

# PERSPECTIVE

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## **Trilateral Security Cooperation in the Sulu-Celebes Seas: A Work in Progress**

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### **EXECUTIVE SUMMARY**

- Maritime attacks by the Abu Sayyaf Group (ASG) in early 2016 compelled Indonesia, Malaysia and the Philippines to strengthen security cooperation in the Sulu-Celebes Seas.
- In June 2017 the three countries launched coordinated naval patrols in the affected area but the initiative has yet to be fully operationalized, mainly due to sensitivities over sovereignty.
- The Trilateral Maritime Patrols (TMP) initiative has improved communication and information exchange among the three navies.
- Capacity-building support from non-Southeast Asian countries has helped regional states address maritime insecurity.
- Actions undertaken by the Philippine security forces against ASG since mid-2017 are the primary reason why the number of attacks has fallen significantly.

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## **INTRODUCTION**

The Sulu-Celebes Seas host important maritime trade routes. But the area has also become notorious as a black spot for piracy and sea robbery.<sup>1</sup> Most significantly, over the past two years the criminal-terrorist Abu Sayyaf Group (ASG) has perpetrated a series of violent attacks against shipping.

According to the ReCAAP Information Sharing Centre, in 2016 there were ten actual and six attempted attacks in the Sulu-Celebes Seas; in 2017 the number of incidents declined to three actual and four attempted attacks; and in the first half of 2018, only one attempted attack was reported. In the 13 actual attacks a total of 61 crew members were abducted: 28 have been released (often following the payment of a ransom by the ship owner), 17 rescued, seven killed and nine are still held in captivity.<sup>2</sup>

The attacks compelled the three littoral states—Indonesia, Malaysia and the Philippines—to enhance security cooperation in the affected area. Most notably, in June 2017, after 13 months of discussions, the three countries launched Trilateral Maritime Patrols (TMP). This article explores the origins of the TMP, the capacity-building support provided by extra-regional powers, and how the three countries are working individually and collectively to address maritime insecurity in the Sulu-Celebes Seas.<sup>3</sup>

## **MARITIME INSECURITY IN THE SULU-CELEBES SEAS**

The Sulu Sea and Celebes Seas are large bodies of water (approximately 100,000 square miles and 110,000 square miles respectively) in the eastern part of Southeast Asia. The Sulu Sea is bounded to the northwest by the Philippine island of Palawan, to the southeast by the Sulu archipelago (comprising the islands of Basilan, Jolo and Tawi-Tawi) and in the southwest by the eastern Malaysian state of Sabah. The Celebes Sea is bordered by the Sulu archipelago and Mindanao in the north, Sabah and the Indonesian province of Kalimantan to the west, and Sulawesi to the south.

The maritime trade routes which criss-cross the two seas link Indonesia, Malaysia and the Philippines, and are also heavily used by international shipping moving between Australia and Southeast and Northeast Asia. An estimated US\$40 billion worth of trade passes through the area every year.

For decades, a combination of conditions has provided an enabling environment for maritime insecurity to flourish in the Sulu-Celebes Seas, including crimes such as piracy/sea robbery, smuggling, illegal trafficking and terrorism. These conditions include: porous, contested and poorly monitored sea boundaries; remote islands from which criminals/terrorists can operate; weak state law enforcement; a lack of intra-state security cooperation; economic dislocation; a cultural acceptance of piracy; and the availability of maritime skills and weapons. Proximity to major sea lanes provide maritime criminals with a target-rich environment.<sup>4</sup>

Post 9/11, the Sulu-Celebes Seas became an area of international concern due to the presence of the ASG in the Sulu archipelago. The ASG forged links with transnational terrorist groups such as Jemaah Islamiyah and Al-Qaeda. During the early 2000s, to generate funds for its

activities, ASG committed a series of kidnappings-for-ransom in Malaysian and Philippine coastal resorts, and in February 2004 sank a ferry in Manila Bay killing 116 people, the deadliest act of maritime terrorism to date. In July 2014, the ASG pledged allegiance to the Middle East-based terrorist organization Islamic State (IS).

