the 1982 UNCLOS agreement. While this has extended the territorial boundaries of the coastal states, the expansion simultaneously increased the burdens on the national law enforcement agencies, stretching many of them beyond their capabilities. Maritime law enforcement agencies have a wide range of threats to deal with on a daily basis; Malaysia, for instance, views piracy as only one out of the plethora of maritime problems, such as "illegal migrants, fish poachers, drug smugglers and potential terrorists", which its maritime agencies have to deal with.[49] Their small fleet of maritime vessels is therefore inadequate for countering all these threats simultaneously. It is no wonder then that piracy analysts lament that piracy is a "relatively neglected concern by regional governments, compared with other threats such as terrorism".[50]

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[49] (Mak, 2006), p. 157
[50] (G. Ong, 2005), p. 53

This apathy can be similarly extended to the global perception of piracy. As Graham Gerard Ong suggests, "people around the world simply do not recognize that piracy really exists as a modern menace".[51] Despite the continued occurrence of maritime piracy, such as the much-publicized hijack of a French yacht by Somalia pirates in 2008, the general public presumes that maritime piracy is a thing of the past, a phenomenon more associated with children folk tales than international politics. This has led Greg Chaikin to observe that we do not witness more cooperation against maritime piracy because such issues play a "minor, supporting role in international order matters".[52]

3.4.2 Cooperating with the Enemy

Another reason for the difficulty in developing international cooperation against maritime piracy is the accusation that some law enforcement officials are actually involved in the piracy attacks themselves.[53] Rather than attempting to curb the piracy problem, some officials, such as those from the Indonesian and Chinese law enforcement agencies, are instead alleged to have been actively participating and profiteering from these activities, either through the supply of information pertaining to potential ship targets, or by providing a safe and secure market for the pirates to sell their stolen goods.[54] Some reports have even suggested that some of the attacks were carried out by personnel donning Chinese Navy uniforms, while riding onboard ships that bore resemblance to Chinese Navy ships.[55] If such acts of defection had

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[51] Ibid.
[52] (Chaikin, 2005)
[53] (Dillon, 2000)
[54] (Worrall, 2000).
[55] (Dillon, 2000)

indeed been occurring, any form of international cooperation with these implicated countries would have undoubtedly been meaningless.

3.4.3. Sovereignty Sensitivities

However, by far the biggest inhibitor of cooperation in Asia has been the much referenced "sovereignty sensitivities" held by some of the coastal states. Criticized by piracy analysts and policymakers alike for "jealously guarding their sovereignty over territorial waters", coastal states have often been alleged to refrain from any form of cooperation that even remotely hints at compromising some aspect of state sovereignty.[56] Indeed, Bradford (Bradford, 2005) observes that this strong aversion by the coastal states not only completely eliminates the likelihood of any cooperative ventures that could even remotely raise the sovereignty sensitivities of the coastal states, but that it may also undermine cooperation initiatives that do not direct infringe on such sensitivities, in case these initiatives lead to "creeping infringement".

It is worth understanding the roots of this criticism, and I suggest three explanations for this view. First, the region's recent freedom from its history of colonization continues to weigh on the minds of national leaders. Given that most countries in the region were only granted independence from their colonial masters after World War II, it is perhaps not surprising that some countries still fear that their new found freedom will be challenged by other states. For example, when the Association of Southeast Asian Nations (ASEAN) was founded in 1967 to bring together five of these newly independent states, a "Treaty of Amity and Cooperation"

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[56] (G. Ong, 2005), p. 53

agreement was signed to emphasize the respect of each nation's territorial sensitivity. This treaty has since been extended to all subsequent ASEAN new members, as well as many of ASEAN's key regional partners.[57]

Coupled with this new freedom has been the fact that many of these coastal states are still trying to define their maritime boundaries, and many remain in territorial disputes with each other. Malaysia, for instance, still has maritime boundaries that have not been universally recognized nor internationally accepted.[58] Many islands in the South China Sea continue to be hotly contested amongst states in the region, not only because some states regard this issue as a source of national pride, but also because they lead to an extension of the 200nm Exclusive Economic Zone, within which countries have the right to extract economic resources from the waters. For example, Singapore and Malaysia are still awaiting a decision by the International Court of Justice on who owns the sovereignty rights to the island of Petra Branca, while the Spratly Islands, which is surrounded by rich fishing grounds and potential oil deposits, remain hotly contested by China, Taiwan, Vietnam, Malaysia, Philippines and even Brunei. These continued disputes make maritime territorial sensitivity a deeply contentious issue, for the presence of naval vessels and other flag ships by a neighboring country can be easily interpreted as a sign of that country exerting territorial claim over the disputed area. It is no wonder then that Mak suggests that any changes in the authority and management of the Malacca Straits would similarly have implications beyond the Straits alone.[59]

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[57] (ASEAN, 2005)
[58] (Mak, 2006), p. 156
[59] (Mak, 2006)

Finally, a tit-for-tat explanation suggests that these "sensitivities" are the coastal states' response to a tussle between the coastal and user states in the maritime domain that has waged for decades. In the three decades since the 1960s, coastal and user states battled over whether the Malacca Straits was an international strait where all ships had "innocent passage", or if the straits was instead part of the territorial waters that belonged to the coastal states, and user states were merely granted "transit passage".[60] While this dispute was somewhat resolved with the 1982 UNCLOS agreement, the tussle continued in the 90s, when Indonesia and Malaysia pushed for a stricter ship safety regime after facing a threat of oil spills by foreign tankers.[61] However, this regime was refused by the user states such as the United States and Japan, and thus the "sovereignty sensitivities" that persist today may reflect a similar retaliation by the coastal states' to the user states.

As an aside, I should qualify that these sovereignty sensitivities are not unique to international cooperation efforts between coastal and user states. Indeed, the issue of sovereignty sensitivities has been a limiting factor even for intra-ASEAN cooperation, including those purely amongst the coastal states. For example, the 2004 MALSINDO coordinated patrols between the Malaysian, Singaporean and Indonesian navies does not grant navies the right of "hot pursuit", and instead confines the ships to their own waters to "respect the cardinal

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[60] (Mak, 2006), p. 144
[61] (Johnson & Valencia, 2005)

principal of national sovereignty".[62] Sovereignty sensitivities have therefore reared its head in many attempts at promoting international cooperation.

Furthermore, the sensitivities are not homogenous amongst all coastal states. Singapore, for instance, has openly welcomed the active involvement of user states in helping to secure the straits against piracy and terrorism, a strategic posture that is often referred to as the "internationalization" of the straits.[63] One explanation for this is that Singapore's geographical disadvantage at being locked in by the maritime zones of its neighbors makes the question of maritime sovereignty infringement by user states irrelevant.[64] Nevertheless, even Singapore has begun advocating to the user states that they have to take into account such sovereignty sensitivities when discussing international cooperation. In 2004, Singapore's Deputy Prime Minister Dr. Tony Tan emphasized that "all of these efforts must take into account the sovereignty and territorial integrity of the littoral [coastal] states".[65] It is therefore not much of a stretch to suggest that sovereignty sensitivities remain an important consideration when discussing international cooperation.

3.5 Conditions for Greater Cooperation: From the Anti-Piracy Perspective

Despite the difficulties for international cooperation in Asia, the piracy threat persists and needs to be dealt with. In this final section of the chapter, I survey the literature for suggestions on how to promote greater cooperation against piracy in Asia. In particular, I seek

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[62] Statement made by Malaysia Deputy Prime Minister Najib Razak. Marcus Hand, "Malaysia and Indonesia Retract Joint Patrol Statement", *Lloyd's List,* (July 2, 2004)
[63] (Johnson & Valencia, 2005)
[64] (Mak, 2006), p. 138
[65] The Hindu, "India to be sounded on Malacca Straits Security", Singapore, 29 Aug 2004.

to highlight the debates that have been waged in the literature in pursuit of a solution to the problem.

3.5.1 Coupling piracy and terrorism

One possible solution that has been suggested by some piracy analysts is to emphasize that piracy attacks can actually be covers for terrorist acts, a strategy that has been termed the "conflation of piracy and terrorism" in Southeast Asia. Although their ends may differ drastically – piracy is motivated by greed and focuses on financial gain, whereas terrorism is motivated by political goals that go beyond the immediate hijacking operation; nevertheless, piracy and terrorism are both maritime-based crimes, and the means that are employed are often surprisingly similar.[66] For example, both acts first involve the forceful takeover of a merchant ship. Indeed, Singapore's Home Minister Wong Kan Seng noted that "sometimes we do not know whether it's pirates or terrorists who occupy the ship, so we have to treat them all alike".[67]

The similarities that exist between the two security threats have led to calls for coupling terrorism together with piracy. Piracy experts such as Graham Gerard Ong (G. Ong, 2005) suggest that highlighting the possibilities for piracy incidents to become acts of maritime terrorism will increase the attention of coastal states to the increased consequences of inaction towards the piracy threat, thereby increasing the prioritization of maritime security and goading states into action. He suggests that conflating the two issues will increase the

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[66] (G. Ong, 2005)
[67] "Pirates should be regarded as terrorists: Kan Seng", *Business Times: Shipping Times,* 22 December 2003, p. 1

likelihood of cooperation not only because of the 2001 terrorist attacks in the United States, but also because of terrorist attempts that are much closer to the region, such as the 2002 Bali bombing in Indonesia, as well as the uncovering of a terrorist plot to fly a plane into Singapore's Changi Airport. Indeed, Ong suggests that the "current threat of terrorism has sharpened attention on other international crimes such as piracy", and argues that a successful linkage of the two issues in the minds of policymakers will generate the necessary impetus for action.[68] Furthermore, he suggests that the conflation of piracy with terrorism will make coastal states more willing to accept external assistance, since they then become aware of the magnitude of the problem that needs to be combated and recognize that they will not be able to tackle the threat unilaterally.

However, this conflation of piracy and terrorism has its critics. Although it could compel greater cooperation, the conflation of the piracy threat with terrorism could similarly backfire, and instead be interpreted as an effort by extra-regional powers to implement a broader security plan that goes well beyond the fight against piracy and terrorism in the straits. Because of the often greater scale and scope of terrorist threats compared to maritime piracy, any international cooperation against terrorism must inherently involve military forces, which further incites the sovereignty fears of coastal states. It is no wonder then that Mark Valencia (Valencia, 2005) suggests that the different perspectives on "terrorism" and sovereignty may in fact undermine cooperation, and that the two problems require different long term solutions.[69] In a similar vein, I argue in Chapter 6 that an effective means of promoting anti-piracy

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[68] (G. Ong, 2005)
[69] (Valencia, 2005)

cooperation is through the enhancement of non-militarized forms of cooperation, leveraging on

the unique characteristics of the non-traditional threat nature of the maritime piracy problem.

3.5.2 Joint patrol vs. Help with training

A second area of debate concerns the types of cooperation that should be encouraged

amongst states in order to promote effective international cooperation. On the one hand, some

scholars place emphasis on promoting joint patrols and exercises, whereby law enforcement

agencies of different countries cooperate by having their anti-piracy personnel interact with

each other, learning and practicing counter-piracy techniques together. These activities are

much prized because it indicates a high level of "operationalization", a term Bradford coins to

indicate the extent to which the cooperation can be carried out by middle rank officials without

direct coordination at the strategic level.[70] Furthermore, such cooperation creates a significant

show of force against the pirates, and a number of scholars have suggested that the combined

patrols by law enforcement agencies have proved effective in Southeast Asia.[71]

Coming from a different angle, Adam Young argues that although joint cooperation is

ultimately necessary to address the piracy problem, the first priority must be to re-establish the

domestic security regimes and capabilities of the coastal states, addressing the problem at its

roots by providing funding and training to develop national operational security capabilities.[72]

Similarly, Mak (Mak, 2006), p. 151-159) contends that the focus must first be on a political

settlement to convince littoral states such as Malaysia and Indonesia that their maritime

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[70] (Bradford, 2005)
[71] See (Bradford, 2005),(Ho, 2006)
[72](A. J. Young, 2007), p. 116

boundaries are sacrosanct. These suggest that joint patrols and exercises are merely superficial displays of cooperation, and the push for such activities may backfire because the coastal states already fear such direct involvement from extra-regional powers. Similarly, Mark Valencia (Valencia, 2005) suggests that joint exercises and patrols that involve user states, such as the US-India naval patrols, may face practical issues of whether these external powers do possess the arrest authority if the situation arises.[73] Instead, other forms of cooperation are suggested, including the provision of international funds, training and materials to develop national coast guards and local patrol capabilities, as well as developing the region economically and politically in the long run.[74] Hasjim Djalal (Djalal, 2005), p. 158) further suggests reaching agreements on maritime boundary delimitation so as to clarify the area of operation for law enforcement agencies, as well as to promote formal and informal forums for greater regional understanding.

This debate suggests that there is an inherent tradeoff between the level of operationalization of a particular type of cooperation and the likelihood of the cooperation actually materailizing. If we hold all other factors constant, there appears to be a higher probability of cooperation if we focus on promoting non-operational forms of cooperation, such as providing large sums of aid and law enforcement training to the coastal states. Unfortunately, this has a less direct effect on curbing maritime piracy. Ultimately, the question is therefore whether operationalized forms of cooperation can be promoted in a more successful manner.

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[73] (Valencia, 2005). This may refer more to US-India naval patrols than international cooperation that involves coastal states, and hence may be taken out of context here.
[74] (A. J. Young, 2005), p. 26.

3.5.3 Bilateral vs. Multilateral

The final issue builds off the game theoretic hypothesis that were earlier identified in Chapter 2, where I discussed what the optimal number of actors for promoting cooperation is. In the maritime piracy literature, this debate has manifested itself through the question of whether regional institutions and forums, such as ASEAN and ARF, have any role to play in enhancing cooperation, or if cooperation efforts should instead focus on promoting bilateral cooperation amongst individual countries.

In the interest of avoiding a repetition, I defer the detailed discussion of this material to Chapter 5, where I analyze the arguments made by both the proponents and critics of ASEAN's role in promoting cooperation against maritime piracy, as well as the suggestion by some to rely solely on bilateral and trilateral forms of cooperation to eradicate maritime piracy.

3.6 Summary

International cooperation against maritime piracy in Asia is undoubtedly a challenging task, one that is fraught with many difficulties. The solutions that have been proposed by piracy analysts have not been without their skeptics, and in the subsequent chapters, I take on each of the debates in one form or another. Based on the empirical data that I have collected, I argue for alternative explanations to explain how cooperation has managed to materialize in Asia.

Chapter 4: Looking at the Numbers

Methodology and Data Collection

Having discussed the relevant background for understanding the difficulty of promoting international cooperation against maritime piracy in Asia, I now tackle the underlying question in this thesis – What is the state of international cooperation against maritime piracy in Asia? Indeed, the answer to this question underpins the validity of the rest of this thesis, because by attempting to provide explanations for the disproportionately high levels of international cooperation in the region, I have implicitly assumed that such cooperation does exist to a significant extent.

Unfortunately, in attempting to determine the level of international cooperation in Asia, I found that no solution was readily available. Not only is the literature on maritime piracy somewhat conflicting in its assessments and analyses, but in addition, no database of international cooperation against maritime piracy, or any transnational threat for that matter, is publicly available. In light of this, I decided to take matters into my own hands, and compiled my own maritime piracy international cooperation database, using newspaper reports over the past two decades to document and collate all reported instances of cooperation by any two or more countries worldwide. Using this database as the empirical backbone for the rest of the analysis in this thesis, I not only observe that there has been a significant level of international cooperation in Asia, but also contend that the high levels of international cooperation in this region over the past decade cannot simply be explained by the high incidence of piracy attacks

in the region over the same period. Comparing general cooperation trends across different regions, I conclude that other factors, which I propose in Chapters 5 and 6, must be at work for generating the levels of cooperation we have witnessed in Asia.

The roadmap for this chapter is as follows: I first provide a brief synthesis of the conclusions drawn by different piracy analysts on the state of international cooperation in Asia, noting how a consensus has thus far been elusive. This underscores the necessity for creating our own piracy cooperation database, and I thus describe the methodology that I have employed, as well as the inherent limitations of this preliminary data collection. I then present our collated dataset and provide a summary of the data; here, I have sought to make this database openly available so that it can be extended and used for subsequent research on cooperation against maritime piracy. Finally, by comparing the state of international cooperation across different regions, I draw conclusions of the unique characteristics of maritime piracy cooperation in Asia, especially in the Southeast Asian region.

4.1 What the Experts Say

I begin by revisiting the literature on maritime piracy cooperation to understand what piracy analysts have observed about the state of cooperation in Asia. We quickly realize that despite the fact that many of the articles were written during the same period, with some even published together in the same volume, there is significant diversity and even contradictions in

the opinions that have been expressed.[75] At one end, some analysts have witnessed a sharp increase in cooperation amongst Asian nations in the past decade, and are thus optimistic about the state of cooperation in the region. John Bradford (Bradford, 2005), for example, suggests that nation states have not only reinvigorated their cooperation commitments, but have also created new ones, thereby demonstrating their significant commitment to expanding maritime confidence and security building measures (MCSBMs) and other forms of operationalized cooperation. By proposing that five factors have enabled greater international cooperation - relaxing sovereignty sensitivities, alignment of extra-regional power interests, increasing prevalence of cooperation norms, improving state resource capabilities and increasing prioritization of maritime security, Bradford argues that even though obstacles remain, states nevertheless appear firmly committed to international cooperation.

At the other end, Graham Gerard Ong (G. Ong, 2005), analyzing the same region over the same period, argues that there have been insufficient cooperation efforts amongst Southeast Asian governments because of "inertia, complacency, and the complexities of national pride and rivalry". Contending that anti-piracy cooperation has been mediocre at best, he therefore argues for the coupling of the piracy and terrorism threats in the public policy discourse, so as to significantly increase the attention of national governments to this worsening problem.

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[75] Many of the most important articles on maritime piracy cooperation can be found in two books, Derek Johnson and Mark Valencia, ed. *Piracy in Southeast Asia: Status, Issues and Responses* and Graham Gerard Ong-Webb, ed. *Piracy, Maritime Terrorism and Securing the Malacca Straits.* See (Johnson & Valencia, 2005; G. G. Ong, 2006)

Turning to particular instances of cooperation, analysts similarly differ on the conclusions that should be drawn from some of the more noteworthy instances of cooperation in Asia. With reference to the joint patrols amongst the coastal states of Malaysia, Singapore and Indonesia, also known as the MALSINDO patrols, Adam Young optimistically suggests that this instance of cooperation reveals that "Indonesia and Malaysia are willing to share responsibility of security in this region".[76] In contrast, J.N. Mak argues that the joint initiative has merely been a Malaysia-Indonesia "public relations exercise", agreed upon only for the countries to appear that they are taking some action against the problem, thereby avoiding military intervention in the Malacca Straits.[77] By implication, Mak suggests that the presence of cooperation does not automatically imply that meaningful cooperation is actually taking place.

If we analyze the literature further, one possible cause for the disagreements amongst piracy analysts is the differing opinions of the effectiveness of the cooperation that have developed thus far. Because the metric of cooperation effectiveness is inherently arbitrary, analysts have unsurprisingly disagreed over this issue. Mark Valencia (Valencia, 2005), for example, suggests that despite the presence of maritime cooperation amongst Asian countries, their effectiveness has been questioned because some of the cooperation appears merely to be "talk shops" that hardly lead to any action. Joshua Ho (Ho, 2006) similarly argues that existing countermeasures in Asia have had limited effectiveness due to the sovereignty concerns, differences in capabilities, and political suspicions that continue to exist today. In contrast, other analysts have pointed to other indicators to support their optimism about the effects of

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[76] (A. J. Young, 2007), p. 116
[77] (Mak, 2006), p. 156

the cooperation efforts thus far. P. Mukundan, for instance, points to the recovery of vessels

such as the Siam Xanxai, Petro Ranger, Global Mars, Alondra Rainbow, Selayang, Inabukwa, as

evidence that such cooperation have had some effect, and suggests that states have shown a

much greater willingness to discuss issues and cooperation on a regional scale to address the

problem.[78]

Focusing on particular characteristics of international cooperation, scholars have

similarly disagreed on the particular avenues of cooperation in Asia. Sandra Levitt (Leavitt,

2005), for example, assumes the lack of security cooperation between Japan and ASEAN in her

analysis of the underlying explanations for this apparent trend.[79] She suggests that despite the

commonality of threats between the two actors, such as piracy, terrorism and smuggling,

security cooperation in the past decade between Japan and ASEAN has trailed both intra-

ASEAN cooperation and cooperation between ASEAN and the Western powers.[80] In contrast,

John Bradford contends that Japan has taken a leading role in eradicating maritime piracy in the

region, and has enjoyed success in promoting bilateral cooperation with ASEAN states.[81]

Similarly, Greg Chaikin (Chaikin, 2005) p. 138) argues that Japan's anti-piracy initiatives have

achieved success, and thus Japan's contributions to promoting international cooperation must

not be underestimated.

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[78](Mukundan, 2005), p. 39
[79] (Leavitt, 2005)
[80] Ibid, p. 218
[81] (Bradford, 2004)

This brief review therefore suggests that despite the maritime piracy analyst community being a relatively small one, a consensus has not been reached about the state of international cooperation in the region, not only in terms of the intensity of cooperation in Asia, but also the effectiveness of the cooperation and the main channels via which cooperation develops. We therefore cannot simply rely on a literature review to determine the state of cooperation against maritime piracy in Asia.

4.2 Towards an Anti-Piracy Cooperation Database

In light of the contrasting viewpoints, I had hoped to directly refer to some list of the cooperation instances to make our own assessment of the state of maritime piracy cooperation in Asia. Unfortunately, such a record of all piracy cooperation did not exist. Few publicly available databases actually keep track of any form of international cooperation amongst nation states, and none of these provide any information on maritime piracy cooperation. The closest database is the United Nations Treaty Collection, but this collection only contains those agreements that were registered with the United Nations, leaving out many important data-points. Other similar datasets include Joshua S. Goldstein's database on International Cooperation and Regional Conflicts, as well the Correlates of War Formal Alliance dataset, although both are primarily concerned with traditional security threats.[82]

Given the lack of an existing database that documents maritime piracy cooperation, I decided to create my own dataset with the desired information on international cooperation

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[82] For Correlates of War dataset, see (Gibler, 2004). For Int'l Cooperation and Regional Conflicts dataset, see (Goldstein, 2004).

against piracy. In addition, we believe that this will address one possible cause for the contradictory opinions amongst piracy analysts, since the absence of such a cooperation dataset makes it difficult for opposing camps to even agree upon the facts before having the opportunity to identify their areas of disagreement.

