

**S. RAJARATNAM SCHOOL
OF INTERNATIONAL STUDIES**

A Graduate School of Nanyang Technological University

THE CAPACITIES OF COAST GUARDS TO DEAL WITH MARITIME CHALLENGES IN SOUTHEAST ASIA

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This presentation comprises:

1. Introduction
2. Maritime Southeast Asia
3. Maritime challenges
4. Facing the challenges—The coast guards
5. Character and capacities
6. Conclusions
7. Questions within the research

(1) →

1. Introduction

- **Working paper**
- **Deals with maritime challenges—non-military**
- **Background—experience and studies.**
- **Southeast Asia—identity (1.1) →**

1.1 Southeast Asia—identity

- 1.1.1 ASEAN (*Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Vietnam*) and Timor Leste (*candidate country*) (11)
- 1.1.2 Protectorates and territories (*Ashmore and Cartier Islands, Christmas Island, Cocos (Keeling) Island, Paracel Islands, Spratly Islands*).
- 1.1.3 External (*Neighbours—Australia, Bangladesh, China, India, Japan, Republic of Korea, Taiwan, United States (Guam)*)

(2) →

2. Maritime Southeast Asia

2.1 Oceans (*Indian Ocean, Pacific Ocean*)

2.2 Straits (*Malacca, Singapore, Lombok, Sunda, Makassar*)

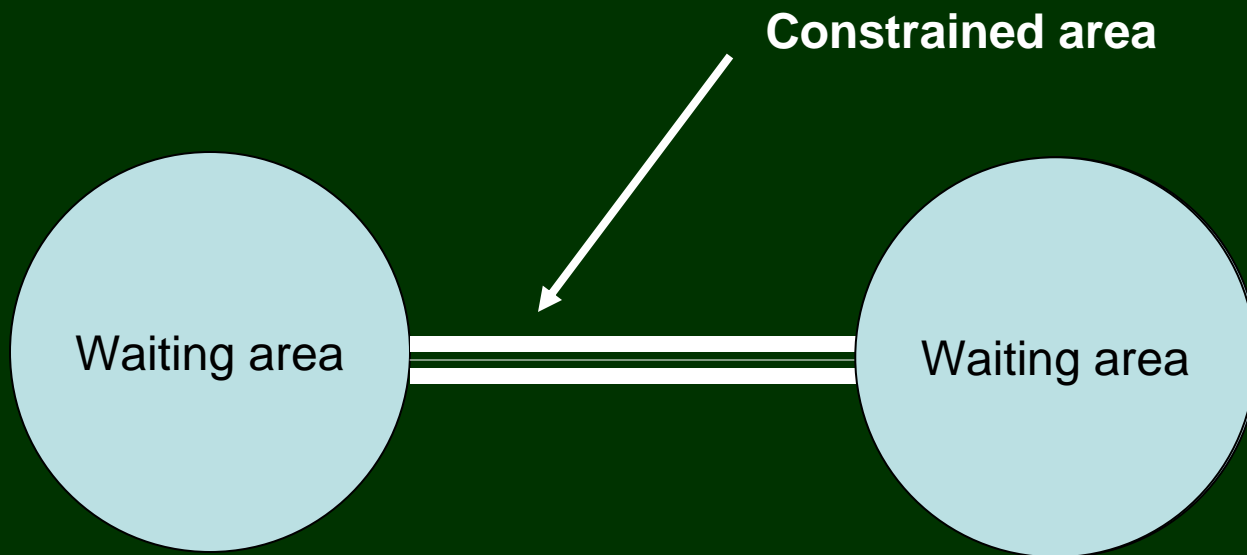
2.3 Seas (*Java, South China, the Philippine, Arafura, Banda, Molucca, Celebes, Sulu...*)

2.4 Choke points are internal to the region

(f) →



(f) →



(3) →

3. Maritime Challenges

3.1 Sovereignty issues under international law

3.2 Unlawful activities at and from the sea

3.3 Disaster scenario

(3.1) →

3.1 Sovereignty issues under international law

3.1.1 69 disputes (world), 12 in SEA (*seabed demarcation, Spratly, maritime boundary, other claims...*)

3.1.2 Progress (*Brunei-Malaysia, Indonesia-Singapore, Timor treaty 2002*)

3.1.3 Cold (*Spratly, Malaysia-Singapore, Cambodia-Vietnam, Myanmar-Bangladesh, Indonesia—others, claims on protectorates*)