In early 2016, a spate of kidnappings-for-ransom refocused attention on the problem of maritime insecurity in the area. In March and April, armed ASG operatives attacked three tug boats and abducted 18 crew members. As 14 of the 18 were Indonesians, Jakarta took the lead in calling for greater security cooperation among Indonesia, Malaysia and the Philippines to address the problem. Indonesia's then-Coordinating Minister for Political, Legal and Security Affairs, Luhut Pandjaitan, warned of the dangers of the area becoming a "new Somalia", while Malaysia's then-prime minister, Najib Razak, cautioned that IS could establish a foothold in the southern Philippines, thus posing a terrorist threat to the whole region.<sup>5</sup> Both Indonesia and Malaysia urged the establishment of coordinated naval patrols in the Sulu-Celebes Seas modelled on the successful Malacca Straits Patrol (MSP) which have been conducted by the armed forces of Indonesia, Malaysia, Singapore and Thailand in the strategic waterway since 2004.

### **SPEEDBUMPS AND CATALYSTS: OPERATIONALIZING TRILATERAL SECURITY COOPERATION**

On 5 May 2016, the foreign ministers and chiefs of defence of the three countries met in Indonesia and issued a joint declaration in which they agreed to increase naval patrols and strengthen communication and information exchange. Over the next six months, meetings were held on a monthly basis among the foreign or defence ministers, and the chiefs of staff, to operationalize trilateral security cooperation in the Sulu-Celebes Seas. The three countries agreed to use the MSP as a model: coordinated naval patrols, combined air patrols and exchange of information and intelligence.<sup>6</sup> However, the TMP was not formally launched until 19 June 2017, and air patrols only began in October 2017.

The 13-month gap between agreement in principle to conduct coordinated patrols and the launch of TMP can be attributed to a combination of factors including political sensitivities over sovereignty, resource constraints and practical issues of cooperation.

Sovereignty and jurisdictional issues required careful handling. The Philippines still has a residual claim over Sabah. In February 2013 the long-running dispute violently erupted when Malaysian security forces were forced to repulse an armed incursion in Lahad Datu, eastern Sabah, by Sulu militants based in Tawi-Tawi. The issue resurfaced in May 2016 when Philippine President-elect Rodrigo Duterte said the Philippines should not abandon its claim to Sabah, much to the annoyance of Malaysia.<sup>7</sup> In the Celebes Sea, Indonesia and Malaysia have an unresolved maritime boundary dispute in the Ambalat area, scene of tense standoffs between the two countries' navies in 2005 and 2009.

Disputes over territory and maritime boundaries complicate the right of "hot pursuit" (when the security forces of one country cross into the jurisdiction of another country in pursuit of criminals). On several occasions, Duterte announced he would allow Indonesian and Malaysian forces to cross into Philippine territory and waters in pursuit of terrorists. However, due to

sensitivities over sovereignty, to date there have been no reported hot pursuit incidents in the affected areas. As a way of circumventing sovereignty issues, the three countries agreed to cooperate in “maritime areas of common concern”. However, despite numerous discussions, the armed forces of the three countries have yet to agree on standard operating procedures (SOPs) for the TMP, mainly because of sensitivities over sovereignty.<sup>8</sup>

Resource constraints is an additional problem. Compared with the Straits of Malacca, the Sulu-Celebes Seas cover an enormous area, and the three countries participating in the TMP have limited resources in terms of patrol boats, manpower and fuel. All three countries have large exclusive economic zones (EEZs) and limited naval and coast guard assets to patrol them. Indonesia has an acute problem with illegal fishing in its vast EEZ, and although Sino-Philippine tensions in the South China Sea have subsided under Duterte, the Philippine Navy (PN) and Philippine Coast Guard (PCG) continue to closely monitor the disputed waters.

As the negotiations continued, the ASG continued to attack shipping in the area. Between June and November 2016, it conducted seven attacks and abducted 28 crewmembers. According to the Philippine government, ASG raised US\$7.3 million in ransoms in the first half of 2016 alone.<sup>9</sup> Non-payment of ransoms led the ASG to behead several captives.

Two events helped catalyse the TMP. In January 2017, Duterte suggested that China should send warships or coast guard vessels to patrol the Sulu-Celebes Seas.<sup>10</sup> Indonesia and Malaysia have long opposed direct participation by external powers in security operations in Southeast Asia, and in 2004 it was the prospect of direct US intervention in the Straits of Malacca which led Jakarta to propose coordinated patrols. It is unclear whether Duterte was serious or not, but his comments placed additional pressure on Indonesia and Malaysia to expedite the coordinated patrols.