4.3 Methodology

To compile this preliminary version of the cooperation database, I performed a search for instances of cooperation that were reported in newspaper articles over the past two decades, starting from 1990 and ending in December 2007. Using the Dow Jones Factiva database, which includes the record of all "Dow Jones newswires", "major news and business publications", "press release wires", and "Reuters newswires", I searched for any newspaper article that contained the terms "maritime" and "piracy", along with one or more of the following terms: "cooperation", "cooperate", or "agreement".[83] By doing so, I have not restricted ourselves to just cooperation within Asia, thus enabling us to make general comparisons across different regions. This search returned more than 1700 news articles, from which I extracted the relevant cooperation information and compiled it into our piracy cooperation dataset.

The database sought to document all instances of cooperation involving government officials from at least two different countries. Recall from Chapter 1 that the definition of cooperation involves, at the minimum, that actors have actively adjusted their actions and

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[83] This was selected by choosing "sources" under search preferences and selecting the "All sources/top sources" category

behaviors to align their preferences with others. Unfortunately, there is a large variety of interactions that countries can engage in, and hence it was often difficult for us to ascertain whether the actors have had to sufficiently adjust their actions in the interaction, so as to be considered as a form of cooperation. In the interest of making our database as inclusive as possible, I have set the threshold as any form of interaction between government officials of at least two different nation states, where the officials either engaged in an operational activity, such as a joint operation or training, or mutually agreed upon a decision to take action against maritime piracy. In all of these cases, the threat of maritime piracy must be an explicit motivation for the cooperation.

I have sought to create a dataset that not only sheds light on the state of maritime piracy cooperation globally, but also one that can be used for future research by others in the community. As such, I have only reported that an instance of cooperation has occurred when the particular activity has actually been reflected in the media. Here, I note that the lack of confirmation of an agreement's operationalization does not imply that it did not actually occur, but could instead have been merely due to the fact that I have avoided extrapolating instances of cooperation from other sources of data. For example, even though annual joint patrols have occurred between Malaysia and Indonesia since 1992, I only record the eighth annual patrol in 1999, since prior joint patrols after 1992 were not reported in the media. Nevertheless, because we seek to provide as complete a picture of the state of cooperation against maritime piracy as possible, as well as to record whenever cooperation agreements have actually materialized, I have included all instances of cooperation whenever they were reported in the

media, even if this may somewhat compromise the statistical accuracy of the data. However, when I subsequently post-process our data, I account for this by noting the number of *independent* instances of cooperation that have been recorded.

Finally, it may help the reader to better appreciate the scope of this dataset by detailing which forms of interaction have been intentionally left out of the dataset. I do not include calls by the leaders of a single country calling for more cooperation, nor do I include calls for help by individual countries unless another country responds and agrees to help. In addition, I have decided against coding the unilateral actions taken by individual countries, even if these are initiatives that would facilitate cooperation in future. Thus, I do not include Japan's revision of its Coast Guard Law to make it legal for Japan to send its coast guard to help with maritime piracy cooperation further from its shores, or Malaysia's efforts at setting up the Malaysia Maritime Enforcement Agency to facilitate cooperation with law enforcement agencies of other nations. Finally, I have also decided to leave out agreements that were made at the sub-national level, such as those by members of the shipping industry and the trade unions, since these acts of cooperation do not involve the same sorts of tradeoffs that government officials have to consider when deciding whether to cooperate.

4.4 Cooperation against Maritime Piracy, 1990-2007

Table 2 present the dataset that has been collated. I have tried to sort the cooperation into four geographical regions, in line with IMO's categorization when reporting the incidence of piracy attacks – Malacca Straits (MS), South China Sea (SCS), Indian Ocean (IO), and Africa.

This will enable us to subsequently compare the maritime piracy cooperation across the different regions, as I seek to determine if there is a direct correlation between the number of piracy attacks and the number of instances of cooperation. Here, our categorization of the cooperation was made by considering the region that the cooperation efforts were targeted at. For instance, most of the agreements that India and the United States have concluded with coastal states such as Singapore, Malaysia and Indonesia have been coded as cooperation in the Malacca Straits, since these countries have primarily focused on working together to fight the scourge of piracy in the territorial waters of the coastal states, rather than those in the waters of the bigger countries such as the Indian Ocean. However, due to the close proximity of some of these regions, I have also witnessed additional cooperation that have spanned multiple piracy-prone regions, and have thus coded them as such.

Date	Region	Countries involved / Regional grouping	Cooperation description	Coop. Type
Jan 91	MS	Indonesia, Malaysia	General Border Agreement, organizes joint patrol operations 4 times a year	JA
Oct 91	SCS	China, Taiwan	Taiwan delegation visiting China reach consensus on fighting piracy together	GA
Apr 92	MS	International Maritime Bureau	24-hour Piracy Reporting Center (IMB PRC) set up to collect information and intelligence on pirate attacks and disseminate to shipowners, law enforcement agencies. Opens in Oct 1992	IA
Jun 92	MS	Singapore, Indonesia	Agree to joint naval patrols, with a direct communication link to improve coordination. Navies and marine police will have right of hot pursuit. Patrols commenced in August 1992.	JA
Jul 92	SCS	ASEAN, China, Russia	Countries agree on Spratly Declaration, and also commit to explore area of cooperation such as anti-piracy projects	GA
Oct 92	MS	Japan, Malaysia	Malaysia and Japan explore opportunities for Japan to support in securing the safety of the Malacca Straits, after Malaysia's requests	GA
Apr 93	SCS	China, Taiwan	Both countries agree to set up formal channel for negotiation on economic and social issues, including cooperation to combat maritime piracy	GA
Aug 94	MS, SCS	Malaysia, Philippines	KL-Manila defense pact signed between both countries to enhance military cooperation, helping both countries to tackle piracy and other security matters.	GA
Aug 95	SCS	China, Philippines	Both countries agree on code of conduct for settling South China Sea disputes amicably, and to promote cooperation in areas such as prevention of piracy eventually	GA
Mar 96	SCS	China, Philippines	Joint statement issued, both countries agreed to cooperate in combating piracy in South China Sea, establishing working groups and exchange visits. Part of annual talks between both countries	GA
Dec 97	MS, SCS	ASEAN	ASEAN Declaration on Transnational Crime agreed to convene experts group to study feasibility of ASEAN Plan of Action on Transnational Crime and ASEAN Center on Transnational Crime	GA
Mar 98	SCS	Thailand, Vietnam	Joint-commission meeting in Thailand agreed to intensify cooperation in fight against piracy, amongst other talks like energy cooperation and trade	GA
Jul 98	SCS	Thailand, Cambodia	Border meeting between both navy chiefs agreed to begin joint operation to patrol common territorial waters, tackling both drug trafficking and piracy more efficiently	JA
Sep 98	MS	IMO, Thailand, Malaysia, Indonesia	IMO sends expert anti-piracy mission to 3 countries, working together with local representatives to identify problems, create profile of pirates, and trying to link solutions with existing law enforcement measures	
Feb 99	MS, SCS	South Korea, Indonesia	Navies agreed to seek cooperation to tackle piracy, will discuss holding further combined naval maneuver exercises against pirates, and will discuss ways to further strengthen military exchanges	GA
May 99	Panama	United States, Panama	United States delivers 2 patrol ships to Panama to help fight drugs and piracy	EA
Jun 99	SCS	Thailand, Vietnam	Navy forces sign pact to start joint patrol along border, implementing schemes to boost mutual understanding and cooperation in sea rescues and piracy	JA
Jun 99	MS, SCS	ASEAN	Governments agreed in principle to set up ASEAN Center for combating transnational crime and adopted ASEAN plan of action to combat transnational crime	IA
Jul 99	MS	Malaysia, Indonesia	8th joint patrol conducted in Straits since Dec 2, 1992, involving 7 ships and 2 aircraft from both countries, re-emphasizing cooperation by both sides to ensure safety of straits	JC

(Cooperation type: JA – agreement for joint exercise/patrol/operations, IA – agreement for info. Sharing, TA – agreement for cross-training, RA – agreement for resource transfer, GA – general agreements for cooperation, JC – Instance of joint exercise/patrol/operation)

Nov 99	SCS, MS	ASEAN, Japan	Japan submits proposal to ASEAN to set up a joint regional coast guard body, promote the exchange of information against maritime piracy, and provide financial assistance. Patrol plan gets positive response	IA
Feb 00	Asia	India, Japan	Visit by India's defense minister to Japan forge agreement to encourage maritime cooperation, especially on growing piracy in Southeast Asian waters	GA
Mar 00	MS, SCS	13 Asian countries	Regional coast guard conference organized by Japan Maritime Safety Agency in Singapore agree to work together to fight against piracy, and to hold higher level talks in April	GA
Mar 00	IO	India, Vietnam	Agreement signed between defense ministers for Indian Coast Guards and Vietnamese sea-police to cooperate with each other in combating piracy	GA
Apr 00	SCS	Malaysia, Philippines	Recent bilateral talks between Malaysia and the Philippines have focused on promoting border patrol cooperation to stem piracy	JA
Apr 00	MS, SCS	16 Asian countries	Maritime policy officials adopted "Asia Anti-piracy challenges 2000" and "Mode action plan" agreements at regional conference, pledging to work together to combat piracy in the region.	GA
Jul 00	MS	FPDA countries	Agreed to have joint exercises amongst the 5 countries to fight anti-piracy, as well as for closer cooperation amongst the countries to stamp out the problem.	JA
Aug 00	Asia	India, Japan	Japan PM visit to India, agreed to institutionalize dialogue between for defense and foreign affairs ministers to coordinate actions on security of sea-lanes and joint naval exercises to combat piracy	JA
Oct 00	MS, SCS	Japan, ASEAN	Japan agrees to help crack down on piracy by providing assistance in the education of antipiracy personnel, holding seminar for 10 ASEAN coast guard officials and enroll 5 students in its maritime technical college	TA
Nov 00	Asia	India, Japan	Japan Coast Guard visits India and holds first ever joint exercise-drill overseas, involving 3 ships and 3 aircrafts. Discussions held between Coast guard chiefs, agreeing on annual exercises between coast guards	JC
Nov 00	MS, SCS	ASEAN	Regional experts meeting on combating piracy and armed robbery against ships, first of four annual experts meetings, seeks closer cooperation amongst countries to combat piracy in Asian waters	
Nov 00	MS	Japan, Malaysia	Joint exercise drill held off Malaysia's coast between Japan coast guard and Malaysian maritime police.	JC
Nov 00	MS	Japan, Malaysia, Indonesia	Malaysia and Indonesia rejects Japan's offer for joint anti-piracy patrols, though they still request Japan's help in technology and information exchange	
Dec 00	MS	South Korea, Indonesia	Defense ministers of both sides meet and agree to further cooperation to assist in dealing with maritime accidents and disasters such as piracy. First talks between defense ministers of two countries in ten years	GA
Dec 00	North Asia	Canada, China, Russia, Japan, South Korea, US	First meeting of the North Pacific Coast Guard Forum, a meeting of coast guard heads to discuss how to crack down on piracy and smuggling of drugs and guns in northwestern pacific	
Jan 01	MS	Japan, Singapore	Delegates from both sides agree to work together to provide regional security for piracy that Malaysia and Indonesia had rejected	GA
Jan 01	MS	Indonesia, India	Both countries sign cooperation agreement for weapons purchases and joint training exercises on piracy, though both sides stress that this does not amount to a defense pact.	JA
Feb 01	MS	Singapore, Indonesia	Memorandum of Understanding signed to improve education and training of seafarers to combat piracy, in addition to allowing Indonesian sailors to get jobs on Singapore-registered ships	TA
Mar 01	MS, SCS	11 Asian countries,	2 day meeting in Singapore amongst Asian government officials, initiated by IMO, agreed for IMO to consult	GA

(Cooperation type: JA – agreement for joint exercise/patrol/operations, IA – agreement for info. Sharing, TA – agreement for cross-training, RA – agreement for resource transfer, GA – general agreements for cooperation, JC – Instance of joint exercise/patrol/operation)

		IMO	governments to work towards regional agreement on cooperation against maritime piracy, armed robbery	
Mar 01	MS	South Korea, Malaysia, Singapore	South Korea agrees with each country separately for cooperation with respective navies to counter piracy problem, agreeing to promote exchange and cooperation in defense industry and logistics.	GA
Apr 01	MS, SCS	Japan, ASEAN	5 employees of ASEAN Coast guards enroll in Japan Coast Guard Academy for training, studying navigation and communication for between two and five years	
May 01	Asia	Japan, Russia, India	Japan Coast Guard holds annual sea review and drill in Tokyo Bay, holds joint exercise with India Coast Guard and Russian Federal Border Service	JC
Jun 01	MS	Indonesia, Malaysia, Singapore, IMB	Pirates successfully caught after Indonesia, Malaysia and Singapore pooled their efforts, along with information from the IMB PRC, to recapture the vessel.	
Jul 01	MS	Japan, Singapore, Brunei	Bilateral Joint drills conducted between Japan Coast Guard and counterparts in Singapore and Brunei. Japan patrol boat sent 4 times between Jul 2001 and Mar 2002.	JC
Aug 01	IO	US, India	US lifts sanctions off India so as to accelerate cooperation in joint exercises, officer exchanges and coordinated efforts to combat piracy. And protect sea lanes of Indian Ocean	
Aug 01	SCS	Japan, Thailand, Philippines	Joint 4 day mission amongst 3 countries to fight increasing piracy. Japan sends a patrol aircraft for the operation	JC
Aug 01	SCS	Malaysia, Philippines	Philippines President visit to Malaysia; both sides agreed to joint patrols and other counter measures against piracy and kidnapping off Malaysia's Sabah state.	JA
Aug 01	MS, SCS	US, ASEAN	US Coast Guard begins anti-piracy training for navies of ASEAN countries	TA
Oct 01	MS, SCS	Japan, ASEAN	Asian Cooperation Conference on combating piracy, organized by Japan Coast Guard, brings together maritime patrol officials from 9 Asian countries, providing them with anti-piracy technical information	
Oct 01	SCS	Japan, Philippines	1 day joint maritime exercise between Japan and Philippines Coast Guard near port of Maniela, involving 2 ships and 3 helicopters.	JC
Oct 01	North Asia	Japan, China	Agreement signed to launch full-scale joint operations to combat piracy and other transnational crimes. Both sides also agree to share information and hold conferences once a year	JA
Oct 01	Africa	Kenya, Tanzania, Seychelles	Multilateral agreement signed to set up maritime search and rescue center in Mombasa	GA
Oct 01	MS, SCS	ASEAN	Ministerial meeting on transnational crime issue joint communiqué recognizing need for region to deal with more forms of transnational crime such as sea piracy	GA
Oct 01	MS	Indonesia, Singapore	Mock pirate attack organized to highlight capabilities and cooperation level between both countries.	JC
Nov 01	SCS	Philippines, Indonesia	$1.5 billion worth of oil accords signed, with discussion on how to improve border controls and ocean patrols especially on security problems such as piracy, sea smuggling and terrorism.	GA
Nov 01	MS, SCS	Japan, ASEAN	Japan proposes working group to explore ways of improving cooperation and study formulation of a regional anti-piracy cooperation agreement. Acceptance of proposal led to negotiations for ReCAAP agreement.	IA
Nov 01	MS	Malaysia, Indonesia	Navies launched 10 day joint maritime operation in Malacca Straits aimed at curbing piracy and other unlawful maritime activities	JC
Nov 01	Africa	US, Yemen	Economic, security and intelligence pact signed in US, with US joining western nations to help Yemen establish maritime patrol forces to prevent piracy in region.	GA

(Cooperation type: JA – agreement for joint exercise/patrol/operations, IA – agreement for info. Sharing, TA – agreement for cross-training, RA – agreement for resource transfer, GA – general agreements for cooperation, JC – Instance of joint exercise/patrol/operation)

Feb 02	MS, SCS	EU, ASEAN	1st ASEAN-EU Experts Group Meeting on Maritime Security discussed piracy, with EU offering assistance for exchanging information, sponsoring ASEAN students for anti-piracy seminars, setting up training institutions	TA
Mar 02	SCS	Japan, Brunei	Talks between both countries discuss joint ASEAN efforts to combat piracy and armed robbery in Southeast Asian waters	
Mar 02	MS, SCS	14 Asian countries	Coast guard authorities together agree to create network to exchange information about piracy on Asian seas on a daily basis	IA
Mar 02	MS, SCS	Japan, Indonesia	Bilateral joint exercises between Indonesian coast guard, marine police and Japan coast guard.	JC
Apr 02	MS	US, Indonesia	2 day meeting between military officials of both countries to discuss issues such as piracy and terrorism, though not a resumption of full military relations.	
Jul 02	SCS	Japan, Philippines	Countries agree and begin 5-year JICA-PCG Human resource development training program for the Philippines Coast guard, funded by the Japan International Cooperation Agency	TA
Aug 02	SCS	Japan, Brunei	Joint exercise between Brunei police force special operations section and Japan coast guard	JC
Aug 02	MS	Indonesia, Singapore	10th anniversary of Indonesia-Singapore coordinated patrol, with both sides affirming that cooperation will continue during talks between Singapore Defense minister and Indonesian President	JA
Sep 02	MS	India. Indonesia	Joint coordinated patrols between both countries kicks off, as part of the defense agreement that was signed between both countries in Jan 2001.	JC
Oct 02	SCS	Indonesia, New Zealand, Australia, Philippines, East Timor, Papua New Guinea	Foreign ministers at Inaugural meeting of Southwest Pacific Dialogue forum issued joint statement promising to boost cooperation in fight against terrorism and maritime issues like piracy.	GA
Oct 02	MS, SCS	APEC	Joint statement on counter-terrorism agree to enhance cooperation on fighting piracy in the region	GA
Nov 02	MS, SCS	ASEAN, China	Joint Declaration of ASEAN and China on cooperation in the field of non-traditional security issues agrees to strengthen information action, personnel exchange, practical cooperation and joint research on piracy	IA
Nov 02	MS, SCS	ASEAN, India	Joint statement of ASEAN-India Summit exchanged views and perspectives on non-traditional security threats such as piracy and agreed to develop concrete program of cooperation	GA
Nov 02	MS, SCS	ASEAN, EU	Both regional groups agreed on an ASEM seminar on anti-terrorism in China in 2003, agree to cooperate to facilitate early implementation of UN Convention against transnational organized crime	GA
Dec 02	SCS	EU, China	Treaty signed to cooperate on shipping matters, ensure fair access to each other's ports, and work to combat terrorism and piracy	GA
Dec 02	SCS	Philippines, Indonesia	Indonesian foreign minister visit to Philippines, and agreed for more cooperation in law enforcement to fight against terrorism and piracy. Signed at the 3rd Joint Ministerial Commission on Bilateral Cooperation.	GA
Mar 03	SCS	Japan, Philippines	Joint anti-piracy exercise held in Manila Bay, testing and evaluating Philippines and Japanese capabilities at combating piracy and armed robbery against ships	JC
Mar 03	Africa	MOWCA countries, IMO	Maritime Organization of West and Central Africa (MOWCA) agree in principle to an integrated sub-regional coast guard network for sub-regional cooperation for combating piracy and implementation of IMO codes	JA
Jun 03	MS, SCS	ARF	Statement on cooperation against piracy and other security threats committed to encouraging bilateral and	TA

(Cooperation type: JA – agreement for joint exercise/patrol/operations, IA – agreement for info. Sharing, TA – agreement for cross-training, RA – agreement for resource transfer, GA – general agreements for cooperation, JC – Instance of joint exercise/patrol/operation)

			multilateral cooperation, introducing training in anti-piracy and providing capability-building infrastructure	
Jul 03	MS	Malaysia, Japan	Malaysia seeks help from Japan to help set up its national coast guard, using Japanese coast guard as an example. Japan sends patrol vessel to Malaysia for 5-day onboard training and information exchange.	TA
Aug 03	North Asia	Russia, US, South Korea China, Japan, North Korea	Countries in 6 party talks participate in joint naval exercise in unprecedented joint staff and command exercise to promote mutual understanding and cooperation to combat problems such as illegal drugs and piracy	JC
Aug 03	MS	US, Indonesia	US Trade and Development Agecy awards $845,000 for two transportation security projects to help Indonesia comply with STAR initiative, and deter maritime piracy through electronic customs data reporting	RA
Sep 03	MS, SCS	APEC	APEC meeting in Philippines draws up framework cooperation agreement on maritime safety, including implementing a series of measures by July 2004 to focus on piracy at sea.	GA
Oct 03	MS, SCS	ASEAN	ASEAN Concord 2 declaration adopted to create an ASEAN security, economic and social and cultural community. Joint naval patrols to prevent piracy and joint ground exercises envisioned.	GA
Oct 03	North Asia	China, Japan, South Korea	3 countries agree in landmark cooperation to reduce military weapons to alleviate Northeast Asia tensions, but also to enhance cooperation in transnational crimes such as piracy.	GA
Oct 03	MS, SCS	Japan, ASEAN	Transport ministers endorse 16 projects for implementation, including a maritime transport security program	GA
Oct 03	IO	India, Thailand	Both sides agree to joint patrols of the Bay of Bengal and Andaman sea areas to ensure zones of peace and development.	JA
Nov 03	MS, SCS	Japan, 15 Asian nations	Japan agrees to fund a new information sharing center on piracy, to be located in the Southeast Asian region. Malaysia, Singapore, Indonesia and South Korea are bidding for it.	IA
Nov 03	MS, SCS	IMO	First IMO Asian office set up in the Philippines, as part of IMO regional presence for technical cooperation against piracy in Asia. A new counter-terrorism code for ports will also be implemented on July 1,2004	
Dec 03	MS	Singapore, Japan	Largest counter-terrorism and piracy exercise held, first maritime security exercise between both countries, involving 120 officers and 10 patrol crafts from both coast guards	JC
Dec 03	MS, SCS	ASEAN, Japan	Tokyo Declaration for the Dynamic and Enduring ASEAN-Japan Partnership in the New Millennium, agreeing to enhance anti-piracy cooperation through ARF, APT processes	GA
Dec 03	MS, SCS	Japan, Indonesia	Japan PM Koizumi pledges $921 million in loans to Indonesia to fight piracy along sea route for oil tankers, Indonesia's President Megawati said she would consider the offer	EA
Dec 03	MS	Singapore, Indonesia	Both countries agree to step up joint patrols to combat piracy problem and participate in multilateral effort started by Japan, in bilateral talks during Singapore's DPM Dr. Tony Tan's visit to Indonesia	JA
Jan 04	MS	Malaysia, Indonesia	Bilateral talks during Malaysia PM Badawi's visit to Indonesia pledged to fight piracy and strengthen cooperation by sharing information.	IA
Jan 04	MS, SCS	ASEAN	Joint Communique at ASEAN Ministerial Meeting on Transnational Crime recognizes increasing trends of terrorism and other forms of transnational crime, such as piracy and adopt concept plan to address problem.	GA
Feb 04	MS, SCS	25 Asia Pacific nations	Asia pacific ministerial meeting agreed to explored ways of enhancing cooperation among law enforcement agencies to fight against maritime piracy.	GA
Feb 04	SCS	Japan, Thailand	Joint counter-piracy drill between Japan Coast Guard and Thailand maritime police	JC