3.1.4 Probability of clashes between law enforcement agencies at sea

3.1.5 Taiwan identity

(3.2) →

3.2 Unlawful activities at and from the sea

3.2.1 Crime at sea

3.2.2 Piracy and armed robbery

3.2.3 Maritime terrorism

3.2.4 Others

(3.2.1) →

3.2.1 Crime at sea

3.2.1.1 Term relates to crimes on board ships--internal

3.2.1.2 Extend to other vessels and fixed platforms at sea

3.2.1.3 SEA region has all kinds of vessels, and fixed platforms, hence demand for crime investigation and procedures

(3.2.2) →

3.2.2 Piracy (and armed robbery) at sea

3.2.2.1 Fifth century—part of the social system in SEA

3.2.2.2 SEA—Most of them armed robbery

3.2.2.3 National legislation required

3.2.2.4 Six stages (*theft, mugging, cargo hijack, vessel hijack, captive hijack, militant piracy, Next?*). 3 categories (*ReCAAP*)

3.2.2.5 Not declining (*enforcement point of view*), can shift location (Terror triangle H2L?)

3.2.2.5 Definition –articles 58 (2), 100, 101, 102, 103, 105, 110, 107 UNCLOS, national laws

(3.2.3)→

3.2.3 Maritime terrorism

3.2.3.1 At and from the sea

3.2.3.2 On for a very long time

3.2.3.3 Private ends—e.g. Mumbai (26 November 2008)

3.2.3.4 Terror funding—piracy (Nigeria, Somalia)?

(3.2.4) →

3.2.4 Others

3.2.4.1 Smuggling (*all in demand including duplicates/currency*)

3.2.4.2 Illegal logging and transport (*MMEA's first, third day*)

3.2.4.3 IUU fishing (*Tuna in the Philippines...*)

3.2.4.4 Trafficking (*drugs, arms, people*)

3.2.4.5 Money laundering (*drug cartels*)

3.2.4.6 Traffic violations (*breaking IMO code*)

(3.2.4) →

3.2.4 Others

3.2.4.7 Environmental crimes (*forest fire smog, tank washing...*)

3.2.4.8 Robbery and theft across waters (*cross Malacca, islands...*)

3.2.4.9 Maritime fraud (*container, document, cargo...*)

3.2.4.10 IDPs (*Rohingyas...*)

(3.3) →

3.3 Disaster scenario

- 3.3.1 Earthquakes, volcanic eruptions, tsunamis (*Krakatoa, Java Island, Sulawesi...*)
- 3.3.2 Change of coastal profile, loss of islands (*24 lost, estimate: 2000 by 2030—Indonesia*)
- 3.3.3 Grounding, collision, hijack accidents (*tanker with empty bridge...*)
- 3.3.4 Pandemics and other bio disasters

(4) →

4. Facing the Challenges—The Coast Guards

4.1 Anatomy of a coast guard (*what it is; what it is not?*)

4.2 Regional maritime forces

4.3 Characteristics and capacities of identified coast guards

(4.1) →

4.1 Anatomy of a coast guard

- 4.1.1 'What it is; what it is not?' (*a navy, but not a combat navy...*)
- 4.1.2 Enforcement and service (*universal*)
- 4.1.3 Every naval force and agency that performs coast guard duties and functions is considered a coast guard for this study (*142 coast guards for 272 entites/107 navies--2008*)
- 4.1.4 Entity-specific role

(4.2) →

4.2 Regional Maritime Forces

- 4.2.1 Brunei (*navy, marine police as coast guard*)
- 4.2.2 Cambodia (*navy, also functions as a coast guard*)
- 4.2.3 Indonesia (*navy, IMSCB (Bakorkamla), sea communication agency as coast guard for nav aids and communication, marine police, customs, fisheries*)
- 4.2.4 Laos (*riverine police as part of army*)
- 4.2.5 Malaysia (*navy, MMEA, marine police, fisheries, customs, environment, immigration, marine department,)*)
- 4.2.6 Myanmar (*navy with coast guard as a wing for FAO fisheries MCS*)

(4.2) →

4.2 Regional Maritime Forces (contd.)

- 4.2.7 The Philippines (*navy, coast guard with naval staffing*)
- 4.2.8 Singapore (*navy [SAF], police coast guard, maritime port authority, immigration and check point authority*)
- 4.2.9 Thailand (*navy, coast guard, armed sea rangers, marine police*)
- 4.2.10 Timor Leste (*navy with coast guard component*)
- 4.2.11 Vietnam (*navy under VPA with subordinate border and coast guard*)