A more important catalyst was the Marawi Crisis which began on 23 May 2017 in Mindanao. The five-month urban conflict between the Philippine armed forces and a coalition of radical Islamic groups—including IS and ASG—underscored the nexus between terrorism and maritime crime and the urgent need for all three countries to address insecurity in the Sulu-Celebes Seas.

## **REGIONAL AND INTERNATIONAL COOPERATION**

Since the TMP was envisaged in early 2016, there have been suggestions that other Southeast Asian countries and non-regional states could either participate directly in the initiative or provide capacity-building support.

Singapore, Brunei and Thailand have all been mentioned as possible participants or observers. Singapore and Brunei attended the TMP launch ceremony as observers in June 2017 but neither country has so far contributed naval or air assets. Singapore has offered information-sharing support through the Information Fusion Centre (IFC) at Changi Naval Base. International liaison officers based at the IFC regularly exchange information on the situation in the Sulu-Celebes Seas. However, until the TMP is fully operationalized, it is unlikely that other Southeast Asian countries will play a significant operational role.

The role of non-Southeast Asian countries in the TMP is a sensitive issue. While Southeast Asian states welcome capacity-building support from other countries, due to sensitivities over sovereignty and giving the appearance of outsourcing maritime security to external powers, few would support extra-regional players assuming an overt operational role.

As noted above, in early 2017 President Duterte invited China to patrol the Sulu-Celebes Seas. Given the ongoing dispute in the South China Sea it is unlikely that the Philippine national security establishment would have supported Duterte's invitation to China. And as no formal request was made, China did not officially respond. Instead, Beijing has provided limited capacity-building support to the Philippines in the form of annual training programmes for the PCG, the delivery of assault rifles and ammunition during the Marawi Crisis, and in July 2018 it donated four small patrol boats.

Most of the capacity-building support for the three countries—and especially to the Philippines—has been provided by Japan and the US. Both countries have existing maritime security cooperation initiatives aimed at helping Southeast Asian states improve their surveillance and operational capabilities, especially those that have overlapping claims with China in the South China Sea. However, these capabilities can and have been used to address maritime insecurity in the Sulu-Celebes Seas.

Japan has provided the PCG with 12 medium and large-sized patrol boats as well as 15 smaller high-speed boats. Japan's coast guard regularly conducts training programmes with the PCG. Tokyo has also transferred five surveillance aircraft to the PN and has agreed to fund 11 coastal radar stations in the Sulu-Celebes Sea. Indonesia, Malaysia and the Philippines have expressed interest in receiving decommissioned P-3C patrol aircraft from Japan.

The US has well-established naval cooperation training programmes with the TMP countries, including the annual Cooperation Afloat Readiness and Training (CARAT) and Southeast Asia Cooperation and Training (SEACAT) exercises. Under the Obama-era Southeast Asia Maritime Security Initiative (funded from 2015 to 2019) the US has provided Southeast Asian countries with training, surveillance drones, reconnaissance aircraft, radar equipment and ex-coast guard vessels. The Trump administration has renamed it the Indo-Pacific Maritime Security Initiative and extended funding until 2024. During his visit to Southeast Asia in early August 2018, US Secretary of State Mike Pompeo pledged an extra US\$300 million in security assistance for regional states, including maritime security, peacekeeping and countering transnational threats.

## **ASSESSING THE EFFECTIVENESS OF SECURITY INITIATIVES IN THE SULU-CELEBES SEAS**

The number of reported incidents in the Sulu-Celebes Seas declined sharply during 2017 and had almost ceased by early 2018. The last reported attack was on 23 March 2017 and the last attempted attack on 16 February 2018.

The primary reason for the drop in attacks was not enhanced trilateral security cooperation—the last attack took place three months before the TMP was launched—but the effective actions of the Duterte administration against the ASG.

Beginning in July 2017, Duterte ordered the security forces to intensify operations against the ASG. Following a bomb attack by ASG in Davao in early September, Duterte declared a national state of emergency. The armed forces, police and coast guard were provided with extra resources and powers, and ordered to crack down on all forms of lawlessness in the southern Philippines. Inter-agency cooperation was improved and a joint task force formed. Anti-terrorism operations in the Sulu archipelago led to the rescue of a dozen hostages held by the ASG.