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Feb 04	SCS	Japan, Philippines	Japan coast guard instructs Philippines Coast guard about the inspection of ships as well as how to handle evidence from crimes at sea.	JC
Feb 04	MS	India, Indonesia	India ship calls at Indonesian port, as part of 2001 agreement. The 2 nations have been conducting joint patrols and exercises regularly.	JC
Mar 04	MS, SCS	ARF	Conference on transport security, ARF member states agree to increase cooperation to stop terrorist attacks and other transnational crime.	GA
April 04	*MS*	*United State, Malaysia, Singapore, Indonesia*	*US proposes Regional Maritime Security Initiative to combat transnational threats such as piracy by deploying high speed vessels to flush out criminals. Malaysia and Indonesia oppose RMSI strongly*	
May 04	MS	Indonesia, Malaysia, Singapore	Indonesia proposes seminar on maritime security and Malaysia agrees to host it by end of the year, with US as a co-sponsor.	GA
Jun 04	MS, SCS	16 Asian countries	1st Heads of Asian Coast Guard Agencies meeting unanimously adopts Asia Maritime Security Initiative (AMSI), and discusses ways of tackling possible terrorist attacks and piracy at sea.	
Jun 04	MS	FPDA countries	Ministers agree to include training against maritime terrorism in future exercises and plan to hold more regular intelligence exchanges on terrorism and other security issues	TA
Jun 04	MS	US, Malaysia	US offer to share anti-terror intelligence with Malaysia and boost "technical competency" of countries guarding Malacca Straits. Malaysia accepts intelligence help, but refuse US cooperation in patrols	IA
Jun 04	MS	Malaysia, Singapore, Indonesia	3 countries agree to year round joint naval patrols, expanding from current 4 yearly patrols, and setting up 24 hour communications system using common radio frequencies. However, no "hot pursuit"	JA
Jul 04	MS, SCS	ARF	ASEAN Regional Forum Statement on Strengthening Transport Security Against International Terrorism agree to hold simulation and joint exercises against piracy, strengthen legal framework and practical cooperation	JA
Aug 04	MS	Singapore, Indonesia	Both countries sign agreement on joint maritime patrols, agreeing to open their security posts to all commercial ships threatened by sea pirates	JA
Aug 04	MS	Singapore, Thailand, Malaysia, Indonesia	Thailand joins other 3 countries to conduct coordinated patrols, a move that is outside usual policy of involving only the coastal states. Countries still in consultations of expanding patrols to Andaman Sea.	JC
Aug 04	Africa	France, South Africa	Both countries discuss cooperation in the fight against maritime piracy, and agree to deliver 2 patrol boats to Mozambique, which they are helping to combat piracy.	RA
Sep 04	MS	FPDA countries	Joint anti-piracy and anti-terrorism exercise held in Straits of Malacca and South China Sea, involving over 30 vessels, 90 aircraft and commando units, comprising 4000 personnel.	JC
Oct 04	Asia	India, South Korea	Both countries agree to cooperate on matters involving safety and security of international maritime traffic by coordinating agencies for anti-piracy, search and rescue operations.	GA
Oct 04	Africa	US, EU countries, 11 African countries	US European command hosts Gulf of Guinea Maritime Security conference in Italy, ending with joint statement pledging to engage in dialogue and cooperation, "Gulf of Guinea Maritime Security initiative"	
Nov 04	MS, SCS	16 Asian nations	Countries agree to set up piracy information sharing center in Singapore to share information related to crime and prevention measures, as part of ReCAAP agreement. Idea initiated by Japan.	IA
Nov 04	MS, SCS	ASEAN, Australia, New Zealand	Joint Declaration at the ASEAN-Australia and New Zealand Commemorative Summit agree to take urgent steps to prevent and combat piracy through effective institutional linkages and cooperation programs	GA

(Cooperation type: JA – agreement for joint exercise/patrol/operations, IA – agreement for info. Sharing, TA – agreement for cross-training, RA – agreement for resource transfer, GA – general agreements for cooperation, JC – Instance of joint exercise/patrol/operation)

Dec 04	MS	Japan, Malaysia	Japan defense chief meets Malaysia deputy prime minister to discuss counterterrorism cooperation, defense issues and safety in Malacca Straits	GA
Jan 05	Africa	US, Gulf of Guinea nations	US deploys large warship to Gulf of Guinea to visit 3 countries and help train local navies, as a result of Oct 04 security conference	TA
Feb 05	MS	Japan, Singapore	Ministers meet in Singapore and agree to cooperate in ensuring maritime safety and combating piracy in Asian region	GA
Mar 05	MS, SCS	Japan, ASEAN	2nd ASEAN-Japan Seminar on maritime security and combating piracy agrees to build cooperative relations among agencies and share information on maritime security in the Asian region.	IA
Mar 05	SCS	Singapore, India	Navies of both sides hold 10-day maritime exercise in South China Sea, with a mix of traditional navy-to-navy exercise and also elements of anti-piracy interdiction.	JC
Mar 05	MS	IMO, Singapore, Malaysia, Indonesia	Agreement for IMO to launch "marine electronic highway project" to enhance safety in Southeast Asia to share critical security-related information and intelligence among select countries and promote coordination among countries. Has the support and cooperation from all 3 coastal states surround Malacca Straits.	IA
Apr 05	SCS	Malaysia, Philippines	Both sides agree to step up coordinated patrols in Sulawesi sea to deter piracy attacks. Current twice yearly patrols between Malaysia's Sabah and Borneo island will be increased in numbers, frequency and duration.	JA
Jul 05	MS, SCS	ASEAN, Pakistan	ASEAN – Pakistan Joint Declaration for Cooperation to Combat Terrorism agree to implement measures contained in ARF Statement on Cooperation Against Piracy and Other Threats to Security	GA
Jul 05	MS, SCS	Japan, Indonesia	Anti-piracy cooperation agreement signed, with Indonesia accepting Japan's offer to provide patrol boats to guard pirate infested waterways. Japan coast guard will also train Indonesia coast guard officials	RA
Apr 05	Asia	Japan, India	8 fold initiative agreed upon between both prime ministers, including agreement for both coast guards to commence working together on sustained basis such as annual talks, information sharing and joint exercises	JA
Apr 05	SCS	China, Indonesia	Both countries announced new partnership which includes provisions for maritime cooperation	GA
May 05	SCS	Japan, Philippines	Defense chiefs agree to hold regular top-level defense dialogue once a year to strengthen cooperation, and agree to join forces in combating piracy	GA
May 05	MS	US, Malaysia	Both sides agree to expand military cooperation and renew military logistics pact "access and cross-servicing agreement", also mentioning possible greater cooperation over piracy.	GA
May 05	MS, SCS	18 Pacific rim group countries	West Pacific Naval Symposium hold first joint sea exercises to test how well ships and aircraft work together, hosted by Singapore.	JC
May 05	MS	Singapore, Indonesia	Launched system that provides real-time radar surveillance against piracy and terrorism, "SURPIC" agreement, allowing for real-time surveillance of Singapore Straits.	
May 05	IO	India, Thailand	Both countries sign Memorandum of understanding for joint maritime patrols to prevent piracy and arms smuggling.	JA
Jun 05	MS, SCS	Japan, Indonesia	Both sides agree to launch negotiations on bilateral FTA, which includes enhancing cooperation in navigation safety such as fighting against maritime piracy	GA
Jun 05	SCS	Indonesia, Thailand	Indonesia and Thailand navies agree to enhance cooperation to increase security in Malacca straits, but without "hot pursuit". They also agree to increase information exchanges to improve security in the straits.	IA
Jul 05	MS, SCS	Indonesia, Japan	Indonesia has accepted Japan's offer to provide patrol boats to fight against piracy, and for Japan to conduct	TA

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			training programs to raise skills of Indonesian Coast Guard, as part of anti-piracy cooperation agreement.	
Jul 05	SCS	Philippines, Malaysia	2 week joint exercise in Philippine waters, aimed at boosting inter-operability and cooperation. 8th joint exercise between both navies.	JC
Aug 05	MS	Malaysia, Indonesia, Singapore, Thailand	Defense force chiefs agree to "Eye in the sky project", a series of air patrols over Malacca Straits to increase security. Beginning in September 2005, it operates 7 days a week and can cross country borders	JA
Aug 05	SCS	Philippines, Australia	Both sides established a bilateral mechanism for discussion and discuss prospect of cooperation on border management and security, maritime patrols, and cooperation against transnational crimes such as piracy.	GA
Aug 05	SCS	Japan, Brunei	2nd joint exercise between Japan coast guard and Brunei marine police, including Brunei air force for the first time.	JC
Sep 05	MS	FPDA countries	Joint exercise held around Malaysia Peninsular, 2 week long, to train capacity to respond to non-conventional threat. Code-named "Exercise Bersama Lima"	JC
Sep 05	SCS	China, Cambodia	China gives Cambodia patrol boats, totaling $1 million to help impoverished country crack down on drug trafficking, human smuggling and piracy.	RA
Sep 05	MS	India, Indonesia	5th coordinated patrols between India and Indonesia, since they started in September 2002.	JC
Sep 05	MS	IMO, Malaysia, Indonesia, Singapore,	Marine electronic highway project launched, to monitor ships passing through straits. Follow-up on March 2005 agreement.	
Sep 05	MS	Indonesia, Malaysia	Joint patrols in Malacca Straits, 1 week long. 100 police officers from both countries involved.	JC
Sep 05	IO	India, United States	Joint exercise Malabar 2005 held in Arabian Sea, focusing on aviation inter-operability and operations for countering anti-piracy and counter terrorism.	JC
Oct 05	MS, SCS	ASEAN, Japan, China, South Korea	Japan Coast guard conducts training course for maritime law enforcement officials from ASEAN countries, China, and South Korea	JC
Oct 05	MS, SCS	ARF	ARF workshop on training for cooperative maritime security held in India, attended by delegates from 14 countries.	
Nov 05	IO	India, Sri Lanka	Countries begin "coordinated patrolling" along international maritime border. Patrols still in experimental stage – forces cannot cross international borders,	JC
Nov 05	SCS	Singapore, South Korea	Both sides reaffirm cooperation in maritime security and anti-piracy in the region.	GA
Nov 05	MS, SCS	United States, Indonesia,	United States lifts lethal arms ban on Indonesia, so that it can now improve its security in the Malacca Straits	
Nov 05	Africa	United States, Somalia,	$50 million deal signed for US to supply vessels and equipment for Somalia to use in fight against illegal fishing and piracy off Somalia. NY-based security firm to also help Somalia set up 5 naval bases.	RA
Dec 05	MS, SCS	ASEAN, Russia	Joint Declaration of ASEAN and the Russian Federation on Progressive and Comprehensive Partnership agree to enhance cooperation against piracy through ASEAN-Russia Meeting on Transnational Crime	GA
Dec 05	MS	Singapore, Malaysia, Thailand, Indonesia	New agreement signed for new Standard Operating Procedures for strait patrols. New agreement includes Thailand, and also allows for "hot pursuit"	JA
Dec 05	MS	Japan, India	Both countries agreed to strengthening of ties in maritime security in the Malacca Straits, especially with regards to maritime piracy	GA

(Cooperation type: JA – agreement for joint exercise/patrol/operations, IA – agreement for info. Sharing, TA – agreement for cross-training, RA – agreement for resource transfer, GA – general agreements for cooperation, JC – Instance of joint exercise/patrol/operation)

Dec 05	Africa	Ethiopia, Somalia, Sudan, Yemen	Sanaa Forum met and called for common security role in the region's waters to prevent maritime piracy and enhance stability	
Jan 06	MS, SCS	G8, Pacific rim countries	Countries pledge to boost cooperation to ensure security in Malacca Straits	GA
Jan 06	SCS	Japan, Philippines	Joint exercise between both countries involving patrol ships and helicopters from both coast guards	JC
Jan 06	MS, SCS	EU, ASEAN	Pact between both regional groupings, EU agree to provide 4.5million Euros in EU training assistance to border control agencies to reduce arms smuggling and maritime piracy	TA
Mar 06	MS, SCS	Japan, Malaysia	Japan coast guard hands ships over to Malaysia coast guard agency to help in piracy cooperation	RA
Mar 06	IO	India, United States	Maritime cooperation framework agreed upon, agreeing to enhance security in the maritime domain, preventing piracy and other transnational crime at sea.	GA
Mar 06	Asia	India, Korea	Memorandum of Understanding signed, envisaging cooperation in prevention of piracy and other maritime crimes between both coast guards. Both coast guards held first ever joint exercise in Korea in Nov 2005	GA
Mar 06	Africa	EU, IGAD	EU offers Intergovernmental Authority on Development (IGAD), an African regional body, $344 million to deal with migration, refugees, reconstruct Sudan and help fight piracy in Somalia.	RA
Apr 06	Africa	United States, 11 African countries	Regional workshop "Maritime Safety and Security in the Gulf of Guinea" hosted by United States, and US-Gambia security partnership against piracy came in for praise.	
Apr 06	MS, SCS	11 ReCAAP countries	South Korea, India, Sri Lanka signed ReCAAP agreement initiated by Japan, bringing number of countries to 11. Pact is aimed at information sharing, capacity building and easing extradition.	IA
Apr 06	Africa	United States, Somalia	Somalia granted US navy permission to patrol Somalia coastal waters to combat maritime piracy. US will also help Somalia set up a coast guard.	
Apr 06	MS	Singapore, Indonesia, Malaysia	New agreement signed formalizing coordinated anti-piracy patrols, with renewed invitation to Thailand to help stamp problem after it withdrew in February 2006. "Malacca Straits patrol" agreement.	JA
May 06	Asia	India, Japan	During India defense minister visit to Japan, both countries agreed to enhance cooperation by holding annual coast guard talks and joint exercises for anti-piracy	JA
May 06	SCS	US, Philippines	Both countries expand on 1951 mutual defense treaty for security ties to cover non-traditional military threats such as piracy, terrorism.	GA
Jun 06	MS, SCS	Japan, Singapore	6 member anti-piracy team set up by Japan in Singapore, under the auspices of ReCAAP, to collect information on piracy attacks, share information, and devise strategies for dealing with problem	
Jun 06	Africa	US, African countries	Regional conference on maritime security in Nigeria, agreed on joint measures, with US assistance, to confront piracy threats by equipping coastal nations with AIS network and 4 naval task groups	
Jun 06	MS, SCS	Japan, Indonesia	Japan donates 3 patrol boats to Indonesia to help fight terrorism and piracy. The donation is exempted from the ban on arms exports, and were given in response to Indonesia's requests for help	RA
Jun 06	MS, SCS	10 Asian countries	ReCAAP agreement is finally ratified by 10 countries and will go into force in September 2006. First regional government to government agreement to combat piracy and armed robbery against ships in Asia.	GA
Jun 06	Africa	West and Central Africa States, G8 countries	African states agree to create joint coastguard force to fight piracy, pollution, through maritime organization of West and Central Africa. Received pledges of support from South Korea, France, EU, US, Canada, UK.	JA

(Cooperation type: JA – agreement for joint exercise/patrol/operations, IA – agreement for info. Sharing, TA – agreement for cross-training, RA – agreement for resource transfer, GA – general agreements for cooperation, JC – Instance of joint exercise/patrol/operation)

Jun 06	Africa	United States, Sierra Leone	US gives Sierra Leone 3 patrol boats, providing intensive training on basic boat driving and patrol craft to Sierra Leone maritime wing.	RA
Jul 06	MS, SCS	ASEAN, Canada	ASEAN-Canada Joint Declaration for Cooperation to Combat International Terrorism agree to Implement measures contained in ARF statements	GA
Jul 06	MS, SCS	Japan, Indonesia	Japan and Indonesia explore cooperation in investigation of an attack on a Japanese shipping vessel in March 2006, off Indonesia. This is the first time Japan has exercised the investigative right on an external crime	
Jul 06	Asia	Japan, India	Japan coast guard training ship calls in Indian port, as part of the India-Japan coast guard cooperation program	JC
Jul 06	Asia	India, South Korea	5 day joint exercise carried out between both sides, as part of existing cooperation agreement.	JC
Aug 06	SCS	United States, Philippines	Joint military exercise (CARAT) with 1200 American troops and Philippine troops to address seaborne threats such as armed robbery, piracy	JC
Sep 06	IO	France, India	Strategic partnership agreed through joint cooperation, and both sides agree that piracy must be met head on	GA
Sep 06	MS	FPDA countries	Joint military exercise in Singapore to tackle various scenarios of threats such as terrorism and piracy, agree to enhance cooperation.	JC
Nov 06	Asia	Japan, India	Joint exercise held by coast guards of both countries off Mumbai, India, and is the 7th such exercise held alternately in Indian and Japanese waters. More than 10 ships and aircraft were involved	JC
Nov 06	IO	United States, India	Joint exercise Malabar 2006 held to practice visiting, boarding, search and seizure operations to improve anti-piracy and counter-terrorism operations	JC
Nov 06	MS, SCS	14 Asian nations	Information sharing center opens in Singapore to collect information on piracy attacks, make data available to governments on a secure network, and provide anti-piracy training. Cost borne by Singapore and Japan.	
Nov 06	Africa	11 West and Central African states, EU, US	African states, backed by EU and US, signed pact to make big improvements in maritime security to stamp out piracy and other illegal activity	GA
Jan 07	SCS	Japan, Malaysia, Thailand	1st ever joint trilateral exercise involving the 3 countries, organized to bolster cooperation against piracy attacks at sea.	JC
Jan 07	MS, SCS	21 ARF countries	1st operational, table-top exercise held in Singapore, aimed at shoring up defenses against maritime security threats. 21 nations took part in simulated exercise	JC
Feb 07	Africa	Kenya, Tanzania, Mozambique	Joint task force to conduct anti-piracy and collective maritime security proposed.	
Mar 07	MS, SCS	Japan, Indonesia	Indonesia requests help from Japan to establish a Coast Guard, and Japan donates three patrol boats to Indonesia.	RA
Mar 07	Asia	Japan, Australia	Countries sign defense and security declaration to cooperate on counter terrorism and counter-piracy operations	GA
Mar 07	IO	US, India	Joint exercise Malabar 07 exercise held off coast of Japan, navies practice maneuvers against piracy and terrorism.	JC
Apr 07	MS	India, Indonesia	Security agreement comes into effect, paving way for joint production of military equipment, human resource training, exchange of officers, joint border patrols to fight piracy and terrorism.	JA

(Cooperation type: JA – agreement for joint exercise/patrol/operations, IA – agreement for info. Sharing, TA – agreement for cross-training, RA – agreement for resource transfer, GA – general agreements for cooperation, JC – Instance of joint exercise/patrol/operation)

Date	Region	Countries	Description	Type
May 07	Asia	Japan, India	India Foreign Minister visits Japan to discuss ways to jointly secure sea lanes in Indian ocean against piracy. Both sides reaffirmed commitment to secure sea lanes in Indian Ocean from piracy to ensure safe passage.	GA
May 07	MS, SCS	19 WPNS countries	Joint maritime exercise to get crews from different backgrounds working together to take out pirates and terrorists, and included information exchange seminar.	JC
May 07	Africa	US, West African countries	US boosts naval presence along west African coast, touring 6 countries, in lead up to deployment of 6 month US navy vessel deployment, following up on Gulf of Guinea conference for promoting anti-piracy cooperation	
May 07	Asia	Japan, India, US	Three countries in joint navy exercises. First time all three countries are involved, and also the first time navies are participating in the joint exercise.	JC
Jun 07	SCS	US Philippines	10 day war-training exercise, CARAT, focusing on exchanging information and exercises on tactical and amphibious training	JC
Jun 07	MS	US, Singapore, Malaysia, Indonesia	US donates 10 radar systems to Malacca Straits states to boost security against piracy	RA
Jun 07	MS	India, Indonesia	1st ever joint defense cooperation committee creates framework for broad spectrum of cooperation in defense, including coordinated patrolling by navies for anti-piracy	GA
Jun 07	SCS	Malaysia, Indonesia, Philippines, Thailand, Cambodia, Brunei	Agreement signed on information exchange and establishment of communication procedures. System introduced to facilitate exchange of information through database sharing.	IA
Aug 07	SCS	Singapore, South Korea	Memorandum of Understanding signed between coast guards of both countries to beef up efforts by both sides to contain piracy and maritime terrorism.	GA
Aug 07	IO	India, US	Agreement for bilateral framework and to cooperate in prevention of acts of transnational crime such as piracy, and exploring ways of operationalizing cooperation such as through joint anti-piracy patrols	JA
Aug 07	MS, SCS	ASEAN, Australia	Joint Declaration on ASEAN-Australia Comprehensive Partnership agree to promote closer cooperation to combat piracy by undertaking joint activities based on existing agreements and mechanisms	GA
Aug 07	MS, SCS	India, ARF countries	India offers training modules to ARF states on maritime security, with themes of anti-piracy search and rescue missions.	TA
Sep 07	Asia	US, Japan, Australia, Singapore, India	5 countries participate in a 6 day joint exercise that is one of the biggest ever peacetime joint military exercises. Included 27 ships for anti-piracy, reconnaissance, rescue missions off coast of India	JC
Sep 07	Africa	South Africa, NATO	Joint military exercises to help protect African coastline from piracy	JC
Nov 07	SCS	China, Cambodia	China donates 9 patrol vessels and related facilities to Cambodia, reinforcing navy and improving maritime security, including anti-piracy operations. Given as a $60million soft loan from China.	RA
Nov 07	Africa	US, North Korea	North Korea thanks US for helping to end standoff with Somalia pirates, referring to unprecedented cooperation between both countries. North Korea says this collaboration is a symbol of cooperation.	
Nov 07	MS	Greece, Singapore, Malaysia, Indonesia	Greece donates $1 million to help secure Malacca Straits during UN IMO meeting.	RA
Dec 07	MS, SCS	Japan, Indonesia	Japan delivers 3 patrol boats to help Indonesia in handling maritime piracy	

Table 2. Instances of Cooperation against Maritime Piracy. (Source: Archived newspaper articles retrieved from Factiva database, 2008)

(Cooperation type: JA – agreement for joint exercise/patrol/operations, IA – agreement for info. Sharing, TA – agreement for cross-training, RA – agreement for resource transfer, GA – general agreements for cooperation, JC – Instance of joint exercise/patrol/operation)

4.5 Evaluation of international cooperation in Asia

We first present a quick summary of the above data collation.