(5) →

5. Character and Capacities

- 5.1 92,451 km coastline. Claims as per UNCLOS
- 5.2 All have coast guards with country-specific functions
- 5.3 In different names. Three formal coast guards, only as coast guard (*universal standardisation by name*)
- 5.4 Multi-agency coast guards
- 5.5 Overlapping functions
- 5.6 Military control
- 5.7 Military in dual role

(5) →

5. Character and Capacities (contd.)

- 5.8 Region is more dependent on military than coast guard for MCS
- 5.9 Also extra-regional states except Japan
- 5.10 Military control of coast guard is thereby natural
- 5.11 Military in rule of law not advisable, **(but there could be reasons...)**

(5.11) →

5.11 Military in rule of law

5.11.1 Heightened situation (*beyond expected coast guard capacity*)

5.11.2 Coast guard below expected capacity

5.11.3 Concern over sovereignty issues

5.11.4 Military concerns of power dilution (*absence of war...*)

5.11.5 Military dominant (*government gives way...*)

5.11.5 Military rule (*junta*)

(5.12) →

5.12 Military deployment in rule of law in the maritime SEA is primarily due to under-capacity of the coast guards. Concern over sovereignty is also important (*even in Myanmar*).

(5.13) →

5.13 Current posture in SEA though manageable, could change gradually, because:

5.13.1 Asymmetrical functions: war and law enforcement

5.13.1 Gap between the military (war) and the coast guards (law enforcement and service) is widening

5.13.1 Operational effectiveness of both will reduce

5.13.1 Coast guards have international acceptance for entry (*easy for bilateral and multilateral engagements*)

5.13.1 Mariners, seafarers and community more at ease in communication with coast guard (*more...*)

(5.14) →

5.14 PSCs and PMCs (*another sign of capacity deficit in SEA*)

5.15 Region's coast guards can handle current issues by capacity upgradation. **By that it means professional competence, organisational acuity, force level, supporting legislation, infrastructure, equipment, freedom of operation, and highest degree of accountability.**

5.16 Still will require military support

5.17 By integration without loss of identity and accountability

(5.18) →

5.18 Difficult unless government exhibits highest sense of maturity

5.19 Non-participation of Indonesia and Malaysia in ReCAAP adds to capacity deficit for the region collectively though there is diplomatic understanding

5.20 Coast guard participation limited in regional cooperation

5.21 Coast guard is a tool for socio-cultural integration through community integration

(6) →

6. Conclusions

- 6.1 Positive outlook (*in spite of every perceivable challenge*)
- 6.2 Capacity upgradation of coast guards (*as mentioned in the study essential*)
- 6.3 Military should support law enforcement through coast guards
- 6.4 A regional coast guard for ASEAN (*unique and cost effective*)
- 6.5 Next stop, ASEAN Union?

(7) →

7. Questions (within research)

Q.1 Is the form (profile) and functions (relevance) of the security architecture of maritime Southeast Asia changing? (1.1)

Ans.1. ?

Q.2 If so how to interpret it on a time-scale for forward planning? (1.1)

Ans.2. ?

Q.3 Of all the unlawful activities, which is the easiest and which is the most difficult to manage?. (3.2)

Ans.3. **easiest**—piracy and armed robbery;

most difficult—**human trafficking**

7. Questions (contd.)

Q.4 Will the coast guards of the world ever be formalized within their perfect anatomy, or will they remain incapacitated in different forms and shapes ? (4.1)

Ans.4. ?

Q.5 Will the coast guards of the world be unified for law enforcement and service by relayed activity? (?)

Ans.5. ?

Q.6 Can the navies of the world be compared by their functional usage by each country?. (?)

Ans.6. Yes, (hypothesis).

7. Questions (contd.)

Q.7 Will PSCs and PMCs increase corruption and challenges?

Ans.7. ?

Q.8 Will Indonesia and Malaysia become parties to ReCAAP?

Ans.8. Yes!

Q.9 Will it be in the common interest of maritime southeast Asia to have a regional coast guard?.

Ans.9. ?

(End) →

Concluded,

Thank you

***Would appreciate your comments, observations,
and suggestions on the presentation and working paper at***

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