The PCG has played a critical role in improving maritime security in the southern Philippines. In March 2017, the PCG created a Recommended Transit Corridor (RTC) for ships travelling between Zamboanga and Davao which is monitored by the coast guard and navy with patrol vessels deployed nearby. At the same time, the Department of Transportation established a national registration system for all Philippine vessels. The PCG provided guidelines to shipping companies on routing and hardening vessel security. In June, the PCG was tasked with improving security at all ports and harbours, including enforcing vessel registration, conducting cargo inspections and regulating radio communications. In August, the Philippines created an additional transit corridor off the west coast of Mindanao while Malaysia established one off eastern Sabah. In October, a ship reporting system was set up for ships using the transit corridors. Commercial vessels are required to provide 24-hour prior notification before entering the safe passages.

Philippine military operations during the Marawi Crisis degraded the ASG's ability to conduct kidnappings-for-ransom. On 23 May 2017, Duterte declared martial law in Mindanao (including the Sulu archipelago) and on 16 October 2017 the ASG's top commander, Isnilon Hapilon, was killed by the Philippine army.

Against this backdrop, assessing the effectiveness of TMP is difficult for two reasons. First, the patrols only began after the attacks had practically ceased. Second, since the launch of the TMP, little information has been publicly released by the participating countries.

Based on discussions with security practitioners familiar with the situation, the most important contribution TMP has made to addressing maritime insecurity in the Sulu-Celebes Seas is improved communication and information exchange among the three navies. This has been facilitated by the establishment of Maritime Command Centres in Tarakan, Kalimantan, Tawau, Sabah and Bongao, Tawi-Tawi. It is important to note that warships from the three countries do not patrol the area together, though they occasionally rendezvous near their respective sea boundaries. Combined air patrols are infrequent.

TMP is modelled on the MSP, a multilateral security initiative that took nearly two years to fully operationalize. TMP not only faces the same hurdles as MSP—sensitivity over sovereignty and resource constraints—but two additional ones. First, a much larger maritime space to monitor and patrol. Second, while piracy/sea robbery in the Straits of Malacca is a relatively straightforward criminal issue, the piracy-terrorism nexus in the Sulu-Celebes Seas is more complex in that it not only requires increased cooperation among the three countries' national defence and counter-terrorism agencies but also improved inter-agency cooperation in the participating countries themselves.

Despite being operationally degraded during the Marawi Crisis, the ASG continues to pose a significant security threat in the southern Philippines. Piracy warnings for the Sulu-Celebes Seas remain in effect. Meanwhile, TMP is a work in progress.

<sup>1</sup> Under international law, an act of piracy occurs outside the 12 nautical mile territorial sea while an act of sea robbery occurs inside the territorial waters of a coastal state.

<sup>2</sup> ReCAAP Information Sharing Centre annual and half yearly reports, 2016-18, available at <http://www.recaap.org/reports>.

<sup>3</sup> Research for this article draws on media stories, official reports and off-the-record discussions with security practitioners based in Singapore. The author would like to thank Collin Koh at RSIS for his invaluable insights.

<sup>4</sup> For more on the underlying causes of maritime insecurity see Christian Bueger, “Learning from piracy: future challenges of maritime security governance”, *Global Affairs* (January 2015).

<sup>5</sup> “Joint sea patrols likely after suspected Abu Sayyaf kidnappings”, *Straits Times*, 22 April 2016; “Philippine unrest will affect region: Najib”, *Straits Times*, 20 April 2016.

<sup>6</sup> In a coordinated patrol, warships are responsible for patrolling areas under their maritime jurisdiction but maintain communication links with another country’s naval vessels. Joint activities are conducted by two or more services. Combined activities take place between the armed forces of two or more countries. The MSP and TMP are often erroneously referred to in the media as “joint patrols” when in fact they are coordinated patrols.

<sup>7</sup> “Duterte vows to pursue Philippine claim to Sabah”, *Straits Times*, 27 May 2016.

<sup>8</sup> SOPs are a set of commonly understood rules that enable military forces to operate together in a safe and consistent manner.

<sup>9</sup> “Abu Sayyaf got \$7.3 million from kidnappings, Philippines says”, Associated Press, 27 October 2016.

<sup>10</sup> “Philippines’ Duterte asks China to patrol piracy-plagued waters”, Reuters, 31 June 2017.

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