No. of cooperation instances in total: 206
    Total in Asia: 186
        Subtotal in Southeast Asia: 156
            Malacca Straits   53
            South China Sea   40
            Both in Malacca Straits & South China Sea   63
        Subtotal in Indian Ocean: 11
        Additional instances in Asia: 19
    Total in Africa: 19
    Total in Panama: 1

Further breakdown of Anti-piracy cooperation in East Asia (Excludes Indian Ocean):
No. of Joint patrol/exercise agreements: (JA)   22
No. of training agreements: (TA)   11
No. of agreements for information sharing: (IA)   15
No. of agreements for transfer of resources: (RA)   8
No. of additional general agreements for cooperation: (GA)   55

No. of joint patrols/exercises recorded: (JC)   38

No. of bilateral/trilateral agreements: 73
No. of multilateral agreements: 38

No. of independent instances of cooperation: 103

Before we proceed with the rest of the analysis, I first qualify the summarizing statistics presented above, as well as those listed subsequently, by recognizing that there may be a relatively significant margin of error in the numbers, simply due to the nature of the subject that we are trying to study. For example, as mentioned earlier, I could have missed instances of cooperation that had not been reported in the print media, despite the cooperation having taken place. Indeed, if we adopt Bradford's definition of "operationalized cooperation",

referring to the highly-prized form of cooperation that can be carried out independently by middle rank officials, then we should not witness the reporting of such cooperation when they occur. Furthermore, we recognize that because the type of cooperation varies across different regions, the nature of some forms of cooperation and the criteria that we have adopted result in us failing to accurately report those instances of cooperation in our dataset. For example, the United States Navy's Task Force 150 and 152, operating in the Gulf of Oman and the Persian Gulf respectively, are multilateral cooperation initiatives that resulted from the United States' War on Terrorism and subsequently expanded into anti-piracy cooperation. These instances of cooperation did not result from publicly-available cooperation agreements, and therefore were not coded in the dataset.[84] It is for these reasons that the summary statistics are merely meant to give the reader an overview of the data; the reader is encouraged to analyze the raw data himself in closer detail, and expand upon the dataset as he deems fit.

Nevertheless, the numbers suggest that there has been a substantial level of cooperation amongst Asian countries, organized at multiple levels. In absolute terms, the Southeast Asian region, especially around the Malacca Straits, has been the main target for international cooperation agreements amongst nation states. The coastal states of Malaysia, Singapore and Indonesia have together been party to at least 53 instances of cooperation, both amongst themselves and vis-a-vis their extra-regional partners, to eradicate the problem of piracy in the narrow waterway. These instances of cooperation have occurred above and beyond the agreements that the three countries have made with their ASEAN counterparts,

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[84] Department of Defense Documents, *Maritime Ops in Middle East Have Deterrent Effect*, American Forces Information Service News Articles. April 27, 2006.

which typically focus on similar problems in the South China Sea, as well as agreements that have been reached collectively at the ASEAN level, which I have coded as cooperation that falls under both water regions.

In addition, the nature of cooperation within Asia has moved beyond being simply "talk shop" discussions. Joint patrols agreements (22), law enforcement training arrangements (11), and information sharing collaborations (15) have been reached, along with the provision of significant levels of financial and equipment aid by extra-regional powers to the weaker states (8 instances). In addition, a large number of joint exercises (38) have been conducted amongst navies and law enforcement agencies in the region, ranging from table-top simulation exercises to year-round joint patrols with integration of air and sea assets across territorial boundaries.

As discussed, I have sought to be as inclusive as possible in our database by coding all reported instances of cooperation. Yet, such an approach unavoidably codes multiple instances of cooperation that arises from the same agreement. I therefore counted the number of "independent sets" of cooperation, and nevertheless still witnessed a high level of cooperation (103 instances) in the region. Furthermore, this cooperation has involved a wide variety of countries in the region – no single country has monopolized cooperation in Asia, though a small group of countries, such as Japan, India and the ASEAN grouping appear to have spearheaded most of the cooperation.

The data therefore suggests that a dense of assortment of cooperation have been agreed upon in the region, and they have materialized in all shapes and forms, involving different combinations of states in the region.

4.6 Incidence of Maritime Piracy attacks around the world

As a quick extension to the analysis, I test if the high levels of cooperation in Asia over the past decade can be explained simply by the incidence of piracy in the region over the same period. In effect, this forms the null hypothesis of the thesis, since a positive result would imply that the levels of cooperation we have been witnessing in Asia, and especially in Southeast Asia, have not been unique.

Year	Malacca Straits	South China Sea	Indian Ocean	East Africa	West Africa
1995*	13	55	17	10	5
1996*	12	120	35	5	17
1997*	10	100	45	12	35
1998	6	94	25	19	22
1999	37	136	51	16	36
2000	112	140	109	29	33
2001	36	88	56	12	51
2002	24	112	46	14	39
2003	15	114	77	11	59
2004	35	86	31	7	43
2005	10	81	39	22	21
2006	16	50	38	14	26
Total	326	1176	569	171	387

Table 3 Number of annual piracy attacks by region, from 1995-2006. (Source: IMO Piracy and Armed Robbery Annual Reports (1998-2006))

* Numbers were estimated from IMO graph as Annual reports were not readily available

To perform this analysis, I first tabulate the number of piracy attacks annually in each region from 1995 to 2006, as shown in Table 3. I then compare the total number of piracy attacks in each region with the levels of cooperation that have emerged.
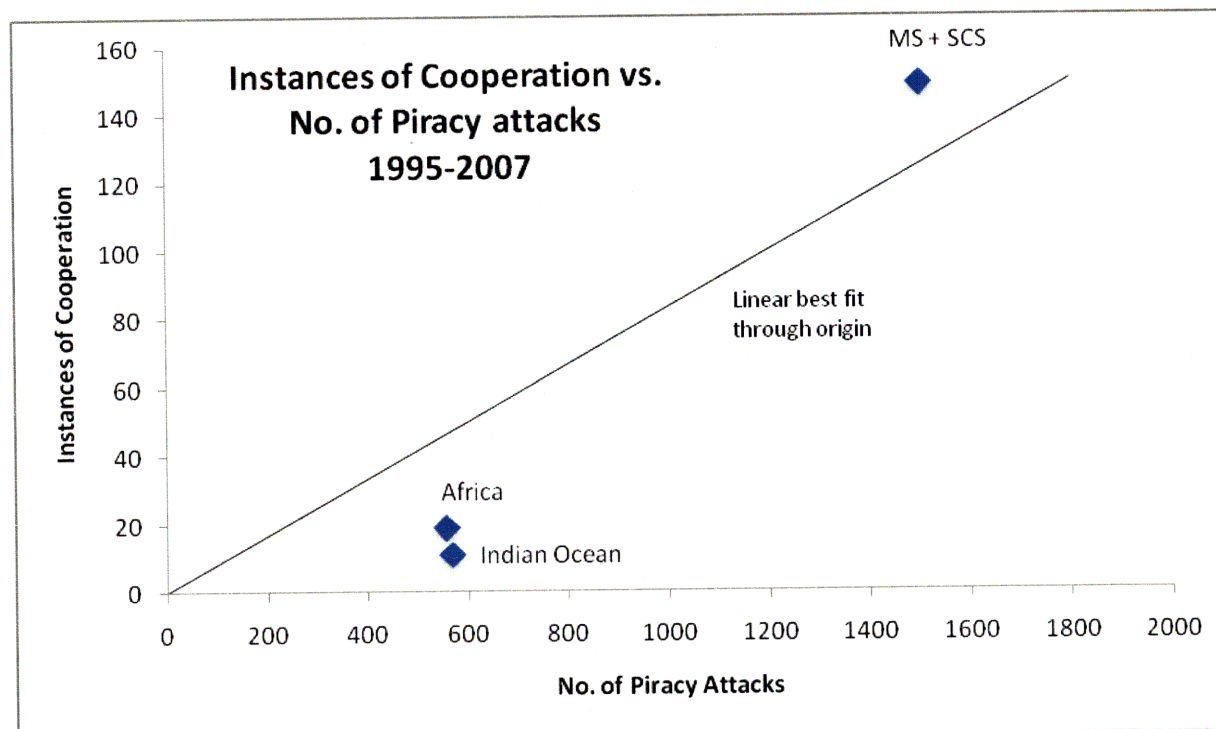
Figure 4. Comparison of cooperation level vs. number of piracy attacks, across different regions.

While it is a little difficult to perform this comparison because of the cross-regional nature of some of the cooperation agreements, and also because there is a significantly greater number of piracy attacks in Southeast Asia compared to the other regions, I nevertheless observe that Southeast Asia has witnessed a much higher level of cooperation than would have been expected if I had averaged over all the regions in the world. Figure 4 shows a simple regression of the number of instances of cooperation against the number of piracy attacks that actually occurred in each region. It shows clearly that the level of cooperation is significantly higher than would have been expected if we compared it the global average, as represented by the linear best fit line. This allows us to conclude with relatively high confidence that the

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Southeast Asian region has witnessed a unique level of cooperation against maritime piracy, thereby begging the question of how this cooperation has materialized.

4.7 Brief Evaluation of Cooperation Effectiveness

Having noticed the cooperation that has been targeted at Southeast Asia, I take this opportunity to conduct a brief test of whether the cooperation has been effective in eradicating the maritime piracy problem in the region. Recall from Chapter 3 that I had also compiled a database of the geographical location of all piracy attacks throughout the world over the past two decades. Here, I utilize this database to compare the incidence of piracy attacks in the Southeast Asian region before and after international cooperation has taken place in the region.
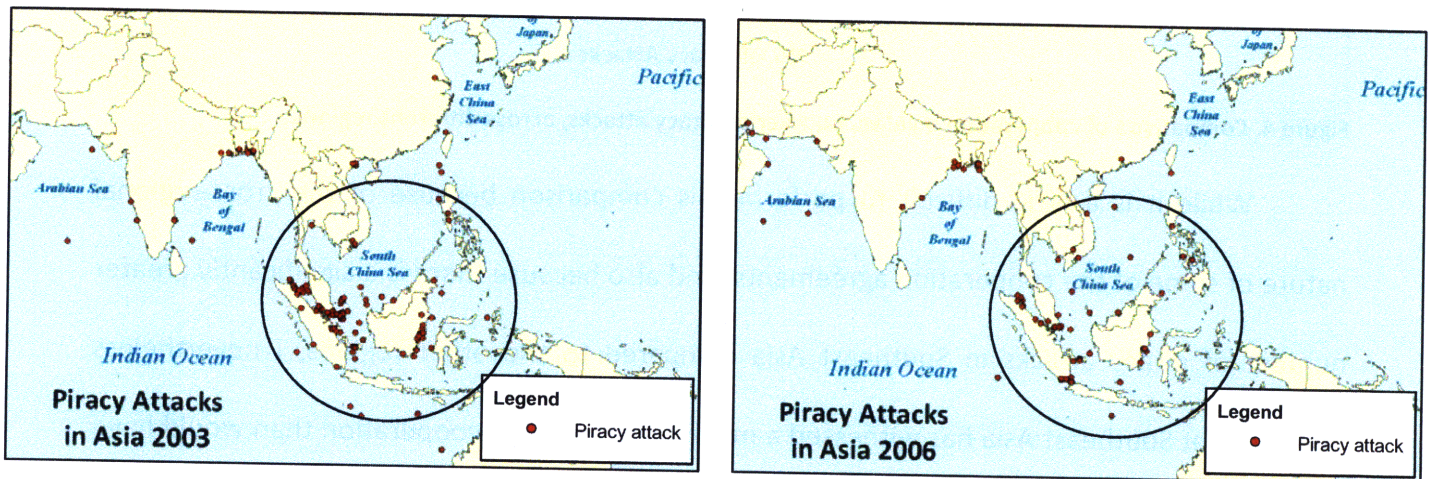
Figure 5. Comparison of piracy attacks in Southeast Asia in 2003 and 2006. (Source: Data created using NGAS anti-shipping messages and ArcGIS software, with help from MIT Libraries ArcGIS staff)

Figure 5 shows a comparison of the number of piracy attacks in the Southeast Asian region over two different time periods – 2003 and 2006. 2003 represents the year with the peak number of piracy attacks in the Southeast Asian region, and it is perhaps unsurprising that a series of

cooperation efforts emerged in the region soon after. On the other hand, 2006 is the last year where I have a complete year's worth of data, though I believe that three years is sufficient for us to witness at least some of the effects from the cooperation efforts. Each red dot shows an attempted or actual piracy incident that was recorded, and the two graphs indicate that while the region has not managed to eradicate piracy in the short span of three years, there has nevertheless been a significant reduction in the number of piracy attacks in the region.

I am acutely aware that this set of evidence and analysis is woefully inadequate for concluding the effect of international cooperation on eradicating piracy in the region, since I have only compared the data over a single period, and have done so at a very broad regional level. I have also failed to account for the effect of individual acts of cooperation on maritime piracy within those countries, as well as perform any sort of process tracing that is undoubtedly necessary to ascertain the true effect of the anti-piracy cooperation. Nevertheless, the data suggests that there has been a sharp drop in the incidence of piracy in the region, and hence it is reasonable for us to assume that international cooperation during this period has at least had some positive effect on curbing piracy in the region.

4.8 Conclusion

Observing that there has not been a unified consensus on the state of cooperation against maritime piracy, and that there has been a lack of publicly available data on this topic, I have sought to create our own database by collating all instances of cooperation that have attempted to tackle this growing problem over the past two decades. I acutely recognize that

the dataset has only begun to address some of the debates in the maritime piracy literature, and hence the claims that I am making from our analysis of the data alone are modest. For instance, a more complete analysis of international cooperation against maritime piracy requires greater analysis on the effectiveness of the cooperation, as suggested in the literature review in this chapter. Further analysis is therefore required to explore the direct interaction between international cooperation and its effect on eradicating maritime piracy, such as by evaluating the ability for joint cooperation to recover ships that have been attacked. There is little doubt that the dataset requires more work.

Nevertheless, I believe that the maritime piracy database that I have made publicly available is a significant contribution to the literature, and that meaningful conclusions about the nature of international cooperation can already be drawn from the data. In particular, the frequency count of cooperation instances in Asia suggests that international cooperation against maritime piracy has indeed developed in the region, in spite of the difficulties that I have described in Chapter 3, as well as the fact that this does not directly corroborate with theories of international cooperation against traditional security threats, which I discussed in Chapter 2. Why and how did this cooperation develop? I provide two possible answers to this question in the next two chapters of the thesis.

Chapter 5: The "ASEAN Way" – The Path to Non-traditional Cooperation?

The Association of Southeast Asian Nations (ASEAN) is Southeast Asia's primary regional institution, established on 8 August 1967 to accelerate economic growth, social progress and cultural development in the region, as well as promote regional peace and stability through the respect for justice and the rule of law.[85] However, ASEAN has been periodically criticized for its supposed inability to promote cooperation, especially in the area of security; in recent times, the association has even been accused of hindering cooperation in the region. This criticism has often been directed at a set of norms collectively referred to as the "ASEAN way", and at the principle of non-interference in particular, whereby member states agree not to interfere in the domestic affairs of their neighbors.

In the realm of maritime piracy cooperation, similar pessimism towards ASEAN's role in promoting cooperation exists. Many scholars suggest that due to 1) the stark differences in security interests amongst member states, 2) the principle of non-interference, and 3) the non-binding nature of ASEAN agreements, the future looks bleak for multilateral cooperation in the region.[86] Instead, piracy experts suggest that the region should look towards the involvement of extra-regional powers (Discussed in Chapter 6) and bilateral cooperation as alternative avenues for promoting cooperation in the region. In particular, John Bradford (Bradford, 2005),

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[85] About ASEAN in aseansec.org website
[86] In reference to the non-binding nature of ASEAN agreements, from its inception in 1967 to 1997, the only exceptions to this policy were the 1976 ASEAN Treaty of Amity and Cooperation and 1992 Agreement on Timetable for ASEAN FTA. See Rodolfo C. Severino, "Will ASEAN be like the EU?" *Remarks at the European Policy Center* (23 March 2001) http://www.aseansec.org/3112.htm

p. 81-82) argues that bilateral cooperation is more productive than multilateral cooperation in producing "operational maritime cooperation", and that a network of bilateral arrangements may even be a better substitute for multilateral cooperation amongst the ASEAN nations.

The notion of a network of bilateral cooperation is appealing, and by analyzing the evolution of maritime piracy cooperation in Asia over the past decade, I show that a growing "spider web of cooperation" has indeed emerged.[87] However, the literature has not adequately explained how this network has emerged, and in this regard, I adopt a more sanguine view of ASEAN's role in non-traditional security cooperation. Using the theory of policy innovation diffusion (Berry & Berry, 1999), I contend that ASEAN summits and forums played the critical role of providing the informal platform for policy diffusion across national borders. Multilateral institutions such as ASEAN have been critical for facilitating the creation of alternative forms of cooperation, and from a theoretical standpoint, this chapter therefore argues against the traditional belief that institutions have to be resolution-binding in order to increase the likelihood of cooperation, at least in the realm of international cooperation against non-state threats.[88]

The way forward in this chapter is as follows: After surveying the literature on ASEAN and the prospects for security cooperation, I analyze the nature of anti-piracy cooperation within Southeast Asia and describe the growing network of cooperation that has emerged. I

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[87] In 1989, General Try Sutrisno, chief of Indonesian Armed Forces, first used the term "defense spider web" to describe the pattern of bilateral links in Asia. See Straits Times(Weekly Overseas Edition), 9 Dec 1989
[88] By resolution binding, I refer to the ability of multilateral institutions to enforce cooperation such as through the use of sanctions and diplomatic threats.

then describe the theoretical underpinnings of the diffusion of policy innovation, and show how

ASEAN has been the ideal avenue for the diffusion of cooperation policies against piracy.

Finally, I conclude that non-traditional security threats not only reinvigorates ASEAN's role in

promoting security cooperation, but also that these threats may in fact be acting as a catalyst

for additional security cooperation at the multilateral level in future.

5.1 The "ASEAN Way"

In contrast with multilateral organizations from other regions, ASEAN's distinctive

feature is its unique approach to regional interaction and cooperation. Often referred to as the

"ASEAN Way", this approach comprises a set of norms and principles that ASEAN participants

agree to abide by, especially with regards to conflict prevention and conflict resolution. First

formalized in the 1976 Treaty of Amity and Cooperation and originally signed by the five

founding members, the treaty has since been extended to all its ten current members, as well

as many of ASEAN's key partners in the world, including Papua New Guinea (1989), China

(2003), India (2003), Japan (2004), Pakistan (2004), Republic of Korea (2004), Russian

Federation (2004), Australia (2005), New Zealand (2005) and France (2007).[89] The treaty states

that ASEAN participants should abide to four basic principles in their actions: respect for

territorial integrity and sovereignty, non-interference in the internal affairs of another member,

settlement of disputes peacefully, and renunciation of threat through the use of force. In

addition, the principles include a set of procedural norms, such as seeking agreement and

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[89] (ASEAN, 2005)

harmony, sensitivity, politeness, non-confrontation, being non-Cartesian, and being non-legalistic. [90]

These principles have become synonymous with ASEAN over the years, and are often the subject of much debate. Most recently, the principle of non-interference was highlighted during Myanmar's violent crackdown on domestic uprising in October 2007. ASEAN came under increasing international criticism for its refusal to impose sanctions on Myanmar or expel the regime from the group, and U.S. Trade Representative Susan Schwab even lamented that negotiations for a US-ASEAN FTA were being threatened by ASEAN's posture. [91] She chastised ASEAN that "the reputation and credibility of ASEAN as an organization has been called into question because of the situation in Burma". [92]

5.2 ASEAN and Security Cooperation: (another) Literature Review

A variety of reasons have been proposed to explain ASEAN's emphasis on this particular set of norms, including the diversity of interests amongst member states, the consequences of power concentration in small elite circles as the region decolonized, the lack of a historical regional legal system, as well as the domestic communist insurgencies member state governments were fighting during ASEAN's inception. [93] Despite the justifications, however, the "ASEAN way" remains criticized for hindering cooperation in the region. Saravanamuttu, for

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[90] (Desker, 2007; Goh, 2003)

[91] International Herald Tribune "Rift over Myanmar emerges at Asean Summit", Nov 19, 2007. http://www.iht.com/articles/2007/11/19/asia/asean.php

[92] International Herald Tribune "Rift over Myanmar emerges at Asean Summit", Nov 19, 2007. http://www.iht.com/articles/2007/11/19/asia/asean.php

[93] Gillian talks about the lack of an equivalent to Roman law that would have brought about a more formal and legalistic system. Busse suggests that the decolonization process concentrated power in small elite circles, institutionalizing a highly private and informal political culture. Barry desker suggests communist influence in the past made sense to adopt this policy of non-interference. See (Busse, 1999; Desker, 2007; Glaser, 1996)

example, argues in his analysis on ASEAN cooperation on human rights security that the "ASEAN way" is becoming counter-productive to the construction of a genuine security community, and that it tends to be an impediment rather than an enhancer or agency for human security efforts.[94] ASEAN's position as the foremost multilateral institution in the region makes it the de-facto forum for institutionalizing cooperation, and thus it's supposed hesitant and non-committal approach also prevents other multilateral institutions from being the alternative driver of international cooperation.

More broadly, the "ASEAN way" has been the subject of a debate on ASEAN's role in promoting security cooperation in the region. Numerous articles, including (Eaton & Stubbs, 2006) and (Simon, 1998), have demarcated and appraised the literature on this topic, and I encourage the reader to explore this area further. Here, I provide a brief summary of the three broad schools of thoughts that have locked horns over this issue – neo-realist, constructivists, and the neo-liberals ideologies – immediately recognizing that such a characterization fails to capture some of the nuances adopted by scholars in the field.

At one end, neo-realists, led by Michael Leifer (Leifer, 1989), are pessimistic that ASEAN has any meaningful contribution to make towards the creation of an ASEAN security community, due to the belief that ASEAN lacks the capacity for compelling its members to follow rules, nor the ability to get external East Asian nations to abide by them. Neo-realists view ASEAN security as being peripheral to great power politicking, and thus Ralf Emmers

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[94] (Saravanamuttu, 2005)

(Emmers, 2003) notes that while there have been a number of ASEAN cooperative achievements, these have been merely due to balance-of-power concerns in the region; ASEAN has been unable to enforce cooperation over issues of conflicting interests. Alagappa (Alagappa, 2003) similarly argues that although security cooperation is possible within ASEAN, such cooperation is still far in the making, and that there is currently "no present or future collective political identity... that would modify or subsume national identity and interests". Jones and Smith have even gone so far as to suggest that ASEAN is "no more than an imitation community", while others have labeled it a "talk shop masquerading as a potent regional organization".[95] Neo-realists therefore urge a shift towards a rules-based institution if ASEAN is to ever become a meaningful security community.

In contrast, the constructivist school of thought adopts the opposing viewpoint, arguing that ASEAN's non-confrontational bargaining style, rather than being a hindrance to institutionalized cooperation, have instead been key in bringing states that are at such different levels of development together. Focusing on more process-related issues such as norms and changes in perceptions, constructivists such as Simon (Simon, 1998) suggests that ASEAN as an institution facilitates communication, increases transparency, and reduces uncertainty, thereby creating a partial security community in Asia. Scholars such as Jetly (Jetly, 2003) and Acharya (Acharya, 1991) similarly argue that the fact that ASEAN has moved from being "an anarchy of enemies" to "an anarchy of friends", where national leaders have shifted from mutual fear and hostility to working towards economic modernization and cooperation, is sufficient evidence

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[95] See (Jones & Smith, 2002) and (Eaton & Stubbs, 2006) p. 138

that the ASEAN security community has succeeded over the past half century. The unique "ASEAN Way" method of cooperation has similarly been cited by Stubbs as a reason that politically sensitive multilateral agreements have not been derailed by the hesitation by some of its members, allowing them to come onboard at any time.[96]

A final school of thought builds off the neoliberal tradition and argues that the ASEAN security community has already achieved a greater cooperative effect. Beyond arguing that ASEAN has influenced cooperation norms in the region, neoliberals such as Donald Emmerson (EMMERSON, 2005) argue that ASEAN is already a security community that is dedicated to preserving the sovereignty of its members in times of peace. They believe that institutions lower the transaction costs of cooperation and help enforce rules and norms, and that information-sharing of military postures can promote regional stability.[97] It is even hoped that in the near future, ASEAN, through security institutions such as the ASEAN Regional Forum (ARF), will be able to enhance security cooperation further through the promotion of joint cooperative military actions.

The debate over ASEAN's role towards promoting regional security cooperation therefore parallels the theoretical literature on the role of institutions on cooperation, which emphasizes the use of institutions for nation states to bind themselves and/or others to cooperation agreements. As discussed in the literature review, the debate that has ensued between realists and neo-liberals has centered on the intended targets of a binding agreement;

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[96] (Stubbs, 2000)
[97] (Garofano, 2002), p.505

realists argue that institutions are essential for states to insure themselves by having institutions bind others to their commitments, whereas neo-liberals postulate that institutions are just as important for strong states to bind themselves.[98] In both cases, it is assumed that nation states are utilizing such institutions for their binding effects. Given this traditional view, therefore, the inability of ASEAN to bind its member states to multilateral agreements raises questions of its relevance for promoting cooperation.

Specific to anti-piracy cooperation in the region, Ralf Emmers laments that the multilateral meetings have not contributed to cooperation because they have merely "readopted well-known rhetorical stands and repeated formerly made commitments without introducing cooperative measures".[99] As a form of non-traditional security cooperation, maritime piracy cooperation is difficult because different countries have fluctuating security interests, varying law enforcement capabilities, as well as sovereignty sensitivities towards territorial integrity. This problem is exacerbated as ASEAN's non-confrontational approach to negotiations results in multilateral cooperation developing only to the level acceptable to the least keen partner.[100] Even scholars who are optimistic about the region's prospect for enhancing international cooperation against maritime piracy are less sanguine about the role of ASEAN as a regional body. John Bradford suggests that due to the "long-standing insistence upon non-intervention", ASEAN is unlikely to be the source of major operational measures.[101]

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[98] Please refer to earlier discussions of the realist-neoliberals debate on institutions and cooperation in Chapter 3. See also, (Jervis, 1999), p. 298
[99] (Emmers, 2003)
[100] Refer to Chapter 2 for a more detailed analysis of the difficulties of cooperation. Also, see (Bradford, 2005), p. 81
[101] Ibid

Similarly, although Tamara Renee Shie argues that "there is indeed room for optimism" for maritime-piracy cooperation, she admits that the apparent trend of "ad-hoc multilateralism" threatens permanent cooperation on piracy.[102]

5.2 Non-Institutional Cooperation

Given the pessimism towards relying on ASEAN to spearhead regional cooperation in the region, maritime piracy experts have suggested alternative approaches for effecting anti-piracy cooperation, such as through the involvement of extra-regional powers and/or bilateral cooperation between individual states. For instance, Joshua Ho suggests that because ASEAN and ARF lack enforcement power, the only multilateral initiatives that have borne fruit are those proposed by the United States and Japan.[103] Extra-regional involvement will be the focus of Chapter 6; in this section, I analyze the evolution of non-institution-based anti-piracy cooperation. Analyzing the data over the past decade, I observe a growing network of bilateral and trilateral cooperation amongst nation states in the region for tackling maritime piracy, although I disagree with the argument that such a trend therefore implies the irrelevance of ASEAN for promoting cooperation.

By non-institution-based cooperation, I refer to the subset of cooperation agreements that are not directly established under the framework of a multilateral institution such as ASEAN, ARF, Western Pacific Naval Symposium (WPNS) or the Five Power Defense Agreement (FPDA). The majority of this non-institution-based cooperation manifests itself in the form of

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[102] (Shie, 2006)
[103] (Ho, 2006)

bilateral and trilateral agreements; I therefore use these terms interchangeably in this chapter. This form of cooperation is often perceived to have a higher probability of materializing than multilateral cooperation, as discussed in Chapter 2. While multilateral initiatives have to synthesize a wide range of national interests, bilateral and trilateral agreements can focus on matching the aligned interests of only a small number of parties. Furthermore, they allow areas of disagreements to be worked around, and can therefore minimize distrust among participants. From a game-theoretic framework, fewer players also reduce the likelihood of defection by a single player, increasing the feasibility of sanctioning defectors and reducing information costs.[104]

ASEAN states appear to corroborate cooperation theory with their preference for bilateral cooperation over security issues. At the 1976 ASEAN Bali summit, calls for a defense community and alliance were rejected for existing bilateral military ties that were created on a non-ASEAN basis.[105] These bilateral ties were seen as being more flexible, and thereby more advantageous, than a military alliance, and hence ASEAN states have continued to resist ideas for a military alliance even in more recent times.[106] In the 1970s and 1980s, bilateral security cooperation in ASEAN centered on border security arrangements between neighboring ASEAN states, targeting first the Communist insurgency and then transitioning to maritime border security.[107] Over the next decade, these border patrols evolved with the changing security environment to tackle the growing maritime piracy threat, starting with the joint naval patrols

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[104] (Oye, 1986)
[105] (Acharya, 1991)
[106] However, with the increase of non-traditional security cooperation, there have been renewed calls for an ASEAN Security Community, and a plan is being finalized for the creation of such a community by 2020. See Ibid.
[107] Ibid.

by Malaysian and Indonesian authorities to fight against piracy, as part of the Malaysia-Indonesia General Border Agreement. A similar agreement between Malaysian and Thai authorities allowed for cross-border "hot pursuit" in their coordinated border patrols.[108]

Nevertheless, some scholars have not been as optimistic about the prospects of non-institutional-based cooperation as the foundation of ASEAN's strategy against maritime piracy. On the one hand, Tamara Renee Shie laments that because of the transnational nature of maritime piracy, "the actions of a single state or even a limited number of states are inadequate to combat the problem".[109] She argues that infrequent cooperation amongst a subset of countries is insufficient because maritime pirates can simply take their activities into the territorial waters of another country. Ralf Emmers, on the other hand, argues that because "some ASEAN countries are not affected by sea piracy and have no incentive in supporting...measures to fight the problem", countering the piracy threat rested squarely on the shoulders of Singapore, Malaysia and Indonesia.[110]

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[108] (Bradford, 2005)
[109] (Shie, 2006)
[110] (Emmers, 2003)
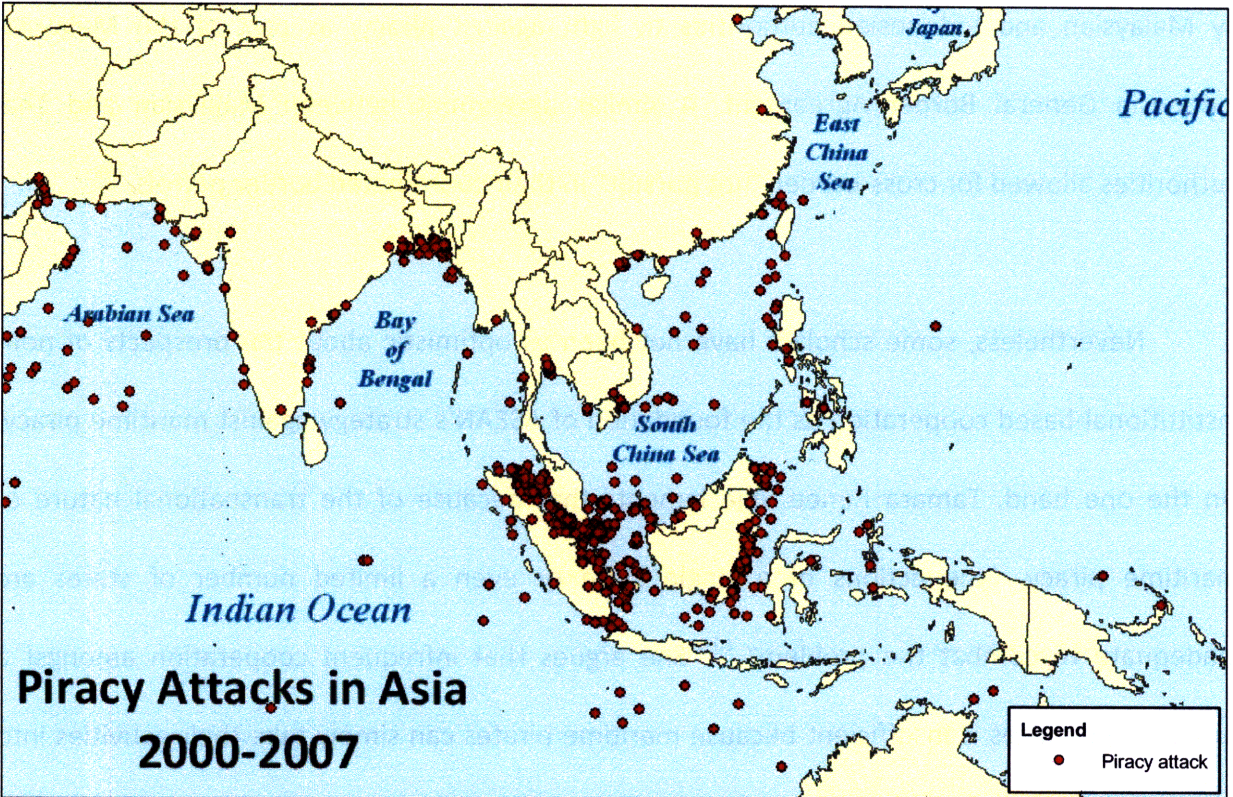
Figure 6. Piracy attacks in Asia from 1985 to 2007. (Source: Data created using NGAS anti-shipping messages and ArcGIS software, with help from MIT Libraries ArcGIS staff)

As an aside, this author first contends the claim that maritime piracy is not an ASEAN-wide problem. Figure 6 shows the distribution of all piracy attacks in Asia that were either attempted or carried out between 1985 and 2007, as reported by the National Geospatial-Intelligence Agency. The data clearly shows that although the Malacca Straits has had the greater concentration of piracy attacks in the region, piracy attacks have similarly occurred within the territorial waters of all nine members of ASEAN that have direct access to the sea (Landlocked Laos is the only exception). This suggests that maritime piracy is very much a regional problem, and thus Shie is correct to point out that the efforts of only a subset of ASEAN member states will be inadequate to combat the threat.

5.3 "A Spider Web of Cooperation"

Thankfully, the preference for bilateral cooperation does not mean that cooperation efforts are limited to a minority of ASEAN countries. Instead, a growing number of bilateral and trilateral agreements for cooperation against maritime piracy are being signed by an increasing number of countries in the region. The following figures provide a graphical representation of this trend.
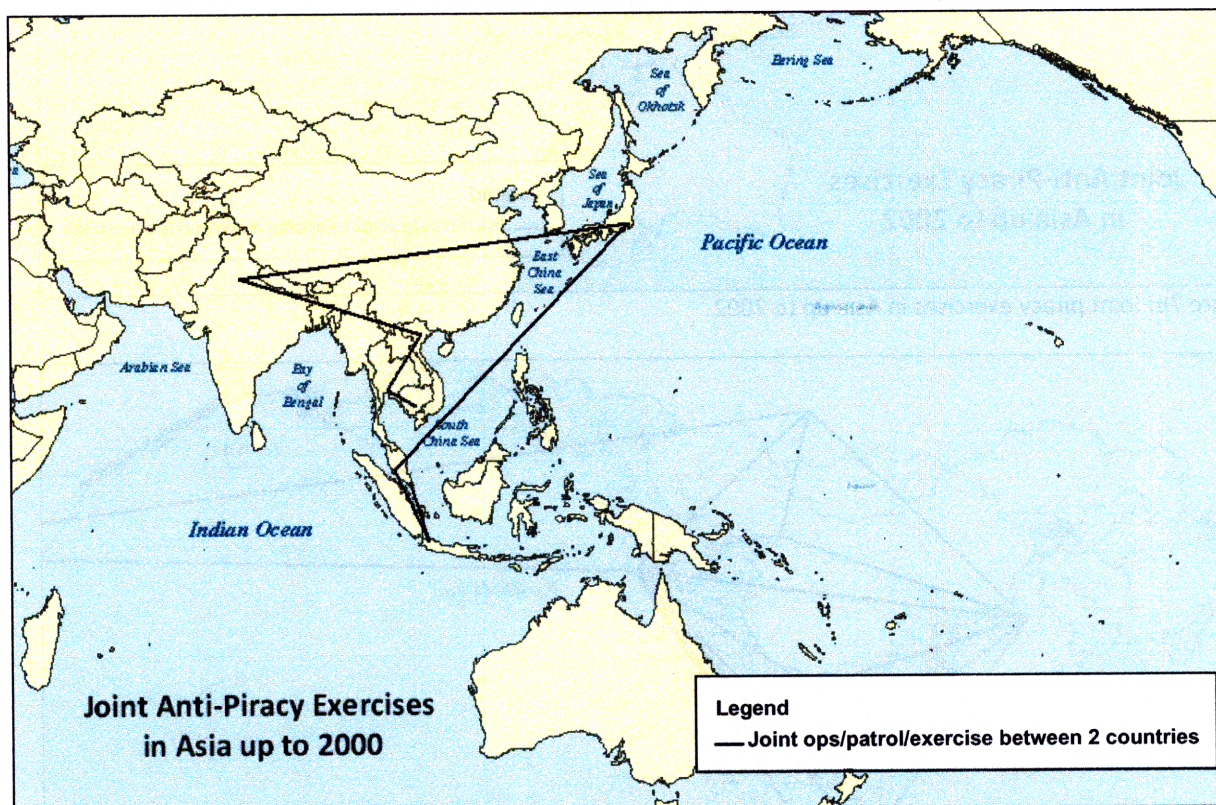
Figure 7a. Joint piracy exercises in Asia up to 2000
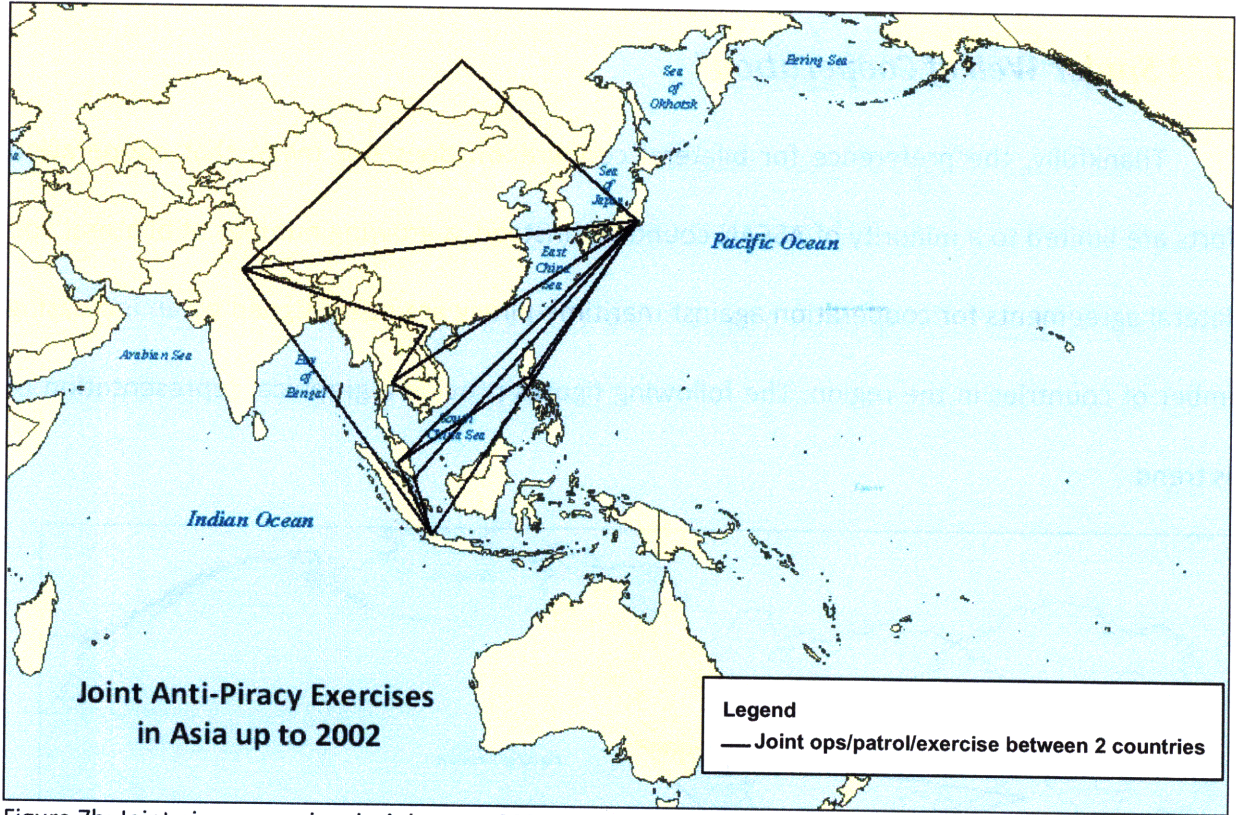
Figure 7b: Joint piracy exercises in Asia up to 2002
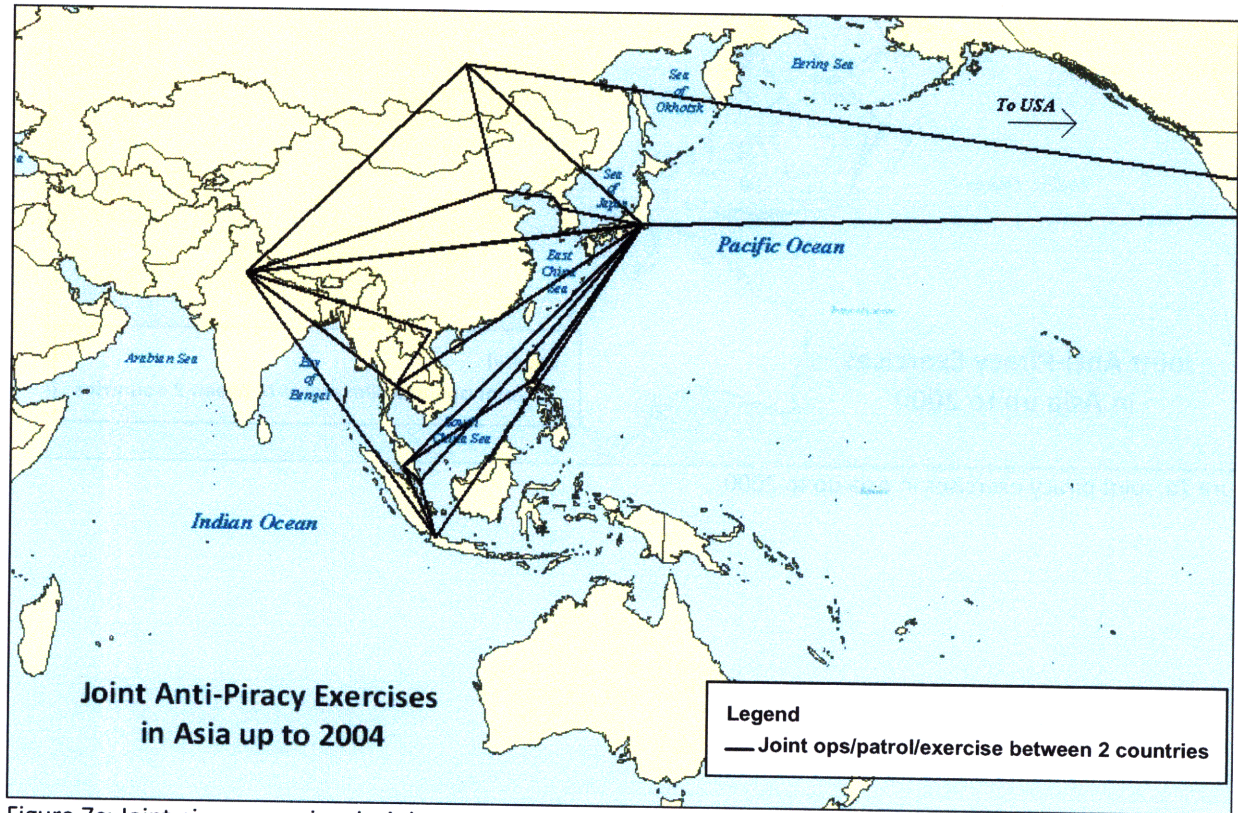
Figure 7c: Joint piracy exercises in Asia up to 2004
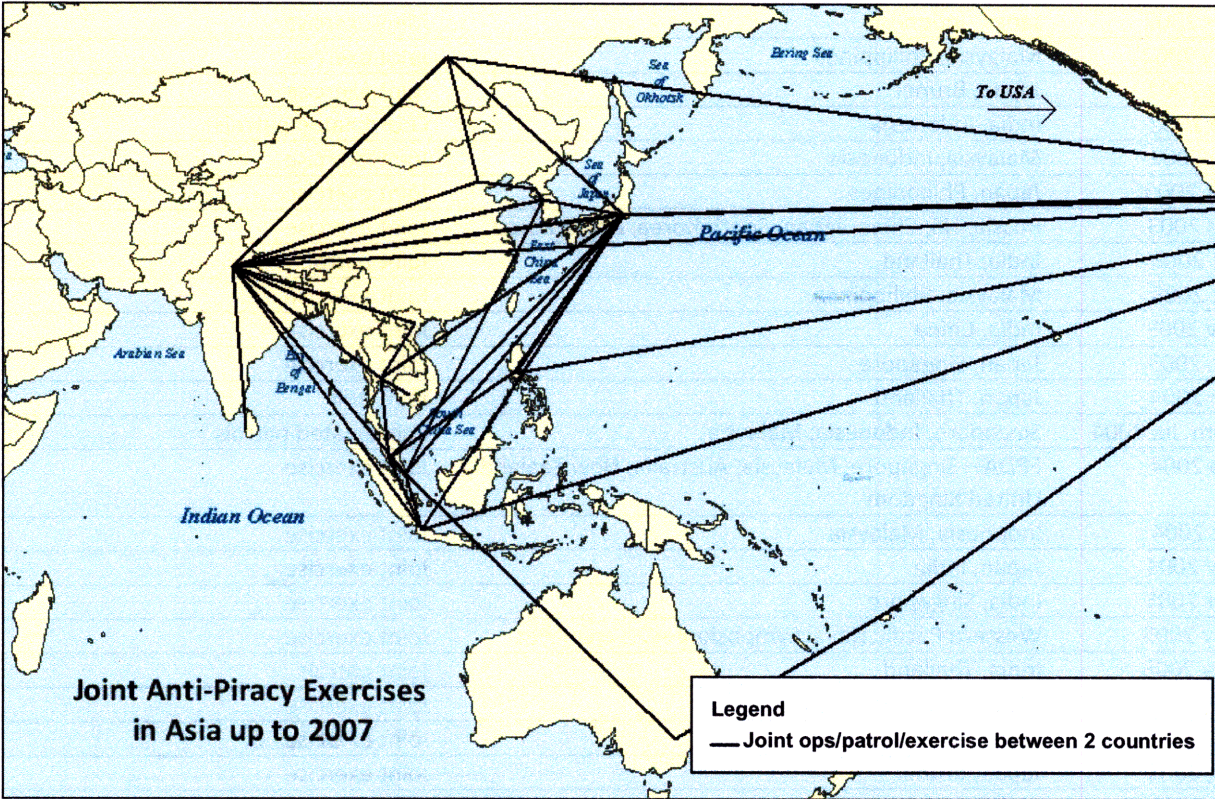
Figure 7d: Joint piracy exercises in Asia up to 2007

Figure 7. Graphical representation of the evolution of international cooperation in Asia-Pacific from 2000 – 2007. A black line represents a joint exercise/patrol/operation that occurred between two countries for the purposes of increasing cooperation against piracy. (Source: Piracy cooperation database collated by author, 2008. See Chapter 4 for database details)

Date	Countries involved	Cooperation type (Joint exercise / Joint patrol)
From ~1991	Malaysia, Indonesia	Regular Coordinated patrols
From Aug 1992	Indonesia, Singapore	Regular Coordinated patrol
From Jul 1998	Thailand, Cambodia	Joint patrols
From Jun 1999	Thailand, Vietnam	Joint patrols
Aug 2000	India, Vietnam	Joint exercise
Aug 2000	India, France	Joint exercise
From Nov 2000	Japan, India	Annual Joint exercise
Nov 2000	Japan, Malaysia	Joint exercise
May 2001	Japan, India, Russia	Joint drill
June 2001	WPNS – 16 countries	Joint exercise
Jul 2001	Japan, Singapore	Joint drill
Jul 2001	Japan, Brunei	Joint drill
From Aug 2001	Malaysia, Philippines	Joint patrol
Aug 2001	Japan, Thailand	Joint mission
Oct 2001	Japan, Philippines	Joint mission
Oct 2001	Singapore, Indonesia	Joint drill
Nov 2001	Malaysia, Indonesia	Joint biannual exercise/patrol

Mar 2002	Japan, Indonesia	Joint exercise
May 2002	Malaysia, Philippines	Joint exercise
Aug 2002	Japan, Brunei	Joint exercise
Sep 2002	India, Indonesia	Coordinated patrols
Sep 2002	Malaysia, Indonesia	Joint exercise
Mar 2003	Japan, Philippines	Joint exercise
Aug 2003	Russia, US, China, Japan, South Korea, North Korea	Joint exercise
Oct 2003	India, Thailand	Joint patrol
Oct 2003	Malaysia, Philippines	Joint exercise
Nov 2003	India, China	Joint exercise
Dec 2003	Japan, Singapore	Joint exercise
Feb 2004	Japan, Thailand	Joint drill
From Jul 2004	Singapore, Indonesia, Malaysia,	Coordinated patrols
Sep 2004	FPDA – Singapore, Malaysia, Australia, New Zealand , United Kingdom	Joint exercise
Oct 2004	Indonesia, Malaysia	Joint exercise
Nov 2004	Japan, India	Joint exercise
Mar 2005	India, Singapore	Joint exercise
May 2005	Western Pacific Naval Symposium – 22 countries	Joint exercise
May 2005	India, Thailand	Joint patrols
May 2005	Malaysia, Indonesia	Joint exercise
Jul 2005	Malaysia, Philippines	Joint exercise
Aug 2005	Japan, Brunei	Joint exercise
Sep 2005	Malaysia, Indonesia	Joint patrol
Sep 2005	India, United States	Joint exercise
Sep 2005	FPDA countries	Joint exerrcise
Nov 2005	India, Sri Lanka	Coordinated patrols
Nov 2005	India, South Korea	Joint exercise
Jan 2006	Japan, Philippines	Joint exercise
Jan 2006	India, Bangladesh	Joint exercise
Mar 2006	France, Brunei	Joint exercise
Mar 2006	US, Indonesia	Joint exercise
Jul 2006	India, South Korea	Joint exercise
Aug 2006	United States, Philippines	Joint exercise
Sep 2006	FPDA countries	Joint exercise
Nov 2006	Japan, India	Joint exercise
Nov 2006	United States, India	Joint exercise
2006	Singapore, Korea	Joint exercise
June 2006	India, Thailand	Joint exercise
Jan 2007	Japan, Malaysia, Thailand	Joint exercise
May 2007	United States, India, Japan	Joint exercise
April 2007	India, Russia	Joint exercise
May 2007	WPNS – 19 countries	Joint exercise
Jun 2007	United States, Philippines	Joint exercise
Aug 2007	Malaysia, Indonesia	Joint exercise
Sep 2007	India, Indonesia	Coordinated patrol, 3 weeks
Sep 2007	US, Australia, Japan, Singapore, India	Joint exercise

Table 4. Chronological list of joint exercises/patrols (Source: Piracy cooperation database collated by author, 2008. See Chapter 4 for database details)

Figure 7 shows the evolution of non-institutional cooperation in the Asian region over the past decade, while Table 4 shows the list of joint operations that was used to create the figures. A line between two countries indicates a joint exercise, patrol or maritime operation between the law enforcement agencies or navies of the two countries sometime between 1991 and the stated year. Although cooperation can materialize in multiple forms, I have only represented the three most "operational" forms of cooperation, because these joint activities actually enables security personnel from multiple countries to interact by working jointly onboard military and/or patrol vessels to execute an operation against maritime pirates, simulated or otherwise. These activities in particular enhance coordination at the operational level, representing concrete steps towards the integration of operations and procedures for effectively addressing the problem. Finally, it is worth noting that the majority of these joint activities were conducted between only two or three countries, though some included up to six countries in a single operation. Only four joint exercises were conducted under any sort of multilateral framework (FPDA and WPNS), and these were not reflected in Figure 7.

The sequence of figures suggests that there have been an increasing number of non-institutional joint exercises and patrols against maritime piracy in ASEAN over the past decade. In the 1990s, joint patrols and exercises against maritime piracy were concentrated around the three coastal states surrounding the Straits of Malacca, as part of the 1991 Malaysia-Indonesia General Border Agreement and the 1992 Indonesia-Singapore Coordinated Patrol Agreement. These coastal states agreed to carry out joint patrols of the Straits up to four times a year, though in reality these joint patrols were little more than an exchange of schedules that the

navies themselves often did not adhere to.[111] However, beginning in the late 1990s, a sharp spike in piracy incidents led to renewed calls for cooperation against maritime piracy. This led to the establishment of a significant number of agreements for joint anti-piracy exercises and patrols, many of which were between countries that had heretofore never participated in any form of security cooperation together. Thailand-Cambodia, Japan-Brunei, and India-Vietnam were just some of the bilateral cooperation that emerged during this period. Many of these agreements were amongst subsets of ASEAN countries, though Japan and India were also frequent partners in these cooperation agreements.

The figures therefore suggest that a network of cooperation is beginning to take shape in the region, creating what Bradford refers to as the "synergetic network of bilateral arrangements".[112] This network develops either by the expansion of existing cooperation to include more nations, or by an informal collation of multiple bilateral agreements into a densely interconnected system of cooperation. An example of the former was the expansion of the Malaysia-Indonesia and Indonesia-Singapore bilateral joint patrol agreements into the MALSINDO patrols in 2004, while Malaysia's increasing portfolio of joint exercises with countries in the region illustrates the latter trend. As the network becomes increasingly dense, there is an even greater momentum for cooperation to include additional stakeholders in the region, including the United States, Australia and Russia. Indeed, the picture of inter-connectedness then becomes similar to a binding multilateral arrangement, where trust and understanding are being developed amongst the members, while the ability to customize

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[111] (Bradford, 2005)
[112] Ibid.

bilateral relationships in a way that maximizes value and minimizes risk is still retained.[113] This

variety of non-institution-based cooperation has included a whole plethora of law enforcement

agencies, including navies, coast guards, marine police and federal border police officials.

Indeed, one could visualize this evolution as a "spider web of cooperation", rapidly spinning a

successively larger web of inclusive relationships in the region. Bradford may therefore be spot

on in observing that network cooperation holds the "greatest potential for tangible

improvement in regional maritime stability".[114]

5.4 The Unanswered Question: Network Creation

Given the increasing prevalence of bilateral and trilateral cooperation in the region,

scholars have understandably looked towards bilateral cooperation as the future for combating

piracy in Southeast Asia. However, in so doing, they have actively looked *away* from

multilateral regional institutions such as ASEAN and the ARF, arguing that these institutions are

no longer critical for the success of regional cooperation. Indeed, the success of bilateral and

trilateral agreements is often used as "an indication that the association [ASEAN] is unable to

achieve a coordinated response among its entire membership".[115]

Yet, while piracy experts may applaud the ability for nations in the region to establish

such non-institution-based cooperation, they have not adequately addressed the issue of how

these instances of bilateral cooperation, as well as the ensuing network, have emerged. As

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[113] Much of the ideas are discussed in Bradford's article on maritime piracy cooperation. Ibid.
[114] Ibid.
[115] (Collins, 2003)

Bradford acknowledges, despite the great potential of such networks for improving regional security, "such networks are not necessarily easy to create".[116] Not only do potential partners have to believe that the cooperation has both short- and long-term value, but individual states also have to overcome domestic politics and/or their lack of resources for successful cooperation. The fact that joint exercises are conducted between two countries does not immediately explain why other countries in the region have joined in on the act, especially in the absence of binding institutions and hegemonic pressure to invoke such cooperation.

In this regard, I drew inspiration from state policymaking (referring to those states within a country, not the country itself) and explore the theory of policy innovation diffusion, initially proposed by Walker (Walker, 1969). "Policy innovation" refers to the adoption of policy ideas that have been implemented by others, rather than the creation of original policy ideas, which is also known as policy invention in the literature. The theory on policy innovation comprises a set of models explaining the process through which governments adopt new programs, and includes both internal determinant and diffusion models, where diffusion refers to "the process by which an innovation is communicated through certain channels over time".[117]

Various diffusion models exist, including the national interaction model and the regional diffusion model.[118] In the national interaction model, a communication network among state

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[116] {26 Bradford, J.F. 2005}}, p. 83
[117] (Rogers, 2003)
[118] (Berry & Berry, 1999), p. 171

officials allows them to learn about programs in other states, thereby providing a stimulus for diffusion to the not-yet-adopting state.[119] National conferences that meet periodically provide the greatest opportunities for such interaction. Similarly, the regional diffusion model assumes that states are primarily influenced by states that are geographically adjacent, such as those that share a border with the state or are within the same region as the state. These states often have similar economic and social problems, and their similar environments increase the likelihood that the policies will have similar effects. Underlying these models, however, are three basic reasons for the spread of policy ideas. Frances Berry and William Berry argue that while the models hypothesize the strongest communication channels for diffusion, states ultimately innovate because they 1) learn from one another as they borrow successful innovations, 2) face competition and are under pressure to conform to nationally accepted standards, and 3) experience public pressure from their own citizens to adopt such policies.[120]

5.5 ASEAN: The Platform for Inter-"National Interaction"

Although the theory on policy innovation has mostly been tested on states within a particular country, this theory can easily be extended to the diffusion of policy ideas across national boundaries. National governments similarly need to implement policies that address their nation's pressing problems, and hence policy diffusion may explain a possible source of policy ideas. In this regard, multilateral regional institutions may have an additional critical role to play besides being the platform for enforcing binding, multilateral agreements. Regional institutions, especially those that meet regularly, provide an important opportunity for policy

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[119] (V. Gray, 1973)
[120] (Berry & Berry, 1999)

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diffusion across national borders, allowing government leaders to be constantly exposed to new policy ideas that could be implemented locally, a-la the national interaction model. Here, I use maritime piracy cooperation as a probe into the possible roles that ASEAN could play in promoting policy innovation in the region.

Date	Declaration name	ASEAN Meeting	Venue
Dec 1997	ASEAN Declaration on Transnational Crime: 1) Agreed upon Biennial ASEAN Ministerial Meeting on Transnational Crime 2) Convene high-level Experts Group to study feasibility of ASEAN Plan of action on Transnational Crime and ASEAN Center on Transnational Crime	1st ASEAN Interior/Home Affairs Ministers Meeting	Philippines
Jun 1999	1) Agreed in principle to set up ASEAN Center for Combating Transnational Crime 2) Adopted ASEAN Plan of Action to Combat Transnational Crime	2nd ASEAN Ministerial Meeting on Transnational Crime (AMMTC)	Myanmar
Oct 2001	Joint Communique of the Third ASEAN Ministerial Meeting on Transnational Crime 1) Recognize the need for region to deal with more forms of transnational crime, including sea piracy.	3rd AMMTC	Singapore
Feb 2002	Meeting discussed the problem of piracy 1) EU offered assistance for exchanges of technical and practical information, sponsor ASEAN students to attend anti-piracy seminars, exchange experience in managing integration between national procedures, establishing training institutions in ASEAN. 2) 4.5 million Euro package, eventually began implementation in 2006	ASEAN-EU Experts Group Meeting on Maritime Security	Philippines
Nov 2002	Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues 1) Agree to strengthen information action, personnel exchange, practical cooperation and joint research on non-traditional security issues, including piracy	6th ASEAN-China Summit	Cambodia
Nov 2002	Joint Statement of the First ASEAN-India Summit 1) Exchanged views and perspectives on non-traditional security threats such as piracy and agreed to develop concrete programs of cooperation	8th ASEAN Summit	Cambodia
Jun 2003	ARF Statement on Cooperation Against Piracy and Other Threats to Security 1) Commit to encourage bilateral and multilateral maritime cooperation among ARF members to combat piracy 2) Institute regional ARF cooperation and training in anti-piracy 3) Provide technical assistance and capability-building infrastructure to countries	10th ASEAN Regional Forum	Cambodia
Dec 2003	Tokyo Declaration for the Dynamic and Enduring ASEAN-Japan Partnership in the New Millennium 1) Enhance Cooperation in anti-piracy through ARF, APT process, AMMTC Plus Three	ASEAN-Japan Commemorative Summit	Japan

Jan 2004	Joint Communique of the Fourth ASEAN Ministerial Meeting on Transnational Crime 1) Recognize increasing trends of terrorism and other forms of transnational crime, such as piracy 2) Adopted concept plan to address transnational crime such as piracy	4th AMMTC & 1st AMMTC Plus Three	Thailand
Jul 2004	ASEAN Regional Forum Statement on Strengthening Transport Security Against International Terrorism 1) Hold appropriate simulation and joint exercises especially on piracy to enhance institutional capacity building of coastal states and to ensure effective modal coordination of maritime security 2) Strengthen legal cooperation framework to counter terrorism 3) Strengthen practical cooperation between law-enforcement bodies 4) Promote cooperation between research institutions to examine terrorism 5) Encourage constructive interaction between ARF and other regional and multilateral institutions	11th ASEAN Regional Forum	Indonesia
Nov 2004	Joint Declaration of the Leaders at the ASEAN-Australia and New Zealand Commemorative Summit 1) Take urgent steps to prevent and combat the menace of transnational crime such as piracy through effective institutional linkages and cooperation programs	10th ASEAN Summit	Laos
Jul 2005	ASEAN – Pakistan Joint Declaration for Cooperation to Combat Terrorism 1) Agree to implement measures contained in ARF Statement on Cooperation Against Piracy and Other Threats to Security	12th ASEAN Regional Forum	Laos
Nov 2005	Joint Communique of the Fifth ASEAN Ministerial Meeting on Transnational Crime 1) View with growing concern about transnational crime such as piracy	5th AMMTC	Vietnam
Dec 2005	Joint Declaration of the Heads of State/Government of the Member Countries of ASEAN and the Russian Federation on Progressive and Comprehensive Partnership 1) Enhance cooperation through actively participating in the ASEAN Senior Officials Meeting on Transnational Crime (SOMTC) - Russian Federation Consultations	11th ASEAN Summit	Malaysia
Feb 06	Pact between both regional groupings, EU agree to provide 4.5million Euros in EU training assistance to border control agencies to reduce arms smuggling and maritime piracy	Pact between EU and ASEAN	
Jul 2006	ASEAN-Canada Joint Declaration for Cooperation to Combat International Terrorism 1) Implement measures contained in ARF statements	39th ASEAN Ministerial Meeting	Malaysia
Aug 2007	Joint Declaration on ASEAN-Australia Comprehensive Partnership 1) Promote closer cooperation to combat transnational crime such as piracy by undertaking joint activities based on existing agreements and mechanisms	40th ASEAN Ministerial Meeting	Philippines
Aug 2007	Chairman's Statement 14th ASEAN Regional Forum 1) Ministers noted that incidents of piracy in the region have decreased substantially in recent years in large part due to cooperation among the littoral states.	14th ASEAN Regional Forum	Philippines

Table 5: Record of all ASEAN declarations, statements and communiques pertaining to piracy cooperation.
The list only includes declarations made that represent the ASEAN community at time of announcement, and hence does not include cooperation agreements made on the sidelines of ASEAN summits, or announcements made by particular ASEAN participants during the summit that was not finally jointly announced through a joint

statement. Numbered points describe the details of statement as it pertains to anti-piracy cooperation (Source: ASEAN Secretariat Website. http://www.aseansec.org Last Assessed April 09, 2008)

Table 5 shows the record of all declarations and statements made by ASEAN and ARF as a collective group since its inception in 1967 that directly pertains to anti-piracy cooperation in the region.[121] The data suggests that contrary to popular perception, the two regional institutions have enabled their members to reach a significant number of multilateral agreements over the past decade, especially with regards to maritime piracy cooperation in the region. In particular, the ASEAN Plan of Action to Combat Transnational Crime, endorsed by ASEAN Ministers in 2002, and the July 2004 ARF Statement on Strengthening Transport Security against International Terrorism, introduced a series of anti-piracy counter-measures that countries agreed to adopt in order to enhance maritime cooperation in the region. With reference to the summary statistics presented in Chapter 4, these 18 ASEAN and ARF agreements also account for approximately half of the multilateral agreements for cooperation against maritime piracy that have been reached in the region.

Despite the multilateral diplomatic activity that ASEAN has managed to achieve, scholars continue to suggest that bilateral initiatives provide more promise for meaningful cooperation, since multilateral efforts often only reach the level acceptable to the least keen partner, or merely reiterate well-known stances of the need for cooperation in the region.[122] Yet, such a view misses the realization that multilateral institutions can in fact facilitate the

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[121] Only agreements that were made collectively at the ASEAN gatherings were included. For instance, Japanese Prime Minister Keizo Obuchi's pronouncement at the 1999 ASEAN summit was not coded in this list because it was not fully endorsed by all ASEAN members, even though the ASEAN summit was used as a platform for the announcement.
[122] (Bradford, 2005; Emmers, 2003)

creation of the other forms of cooperation, such as intra-ASEAN bilateral cooperation and increased interactions with extra-regional powers. The annual ASEAN Heads of State Summits, annual ASEAN Ministerial Meeting (Foreign Ministers), as well as regular gatherings of senior officials, technical working groups and task forces provide ample opportunities for the generation and sharing of ideas.[123] This regular cooperation builds familiarity amongst officials, lowers transaction costs, reduces distrust and creates habits of cooperation, resulting in intangible interactions that then form the basis of formal bilateral cooperation agreements amongst ASEAN participants. More directly, such agreements are often signed and announced on the sidelines of these ASEAN summits. For example, the "Agreement on Information Exchange and Establishment of Communication Procedures" between Indonesia, Malaysia and the Philippines was signed in Kuala Lumpur in May 2002, on the sidelines of the Special ASEAN Ministerial Meeting on Terrorism. Thus, although the summits themselves do not always directly produce "operational" cooperation, they indirectly promote cooperation amongst the meeting participants. ASEAN has therefore acted as the platform for "policy diffusion".

The ASEAN meetings also facilitate the important cooperation between ASEAN member states and extra-regional powers in the region. These extra-regional powers are important partners in the fight against piracy because they provide the much-needed resources and expertise to effectively combat the threat. In this regard, ASEAN provides an important platform for extra-regional powers to remain actively engaged in the region. For instance, the 1999 Joint Statement on East Asia Cooperation called for an annual summit of ASEAN leaders

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[123] Please refer to ASEAN website (http://www.aseansec.org) for more details of ASEAN Meeting structures and mechanisms

with their counterparts from China, Japan and the Republic of Korea under the ASEAN Plus Three (APT) process. Similarly, as shown in the table above, ASEAN has successfully made joint declarations or statements with eight of ASEAN's regional partners that included provisions for anti-piracy cooperation, including partners such as China, India, Japan, Pakistan, Australia, New Zealand, the Russian Federation and Canada. Such engagement has not only enabled countries such as Japan and India to establish a wide variety of anti-piracy bilateral and trilateral cooperation with multiple countries across the region, but has also provided these extra-regional powers a platform to make significant policy pronouncements to the region. Japanese Prime Minister Keizo Obuchi's proposal at the 1999 ASEAN Manila summit to establish a "regional coast guard body" and improve cooperation of regional responses to piracy attacks is a clear example. Compared to the strength of individual Southeast Asian member states, ASEAN therefore provides a greater voice for the entire community on the world stage, increasing the likelihood that the collective interests of the ASEAN states will be effectively addressed.

Indeed, non-traditional security threats such as maritime piracy appears to have re-established regional institutions such as ASEAN as the new centers of international cooperation. Despite the failed attempts of forming an ASEAN-wide military alliance since its inception in 1967, ASEAN's success at establishing non-traditional security cooperation throughout the region led to the revival in 2003 of the idea for an ASEAN Security Community, which will be established by 2020.[124] By focusing on transnational threats, where all states in the region have

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[124] At the ASEAN summit in Bali in October 2003, the Declaration of ASEAN Concord II was signed, where ASEAN leaders agreed to establish an ASEAN Security Community, an ASEAN Economic Community, and an ASEAN Socio-Cultural Community. See Serverino, Rodolfo C., "Towards an ASEAN Security Communtiy", *Trends in Southeast Asia Series,* Issue no. 8, 2004

an interest in promoting regional security and stability, trust and goodwill can be nurtured amongst nation states so that the elusive goal of an institutionalized multilateral security alliance is finally within grasp.

5.6 Conclusion

In conclusion, the data on maritime piracy cooperation in Southeast Asia suggests that bilateral and trilateral forms of cooperation are indeed the preferred choice of nation states for taking effective action against the growing problem of maritime piracy in the region, and that an increasing spider web of cooperation is taking shape. However, instead of implying the irrelevance of multilateral, non-binding regional institutions such as ASEAN and ARF, this budding network of cooperation instead reinforces the position of regional institutions as important platforms for stakeholders to spread the policy of international cooperation further throughout the region. As Tamara Renee Shie suggests, extra-regional interests in the region will continue to fluctuate, and hence only sustained cooperation within the region can sustainably address the piracy issue in Southeast Asia.[125] Leveraging off the facilitating role of multilateral regional organizations, an ever richer mesh of intra-ASEAN cooperation networks can be created, boding well for the future security of the region.

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[125] (Shie, 2006)

Chapter 6: Coast Guards – *Sailing Past Sovereignty Sensitivities*

6.1 Introduction

Coastal states that suffer from a high incidence of piracy attacks within their territorial waters often hope to counter this threat effectively. To be regarded as "piracy-safe" by the international community enables economic trade to flourish without traders fearing for their own safety. Unfortunately, these states often lack the necessary resources, both in terms of technical expertise and the actual quantity of patrol vessels, to adequately deal with the threat. For instance, Indonesia has a 54,000km long coastline made up of 17,000 islands,[126] making it impossible for its fledging maritime security forces to cope with the evasive hordes of pirates that litter its territorial waters.

An obvious solution to this problem is to seek cooperation and assistance from a growing collection of extra-regional powers in Southeast Asia that are rushing to volunteer their resources and know-how to the coastal states. By definition, these powers, such as the United States, Japan, China, India, Australia and South Korea, possess the necessary military equipment, financial resources, and personnel expertise to better address this non-state threat. Unfortunately, the prospect that coastal states have to witness fleets of navy destroyers and gunboats within their own territorial boundaries often raises their sovereignty sensitivities, a problem I have discussed in Chapter 3. Ironically, although the extra-regional powers are volunteering their weapons and personnel to help neutralize the piracy threat, thereby providing important security to the region, the overwhelming presence of their militaries have

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[126] CIA, "The World Factbook: Indonesia" Last updated 15 May 2008.

instead drawn the ire of the recipient states. This is especially so in Southeast Asia, where the history of external involvement in the region has not been exemplary. Coastal states may therefore be cool to external suggestions for cooperation, and the fierce opposition from Malaysian and Indonesian officials to the United States' Regional Maritime Security Initiative (RMSI) proposal is an extreme example of this.

However, a solution to this dilemma appears to have materialized in recent years. In what Sam Bateman (Bateman, 2003) hails as "a revolution in maritime strategic thinking", Southeast Asia's extra-regional powers are utilizing their coast guard agencies, as opposed to their military navies, to successfully create cooperation regimes with their ASEAN counterparts, building up an increasingly dense network of cooperation to tackle piracy threats in the region. Countries such as Japan, India and the United States are realizing that their coast guard and maritime paramilitary agencies equip them with an excellent opportunity to promote security cooperation in the region, whilst avoiding the political sensitivities that is often associated with such cooperation.

This chapter analyzes the evolution of coast guard cooperation in Asia, and argues that with the general alignment of regional and global power interests in Southeast Asia, the coast guard is and will continue to become an attractive option for extra-regional powers to engage in anti-piracy efforts in the region, without stoking up the sovereignty fears that are still held by many of the post-colonized, recently independent nations. In addition, these agencies further provide a unique opportunity for cooperation amongst the extra-regional powers. I first

understand the differences in priorities and external perceptions between the navy and the coast guard, before analyzing how the coast guard may facilitate the avoidance of sovereign sensitivities in international anti-piracy cooperation. Using some of the data collected in this thesis, I then analyze the evolution of coast guard cooperation vis-à-vis anti-piracy in the region, highlighting some of the unique features of coast guard cooperation, such as the engagement of coast guards between otherwise politically-sensitive nations, as well as the region-approved transfer of military equipment from one nation to another.

6.2 The Coast Guard and the Navy

Although most nations establish a naval force at the time of their independence, the creation of a coast guard agency is often perceived to be much less of a pre-requisite for maintaining one's sovereignty. Over the past decade, however, the coast guard landscape in Asia has shifted noticeably. Malaysia, Bangladesh, the Philippines, and Vietnam have all established their coast guard agencies in the past decade, while both Taiwan and Japan have restructured their maritime paramilitary forces and renamed them as coast guard agencies.[127]

Coast guards and navies both operate in the same geographical waters. Yet, their priorities, capabilities, and most importantly, how they are perceived outside their organizations, often differ significantly. When one thinks of the navy, technologically-advanced weapon systems and concepts such as network-centric warfare, nuclear frigates, and torpedo-firing flotilla come to mind. Navies are the maritime military, designed to fight wars and combat military threats. In the event of a conflict, they have to act decisively to neutralize the threat.

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[127] Only the English name of the Coast guard was changed (JMSA to JCG). Japanese name remained the same.

Given these priorities, navies tend to focus on larger, more powerful ships with better weapon systems, enabling them to project faster and further beyond their shores.

In contrast, the coast guard is often perceived as having a distinct mission set. Its focus is on ensuring safety within its territorial waters, enforcing the nation's maritime laws and protecting the maritime environment. As Bateman argues, with the passing of the 1982 UNCLOS agreement, where a 200-nautical mile exclusive economic zone was granted to all coastal states, a much larger body of water now needs to be secured and protected. Add on the perception that the tasks required of the coast guard tends to be more defensive and technologically-static in nature, and it is not surprising that coast guard agencies require a larger number of ships that have less capabilities for power projection. In contrast to the navy, coast guards therefore tend to seek "quantity" over "quality".

There is little doubt that the above depictions of the two organizations are over-generalizations, and the distinction that has been made should be blurred significantly. For instance, Colin Gray (C. S. Gray, 2001), p. 118) notes that more than forty of the world's navies are effectively coast guard agencies, focusing primarily on the coast guard functions that were listed above and equipped with little power projection capabilities. At the other extreme, the coast guards of global and regional powers such as the United States and Japan often possess greater shipping tonnage than most navies in their regions. Nevertheless, this characterization of the differences between the coast guard and navies is useful, as it explains why coastal states

may maintain stronger political sensitivities to extra-regional naval involvement in the region, as opposed to their reactions to similar cooperation through the coast guard.

6.3 The Navy's Difficulty at Forging Cooperation

The perception that great-power navies are focused on power projection and territorial expansion represents the first hurdle encountered by extra-regional navies that are trying to promote cooperation with a coastal state. When a coastal state considers the prospect of a foreign naval ship sailing close to a coastal state's coastline fully armed with highly-advanced weaponry, for example, it is not irrational for the coastal state to have their security fears raised, even if the naval ship was on a joint exercise with a neighboring coastal state. The political sensitivities that arise from navy-based cooperation are particularly apparent when considering cooperation between extra-regional powers, such as America's "Great White Fleet", and their counterparts in Southeast Asia, some of whom have no more than a squadron of ten small crafts.[128] Extra-regional powers often have naval capabilities that enable them to project far beyond their own shores, enabling them to potentially take on the navies of other great powers. In contrast, most of the navies in Southeast Asia "are not blue-water, power-projection, sea-control navies – rather regional navies that also enforce laws, protect resources, conduct search and rescue, prevent environmental damage, and maintain aids to navigation".
[129] While this makes Southeast Asian navies ideal candidates for anti-piracy cooperation if we

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[128] For example, Brunei's navy is made up of a single squadron with 6 patrol crafts and 4 amphibious crafts. For (Hackett, 2008)
[129] (Loy & Stubbs, 1997)

consider their mission-specifications, their relatively weak capabilities simultaneously raises their level of insecurity and becomes a potential impediment to cooperation.

However, the sensitivities to naval involvement are not merely a result of disparities in military capabilities alone. Instead, the possibility of military alliances and naval operations beyond the publicly announced anti-piracy efforts often results in additional regional opposition and unnecessary tensions. For instance, there was suspicion that United States' RMSI program was targeted not only at fighting terrorism in the Malacca Straits, but also to contain China by creating the capability to block China's access to oil supply from the Middle East.[130] Southeast Asians therefore did not want to promote a "Sino-America shooting war" in the Malacca Straits by favoring one military over another.[131]

Setting the cooperation in a military context also raises additional security fears. In introducing RMSI, for example, US Navy commander Admiral Thomas Fargo used terms such as "expeditionary military capabilities" and "robust maritime interdiction forces". [132] Although these phrases were targeted at pirates and maritime terrorists, they could have just as easily stoked the fears of naval commanders from small coastal states. Indeed, it is widely acknowledged that the negative responses by ASEAN states to suggestions for cooperation

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[130] (Christoffersen, 2008), p. 136

[131] (Zubir & Basiron, 2005)

[132] Admiral Thomas B . Fargo, commander U.S. Pacific Command, Shangri-La Dialogue, 4th Plenary Session-"Maritime Security after 9 -11," 1 June 2003. Available online: http://www.pacom.mil/speeches/sst20031/s 0h3a0n6g0r ila.shtml.

against piracy and terrorism were due to the highly militarized counter-terrorism strategy pursued by the US. [133]

One may be quick to re-classify this opposition as simply a reflection of the wave of anti-Americanism that is spreading around the world, rather than a broader opposition against naval cooperation. Yet, such opposition to extra-regional naval cooperation was also felt by China, which had attempted to capitalize on ASEAN's opposition to RMSI by proposing to hold joint maritime military exercises in non-traditional security issues such as piracy and terrorism. These efforts were ultimately rejected by ASEAN, which responded that it was not ready to consider a Chinese military role in the region. [134]

Unsurprisingly, there are now increasing calls for great power navies to reconsider their roles and responsibilities, and reevaluate whether they should remain in the fight against non-state threats such as piracy and even maritime terrorism. Murphy (murphy, 2007), for instance, argues that piracy and terrorism are only two items in a longer list of threats to United States maritime security, and if the US Navy were to confront these two challenges, it would have to adjust its war-fighting posture towards one that was more similar to its strategy in the nineteenth century. [135] David Kilcullen (Kilcullen, 2006), p. 413) similarly argues that "naval and air platforms with networked information capability to generate precision strike" have not proven effective in response to irregular threats.

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[133] (Tan & Ramakrishna, 2004)
[134] (Christoffersen, 2008), p. 134
[135] (murphy, 2007), p. 24

6.4 Coast Guard to the Rescue

Given the potential tensions that could arise from naval cooperation, national coast guard agencies appear to be an attractive alternative for sailing around the political sensitivities of international security cooperation. These paramilitary organizations have a lower political profile than their navy big brother, and are extremely useful for operating in maritime waters that are either politically sensitive or the subject of overlapping claims to maritime jurisdiction. The coast guard thus becomes extremely useful in the Malacca Straits, since the 200nm exclusive economic zone provisioned by the 1982 UNCLOS convention leads to overlapping maritime boundaries in the narrow waterway.

As discussed, it is often assumed that the role of the coast guard is to ensure maritime safety, enforce maritime law and protect the marine environment in one's territorial waters; some analysts have even suggested that the "guesswork involved in naval planning is nearly absent from forecasts bearing upon the coast guard".[136] Considered a status quo organization, coast guard operations are hardly synonymous with the militaristic intentions that may incite fear in other nations. Because their traditional targets are individuals in *mufti*,[137] rather than other soldiers in uniform, coast guard agencies, with their small patrol vessels, are less threatening than the larger, more heavily armed "haze-gray warships" of the navy, and could therefore become useful foreign policy tools for promoting international cooperation.

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[136] (C. S. Gray, 2001), p. 127
[137] Another term for civilian clothes

This argument for an increased international role for coast guard agencies has unsurprisingly had its critics. Martin Murphy, in arguing that the US Coast Guard has a limited international role, contends that the problem of maritime security globally is a political problem, rather than a law enforcement one.[138] He proposes that the distinction that has been made between coastal operations and deep-water operations, thereby implying a separate role for the coast guard internationally, is wrong because criminals, insurgents and terrorists have no hesitation in exploiting this distinction.

Murphy is correct to observe international maritime security is often a political issue, and that the oft-quoted distinction between brown-water and blue-water operations is artificial. Yet, what his argument fails to realize is that the coast guard could be successful at promoting international cooperation precisely because it can approach an otherwise political problem with a law enforcement perspective, thus skirting many of the political sensitivities that have been discussed. As Murphy himself recognizes, there is a "current wave of anti-Americanism that is sweeping the world", one that is related to America's willingness to exert overwhelming force at any sign of trouble. [139] The use of the coast guard could therefore move America's foreign policy in a more positive direction – by working jointly with the navy in the same waters to cooperate with similar organizations internationally, the coast guard could help redeem America's image in the world today.

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[138] Ibid., p. 39
[139] Ibid.

6.5 Coast guard cooperation in Asia

It was previously mentioned that many countries in the region only institutionalized their coast guard agencies over the past decade. Yet, the idea of using the coast guard as a means of cooperation is not a new one. According to a 1980 article by Robert Barnett in *Foreign Policy*, Australia had previously provided the Philippines with coast guard ships and technical advice on maritime safety procedures, and the Philippines had conducted joint coast guard patrols with Indonesia in the South China Sea.[140] More remarkably, a suggestion had even been made that "ASEAN could create, both for its symbolic and practical function, a jointly operated, non-military Southeast Asian coast guard and request that Japan finance it".[141] This foreign policy suggestion had been considered by Japanese bureaucrats in then-Japanese Prime Minister Takeo Miki's office, though the idea was subsequently rejected for domestic political reasons. Nevertheless, the idea may have been the precursor and inspiration to Prime Minister Keizo Obuchi's efforts nearly two decades later, where he proposed the setting up of a "regional coast guard" during an ASEAN summit in 1999.[142]

Following those nascent attempts at cooperation, international coast guard cooperation against maritime piracy returned to their negligible levels throughout most of the 1980s and 1990s. One possible explanation for this was that the Southeast Asian region was still reeling from the Vietnam War, which had placed the region in the cross-fire of Cold War, great power politics. Vietnam remained a politically-charged issue, and the region wanted to avoid any

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[140] (Barnett, 1980)
[141] Ibid.
[142] (Takai & Akimoto, 2000), p. 75

actions that may be construed as an alliance by a subset of countries against others. Under this geo-political climate, even cooperation amongst coast guards had to be wary of unintended signaling; cooperation with extra-regional powers could only occur when all countries were involved. For instance, the regional coast guard suggestion that had been proposed in 1980 emphasized that Vietnam had to be an equal member in the relationship.[143] Furthermore, feedback from officials in the region revealed that the United States and the Soviet Union could not be party to neither the negotiations nor the final agreement. The geo-political climate of the period thus prevented any cooperation with the slightest hint of great-power politics from materializing.

Nevertheless, Barnett and the Japanese bureaucrat may simply have been two decades ahead of their time. Coast guard cooperation between extra-regional powers and costal states has emerged in the past decade, and is now increasingly used to promote stability in Southeast Asia. As Bateman suggests, coast guards now have "the potential to make a major contribution to regional order and security". Coast guard cooperation can be broadly classified into four main types of cooperation. They include providing technical expertise by offering anti-piracy training to coast guard officials, holding joint exercises and patrols between coast guards, hosting multi-lateral meetings of coast guard heads, and transferring coast guard equipment to assist in the establishment of new coast guard agencies. Each of these cooperation types will now be described in turn.

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[143] (Barnett, 1980)

6.5.1 Training of Coast Guard officials

Beginning with what may be considered the most innocuous form of cooperation, extra-regional powers are educating anti-piracy personnel from Southeast Asian agencies through their coast guard agencies. This training often includes a transfer of expertise on the use of anti-piracy equipment, as well as knowledge transfer on how the coastal waters can be patrolled effectively. Such training may appear superficial and unnecessary but have actually been of great value to the recipients, due to the primitive state of many of the coastal states' coast guard agencies. Often established within the past decade, many of the Southeast Asian coast guards are considered to be of lower priority than their naval counterparts for ensuring national security, and hence lack both the technical expertise and resources to effectively combat the threat. This provides an excellent opportunity for extra-regional coast guard agencies to fill an important gap in anti-piracy efforts in the region.

Japan's leadership in this regard is a clear example of the level of cooperation that can be achieved through this channel. Starting in 2000, Japan has hosted a regular series of training sessions and seminars for coast guard officials in the region, and through the Japanese International Cooperation Agency (JICA), has funded other law enforcement training seminars throughout the region. In April 2001, Japan enrolled 5 ASEAN Coast Guard employees, one each from Thailand, Malaysia, Indonesia, Philippines and Vietnam, into the Japan maritime safety academy for training, where the students studied navigation and communication for between two and five years. Although not unique to the Coast Guard (such international student exchanges are also common in the military), such efforts represent the first step towards closer

cooperation between nations, especially when the international student sails into his home port onboard a Japanese training ship for joint exercises with the coastal state.[144]

In 2002, Japan further extended its training initiatives with a 5-year training program for the Philippines Coast Guard (PCG), entitled the JICA-PCG Human Resource Development (JICA-PCG HRD) initiative. Focused on enhancing the capabilities of Filipino personnel through a range of law enforcement training courses and activities, the project organized no less than 30 interactions, exchanges and training courses for the PCG within the first two years of its inception.[145] This included JCG officials instructing their PCG counterparts how to perform ship inspections and handling criminal evidence from the sea, as well as the monitoring the PCG education training system to provide an international view and share best practices. Although such efforts are not resource-intensive or time-consuming, they undoubtedly enhance the indigenous capabilities of the local coast guard, while simultaneously promoting trust between the participating nations.

6.5.2 Joint Exercises and Patrols

In the realm of cooperation against maritime piracy, joint exercises, patrols and other similar operations are often regarded as the holy grail of cooperation. Any activity that brings together the maritime security officials of multiple nations to execute an operation using real equipment and ships will be widely hailed by leaders of all countries involved that cooperation has reached "a new level". This excitement is not unwarranted. A joint exercise, which brings

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[144] This occurred during one of the Japan-Philippines joint exercise
[145] JICA-PCG HRD Project Activities, 2002-2004

together two or more agencies and acts out a piracy attack scenario, provides valuable opportunities for both sides to learn about the anti-piracy operations of their counterparts, enhances communication across territorial boundaries, and coordinates actions and protocols in the event of an actual piracy attack. Ideally, these joint exercises will eventually lead to joint patrols, where officials in different uniforms, either jointly or by coordinating ship schedules, conduct actual operations to prevent piracy attacks from taking place.

At the time of writing, joint exercises and patrols are the highest level of international cooperation that has been achieved against maritime piracy. I therefore attempt to understand the level of cooperation achieved by coast guard agencies in the region by analyzing the frequency of joint exercises and patrols that have occurred.

Date	Countries involved	Cooperation type	Military/Paramilitary organization involved
Cooperation amongst coastal states			
From Jan 1991	Malaysia, Indonesia	Regular Coordinated patrols	Navy
From Aug 1992	Indonesia, Singapore	Regular Coordinated patrol	Navy, Marine Police
From Jul 1998	Thailand, Cambodia	Joint patrols	Navy
From Jun 1999	Thailand, Vietnam	Joint patrols	Navy
From Aug 2001	Malaysia, Philippines	Joint patrol	Navy
Oct 2001	Singapore, Indonesia	Joint drill	Navy
Nov 2001	Malaysia, Indonesia	Bi-annual joint exercise	Navy
May 2002	Malaysia, Philippines	Joint exercise	Navy
Sep 2002	Malaysia, Indonesia	Joint exercise	Police
Oct 2003	Malaysia, Philippines	Joint exercise	Navy
From Jul 2004	Singapore, Indonesia, Malaysia,	Coordinated patrols	Navy
Oct 2004	Indonesia, Malaysia	Joint exercise	Navy
May 2005	Malaysia, Indonesia	Joint exercise	Navy
Jul 2005	Malaysia, Philippines	Joint exercise	Navy
Sep 2005	Malaysia, Indonesia	Joint patrol	Police
Aug 2007	Malaysia, Indonesia	Joint exercise	Marine police
Cooperation between extra-regional power and coastal state			
Aug 2000	India, Vietnam	Joint exercise	Navy
Nov 2000	Japan, Malaysia	Joint exercise	Coast Guard
Jul 2001	Japan, Singapore	Joint drill	Coast Guard

Jul 2001	Japan, Brunei	Joint drill	Coast Guard, Police
Aug 2001	Japan, Thailand	Joint mission	Coast Guard
Oct 2001	Japan, Philippines	Joint mission	Coast Guard
Mar 2002	Japan, Indonesia	Joint exercise	Coast Guard
Aug 2002	Japan, Brunei	Joint exercise	Coast Guard, Police
Sep 2002	India, Indonesia	Coordinated patrols	Navy
Mar 2003	Japan, Philippines	Joint exercise	Coast Guard
Oct 2003	India, Thailand	Joint patrol	Navy
Dec 2003	Japan, Singapore	Joint exercise	Coast Guard
Feb 2004	Japan, Thailand	Joint drill	Coast Guard
Mar 2005	India, Singapore	Joint exercise	Navy
May 2005	India, Thailand	Joint patrols	Navy
Aug 2005	Japan, Brunei	Joint exercise	Coast Guard
Nov 2005	India, Philippines	Joint exercise	Coast guard
Jan 2006	Japan, Philippines	Joint exercise	Coast Guard
Mar 2006	France, Brunei	Joint exercise	Navy
Mar 2006	USA, Indonesia	Joint exercise	Navy
Aug 2006	USA, Philippines	Joint exercise	Navy
2006	Singapore, South Korea	Joint exercise	Coast Guard
June 2006	India, Thailand	Joint exercise	Navy
Jan 2007	Japan, Malaysia, Thailand	Joint exercise	Coast Guard
Jun 2007	United States, Philippines	Joint exercise	Navy
Sep 2007	India, Indonesia	3 weeks Coordinated patrol	Navy
Sep 2007	USA, Australia, Japan, Singapore, India	Joint exercise	Navy
Cooperation amongst extra-regional powers			
Aug 2000	India, France	Joint exercise	Navy
From Nov 2000	Japan, India	Annual Joint exercise	Coast Guard
May 2001	Japan, India, Russia	Joint drill	Coast Guard, Federal Border Service
Aug 2003	Russia, USA, China, Japan, South Korea, North Korea	Joint exercise	Navy
Nov 2003	India, China	Joint exercise	Navy
Nov 2004	Japan, India	Joint exercise	Coast Guard
Sep 2005	India, USA	Joint exercise	Navy
Nov 2005	India, Sri Lanka	Coordinated patrols	Navy
Nov 2005	India, South Korea	Joint exercise	Coast Guard
Jan 2006	India, Bangladesh	Joint exercise	Coast guard
Jul 2006	India, South Korea	Joint exercise	Navy
Nov 2006	Japan, India	Joint exercise	Coast guard
Nov 2006	USA, India	Joint exercise	Navy
May 2007	USA, India, Japan	Joint exercise	Coast Guard, Navy
April 2007	India, Russia	Joint exercise	Navy
Cooperation via multilateral institutions			
June 2001	WPNS – 16 countries	Joint exercise	Navy
Sep 2004	FPDA – 5 countries	Joint exercise	Navy
May 2005	WPNS – 22 countries	Joint exercise	Navy
Sep 2005	FPDA – 5 countries	Joint exercise	Navy
Sep 2006	FPDA – 5 countries	Joint exercise	Navy
May 2007	WPNS – 19 countries	Joint exercise	Navy

Table 6. Joint Exercises and Patrols Held by Military and Paramilitary Organizations in Asia. (Source: Piracy cooperation database collated by author, 2008. See Chapter 4 for database details)

Table 6 shows a summary of joint exercises, operations and patrols that have taken place in Asia over the past two decades, and indicates the national agencies that were involved in the cooperation. Because the focus here is on comparing the relative ability of coast guard agencies and navies in facilitating cooperation against maritime piracy, only activities where at least two paramilitary or military organizations met and worked alongside each other for purposes of combating piracy were coded. These joint activities had to be more than "table-top" exercises, involving actual ships, weaponry equipment and security personnel. Finally, these joint operations were coded only if the media publicly reported that the activity had been successfully organized.

Although this author recognizes that the collated data may be incomplete and/or that the sub-type distinction of joint exercise or joint patrol is often blurred, the collated data sheds important light on the value that extra-regional powers stand to gain from using their coast guard agencies for promoting cooperation. Amongst coastal states, cooperation remains centered on the naval establishment, and I hardly witness any attempts at inter-coast guard cooperation within Southeast Asia. The most recently established MALSINDO patrols, for example, involved seventeen naval ships from the three coastal states surrounding the Malacca Straits, and the patrols were launched aboard an Indonesian navy ship with the top military brass from all three coastal states.[146]

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[146] (Mak, 2006), p. 155.

A different story emerges when we analyze the cooperation between extra-regional powers and the coastal states. The data suggests that until recently, utilizing one's coast guard may have been the only means for extra-regional powers to establish joint exercises with the coastal states. The Japanese Coast Guard took the lead in the region by conducting joint exercises with their counterparts from the Philippines, Malaysia, Thailand, Indonesia, Singapore and Brunei, frequently deploying its 9,140 *Shikishima* coast guard ship, equipped with two helicopters, to the region to work closely with local officials. Indeed, over the three years starting from 2000, Japan sent more than ten patrol vessels to Southeast Asia in cooperation with local authorities. Although I have since witnessed similar efforts by the region's navies to combat maritime piracy cooperatively, coast guard joint exercises continue to take place at a high frequency, cementing the role of the coast guard as an effective foreign policy tool for fostering cooperation in Southeast Asia.

Similarly, a new network of coast guard exchanges is developing at the extra-regional level. Extra-regional powers, including Japan, India, South Korea and the United States, are cooperating with each other, independent of the coastal states, to share expertise on conducting anti-piracy operations, advance maritime interdiction technology, and work towards joint leadership in providing stability to the region. What is remarkable from this institutional cooperation is less that coast guard agencies are able to work together against a common threat, but rather that such bilateral cooperation has managed to develop without raising concern from other extra-regional powers, most notably China.

Looking at the data, one may be tempted to argue that the evolution of anti-piracy cooperation is less a story of coast guard effectiveness than of shrewd Japanese foreign policy. The majority of coast guard joint exercises involve Japan, and other extra-regional powers, such as India and the United States, have continued to conduct joint naval exercises with their Southeast Asian counterparts. Yet, coast guard cooperation is not unique to Japan. The Indian Coast Guard (ICG) has similarly increased coast guard involvement in the region, even if the Indian navy had taken the lead initially. The ICG has held joint exercises with Japan, the Philippines, South Korea, and the United Arab Emirates. This is above and beyond the training workshops that the ICG has conducted for the Myanmar navy, as well as the ICG being a signatory to Japan's Asian Maritime Security Initiative (AMSI).[147] Furthermore, in the clearest sign of the potential for coast guard cooperation, the ICG held "an unprecedented exchange of visits between the coast guards of India and Pakistan" in 2005, establishing a communication link and signing a Memorandum of Understanding between the coast guards of both countries. The ability of the coast guard to sail around political sensitivities and promote cooperation between recent enemies is most certainly what naval commanders can only dream of.

6.5.3 Multilateral meetings

Another area for extra-regional powers to utilize their coast guards is through the organization of multilateral meetings among coast guard agencies in the region to promote interaction and future collaboration. Often, these gatherings are fertile grounds for establishing information-sharing programs, joint exercises, etc. Beginning in March 2000, Japan has held

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[147] India's press release about international coast guard phenomenon.

regular meetings for officials and heads of coast guard agencies in the ASEAN region, discussing

proposals for greater anti-piracy cooperation and seeking the consensus of all the countries

represented. In 2002, coast guards from 14 Asian nations agreed to create a network to

exchange piracy information on a daily basis. In 2004, Japan hosted the inaugural Heads of

Asian Coast Guard Agencies meeting in Tokyo, where all coast guard agencies attending

unanimously adopted Japan's AMSI program, in direct contrast to the coastal state's response

to the United States' RMSI program in 2003.

Due to the defensive nature of these agencies, a meeting of coast guard agencies can

hardly be misinterpreted as an alliance against its non-participants. This means that although

strongly encouraged, it is not necessary for regional gatherings of coast guard agencies to

include all members in the region just so as to prevent misunderstanding from the non-

participants. For instance, the coast guard meetings that have been held in Asia over the past

decade have ranged from between ten and sixteen countries each year, managing to make

progress on international cooperation even without full attendance by all countries in the

region.

This informal participatory structure extends to the collaboration format in many of

these meetings. Focused on non-confrontational discussions and asking each country to

contribute only as much as it wishes, these meetings attempt to stay under the political radar,

aiming to forge consensus rather than competition. The North Pacific Coast Guard Forum is an

excellent example of this cooperation. Initiated by the JCG in 2000 as an informal forum to

promote cooperation, the forum brings together the coast guard agencies from Canada, China, Japan, Russia, South Korea, and the United States. Structurally, the forum adopts a rotating chair format and meets in a different host country each year, focusing on promoting discussions and working on issues that are of common interests to all the parties involved. Politically, the participants insist on a low profile for the forum, refusing to sign binding treaties or entertain much media attention.[148] This preference is only possible because unlike navy collaboration, which has to emphasize transparency to avoid international suspicion, coast guard agencies are able to focus on the substance of cooperation and be less concerned with geo-political sensitivities.

Yet, an informal cooperation structure does not equate to the lack of substantive cooperation; important breakthroughs have been achieved when all parties operate in a non-political atmosphere. At the 2005 NPCGF meeting, for instance, coast guards from the United States, China, Russia and Japan conducted combined operations at sea.[149] The United States Coast Guard also subsequently expanded cooperation with its Chinese counterparts "quietly, out of the public eye", and by December 2006, were riding in each other's vessels for patrolling fishing areas and scrutinizing port security on each other's coast.[150] Similarly, U.S. and Russian Coast Guards held joint exercises against illegal fishing in 2005. The informal NPCGF meeting has therefore led to unprecedented cooperation amongst Asia-Pacific regional powers, and since its inception at the turn of the century, has persisted as the sole operational, multi-lateral

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[148] Private conversations with Commandant Thad Allen, USCG commandant
[149] Admiral Thad Allen, "Statement regarding his Participation in the 8th North Pacific Coast Guard Forum Summit" St. Petersberg, Russia, September 7, 2007
[150] "US Coast Guard Cutter Makes First Visit to China", *Xinhua News Agency,* June 12, 2006

maritime safety and security regime in Asia-Pacific.[151] Indeed, the success of the NPCGF has

acted as a model for other coast guards, leading to the inaugural meeting of the North Atlantic

Coast Guard Forum in October 2007, bringing together United States, Canadian and European

coast guard agencies in a similarly informal dialogue. [152]

6.5.4 Assistance in Establishing Coast Guard/Transfer of Equipment

Finally, extra-regional coast guard agencies appear to be fostering an enhanced level of

cooperation in the region through their direct involvement in increasing the law enforcement

capabilities of coastal states' coast guard agencies. Although the U.S. Navy has donated patrol

ships to piracy-prone regions such as Panama to help combat piracy in the past, such transfers

of equipment have been unprecedented in Asia, once again probably due to the political

sensitivities of the region. Nevertheless, in March 2006, Japan handed two navigation vessels to

the Malaysian Maritime Enforcement Agency (MMEA) to help in anti-piracy efforts, and

similarly donated three patrol boats each to Indonesia and the Philippines, with plans for more

in the near future.[153]

Similar to offering technical training to local coast guard officials, the transfer of law

enforcement equipment such as patrol vessels is critical for improving the indigenous

capabilities of the coast guard agencies in the region, enabling them to combat the piracy

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[151] (Samuels, 2008)

[152] Admiral Thad Allen, "Statement regarding his Participation in the 8th North Pacific Coast Guard Forum Summit" St. Petersberg, Russia, September 7, 2007

[153] Initially Japan had considered donating two decommissioned destroyers to Malaysia, but in the end the navigation vessels were given instead. Refer to Table 2 for more details on such transfers of law enforcement equipment

threat more effectively. Assuming that both coastal and user states alike are primarily interested in eradicating the maritime piracy threat, enabling local coast guards to become more self-dependent actually reduces the long-term resource burdens on the extra-regional power. In addition, from an organizational perspective, assisting coastal states in setting up their coast guard agencies facilitates future international cooperation, since it centralizes a country's anti-piracy efforts under a single organization. For example, before Malaysia's coast guard agency, the MMEA, was established, Malaysia had 22 different authorities from 14 separate government ministries that had some maritime law enforcement role, as well as more than 26 government departments that were in some way responsible for the management of the maritime sector.[154] Such bureaucracy may explain Malaysia's lack of participation in inter-coast guard cooperation in the past, and hence Japan's assistance in this regard bodes well for greater external collaboration in future.

Once again, what is remarkable about this form of cooperation is the ease with which the cooperation has developed, since it has managed to avoid the traditional opposition that one would have expected from neighboring countries, in response to such transfers of military-capable equipment. This is particularly so in the case of Japan, which is not only perceived to be distrusted by its neighbors over its military intentions, but also faces domestic opposition to any apparent attempts by its leaders to revisit its militaristic past. Malaysian and Indonesian embrace, and Japan's domestic acquiescence, of these gifts from Japan therefore suggests that focusing on coast guard cooperation may be an attractive means of skirting around otherwise

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[154] (Saharuddin, 2001)

politically-sensitive issues.[155] Indeed, because these ships were not being supplied to foreign

navies, Japan's leaders successfully argued domestically that this transfer did not contravene

Japan's arms export ban, leading some to even suggest that this desire for non-military

engagement explains Japan's enthusiasm towards helping Malaysia and Indonesia set up their

respective coast guards.[156] Had the respective navies been involved instead, such a transfer of

arms would have been highly improbable.

6.6 Conclusion

It has been nearly a decade since Japanese Prime Minister Keizo Obuchi revitalized the

idea of a regional coast guard body in Asia. Since then, Japan has taken the lead in using its

coast guard agency to engage the region in anti-piracy cooperation at multiple levels, and in so

doing, has helped generate an increasingly dense network of cooperation in the region. Indeed,

Richard Samuels (Samuels, 2008), p. 103) even suggests that the JCG is "appearing at the center

of an emerging Southeast Asian security framework, and this leadership is welcomed by East

Asian neighbors".

Japan's model, and increasingly one that is also adopted by India, suggests that coast

guard agencies may provide the critical link between the resource needs of coastal states and

the abundant capabilities possessed by the extra-regional powers. In addition, they may hold

the key to building an outer-ring of cooperation amongst the regional powers, locking down a

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[155] There were even suggestions of Indonesian and Malaysia frustration of a lack of greater transfers due to Japan's self-imposed export ban.
[156] (Samuels, 2008), p. 103

strong sense of stability and security in the region. While one would be naïve to think that coast guard agencies alone will be able to achieve a level of cooperation that has eluded nations in the region for so long, the promising signs of cooperation over the last decade suggest that those seemingly insignificant patrol vessels have a huge role to play in international cooperation. Coast guards appear to be a viable solution for sailing past the sovereignty sensitivities that have been one of the biggest hindrances of anti-piracy cooperation in the region.

Chapter 7: Conclusion and Future Work

7.1 Conclusion

I began this thesis with the observation that international cooperation against maritime piracy is rapidly developing in Asia, even though traditional theories of international security cooperation suggest that we should not be witnessing international cooperation against *traditional security* threats. I therefore proposed that at least in the realm of international cooperation against non-traditional security threats such as maritime piracy, even without the existence of binding, rules-based institutions, consensus-based regional groupings such as ASEAN have promoted maritime piracy cooperation by facilitating regional interaction and the diffusion of cooperation ideas. Such groupings have enabled cooperation to develop in a diffused manner throughout the Southeast Asian region, without having to rely on a single country to act as the central node. I have also shown that rather than requiring the presence of a security hegemon to provide cooperation stability in the region, Asia has instead managed to promote non-traditional security cooperation against the maritime piracy threat through the adroit use of national coast guards by numerous extra-regional powers, thereby promoting and enhancing international cooperation in a disarming manner.

This thesis does not profess to claim that I have disproved either of the two traditional theories on international security cooperation. Rather, I suggest that despite the theorizing that has been accomplished on international cooperation vis-à-vis state threats, we need to rethink our theories when we analyze international cooperation against non-state actors such as

maritime pirates. Traditional theories on international cooperation cannot be naively applied to the domain of non-traditional security threats.

What does the research in this thesis therefore suggest about international cooperation against non-traditional security threats, an issue that appears to have re-emerged in the past decade? Specific to international cooperation vis-à-vis maritime piracy, our findings first suggest that significant potential exists for establishing international cooperation to tackle the problem in other piracy-infested regions of the world. None of the explanations that I have explored in this thesis have been Asia-constrained, and hence the criteria for promoting cooperation should be readily portable on an international scale. Nevertheless, cooperation can only materialize if countries are willing to recognize and seek out areas of common interests, which, in the case of cooperation against non-state threats, should theoretically be abundant.

Our experience in Asia also suggests that piracy is often rampant in regions of lawlessness, where the state is weak and the state apparatus faces a high risk of breaking down. One solution for dealing with the piracy problem is therefore to accept a greater involvement by strong powers external to the region. To increase their likelihood of acceptance by the weaker states, however, our analysis from Chapter 6 suggests that the stronger countries should avoid employing their navies to implement the cooperation, but should instead attempt to use less military-related assets, such as the coast guard, to perform these security tasks. Indeed, the United States appears in recent times to be engaging in an increasing

amount of cooperation at the coast guard level, seeking to help weaker states around the world build up their institutional law enforcement capability.[157]

On the broader level, the unusually high level of cooperation against maritime piracy in Asia ironically suggests that such threats may actually be conducive for promoting greater security cooperation in Asia. Being able to cooperate against a common transnational threat provides countries with the unique opportunity to form closer security relationships without having to compromise their ties and alliances with other countries. Because of the maritime piracy threat, we have witnessed cooperation between China and Taiwan, Japan and China, Japan and India, and even United States and North Korea – pairs of countries that we would not have expected to witness any sort of cooperation, let alone military cooperation.

In this vein, US Navy Commander-in-Chief for Pacific Command, Admiral Dennis C. Blair, has cited anti-piracy as one of the common interests that America intends to leverage on in order to shift from its existing bilateral security treaties towards multilateral security communities in the region, and that these multilateral initiatives would even include China as an active participant.[158] Cooperation against non-traditional security threats may therefore provide a means for promoting greater international cooperation amongst nation states, and this may even be cross-applied to other regions around the world. Indeed, Andreas and Nadelman (Andreas, P. and Nadelman, E., 2006), p. 190) have even suggested that a new type

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[157] Private conversations with USCG commandant Thad Allen
[158] Statement Of Admiral Dennis C. Blair, U.s. Navy Commander In Chief U.S. Pacific Command Before The House International Relations Committee Subcommittee On East Asia And The Pacific And Subcommittee On Middle East And South Asia, On the US Pacific Command Posture, 27 April 2002. http://www.yale.edu/lawweb/avalon/sept_11/blair_007.htm

of security community may be developing across the Atlantic, one that is "based more on policing alliances against non-state actors than traditional security alliances against state-based military threats".

7.2 Suggestions for Future Work

I have sought to answer a number of important questions in this thesis. Nevertheless, significant areas need to be further expanded upon for us to possess a full understanding and appreciation of international cooperation against maritime piracy.

First, the existing database presented in Chapter 4 has focused on recording, as comprehensively as possible, all instances of cooperation that have occurred. Implicit in this focus is an assumption that each of these cooperation agreements and initiatives has been equally effective. However, as I have discussed in Chapter 4, some piracy analysts have contended that these cooperation agreements are not only ineffective, but possibly counter-productive as well. One possible response would be for us to point to general statistical trends, such as the drop in piracy attacks in the region over the past few years, or the fact that Indonesia is no longer the most piracy-infested country in the world, as evidence that the cooperation has succeeded. The more appropriate response, however, instead requires a detailed analysis of the direct effect of particular cooperation agreements on eradicating maritime piracy, and the mechanics by which international cooperation has led to the reduction in maritime piracy in the region.

Another natural area of future research is to extend the analysis of international cooperation in Asia to other regions that have similar rates of piracy attacks. This is particularly relevant given the new spate of high-profile piracy attacks that have recently taken place off the coast of Somalia.[159] It would therefore be interesting to trace the development of international cooperation in a different region of the world, so as to compare and contrast the different approaches adopted to fight maritime piracy across a variety of regions. In this regard, the Indian Ocean provides another region where international cooperation can be analyzed, given the similarly high incidence of piracy attacks in that region. Analyzing what remains invariant across the different regions will shed greater light for understanding both the root causes of the problem, as well as the necessary solutions to eradicate maritime piracy and other transnational threats.

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[159] As this thesis is being written in April 2008, there have been high profile cases of Somalia pirates hijacking French yachts

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