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A MODERN DAY RESPONSE TO PIRACY  
IN THE STRAITS OF MALACCA AND SINGAPORE

by

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A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Operations.

The contents : this paper reflect my own personal views and are not necessarily endorsed by the Naval War College, Department of the Navy or the U.S. Maritime Administration.

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19 ABSTRACT (Continue on reverse if necessary and identify by block number) This paper examines the complex problems and issues regarding piracy attacks on merchant ships within the area of responsibility for the United States Pacific Command (CINCPAC). Piracy attacks against merchant ships of all flags, including U.S., continue worldwide at an alarming rate with minimal governmental response. The Straits of Malacca and Singapore, Phillips Channel and the South China Sea have the dubious distinction as the most active piracy waters and will be featured in this paper. Piracy is a national security concern to the United States as it impacts the national military and security strategy. CINCPAC is a unified and specified command that is responsible for the application of national instruments of power to serve the U.S. strategic interest within the Pacific and Indian Oceans. CINCPAC is primarily concerned with the military support for the United States Security strategy. CINCPAC has options available at the operational level of warfare to apply military capabilities consistent with the Pacific Command Strategy against the piracy problem in the Straits of Malacca and Singapore to ensure the maintenance of the U.S. strategic aims in this region.			
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A MODERN DAY RESPONSE TO PIRACY  
IN THE STRAITS OF MALACCA AND SINGAPORE

CHAPTER I

INTRODUCTION

It is three o'clock in the morning as the third mate on watch contemplates if he will buy that new television at the duty free shop once his containership is tied up in port. The vessel is bound for Singapore in the Strait of Malacca on a dark, moonless night. The next thing the mate hears is the grumbled voice of the "old man" and some foreign dialect as a group of men enter the bridge. A light goes on and to his dismay a band of six men armed with machetes, have bound the master. The sinking feeling in the mate's stomach immediately tells him what happened on his watch: Pirates! A small, high speed boat, a grappling hook, about fifteen minutes, and the vessel has been robbed of about forty thousand dollars. If the crew is lucky, no one has been killed or injured.

Piracy incidents against merchant ships are often cited as the world's second oldest profession. Piracy attacks against merchant ships of all flags, including U.S., continue worldwide at an alarming rate with minimal governmental response. The Straits of Malacca and Singapore, Phillips Channel (between Indonesia and Singapore) and the South China Sea have the dubious distinction as the most active piracy waters and will be featured in this paper. This paper will draw on Articles 100 through 107

of the 1982 United Nations Convention on the Law of the Sea that describe and direct actions pertaining to piracy in terms of international law.

Piracy against merchant shipping in the Straits of Malacca and Singapore receives little news attention in the United States except for occasional articles in the general press which tend to grab the interest of the public with this fanciful or "swash buckling" subject. The shipping industry is well aware of piracy and has seemed doomed to accept this "traditional" problem, which has not effectively received governmental responses.

It is apparent that governments are aware of the problem but that little or no effective law enforcement has been applied against piracy to date. This statement should be clarified to state that no actions within recent history have effectively deterred piracy. It was in 1801 that President Jefferson sent the United States Navy to the North African coast to effectively cease the pirating, enslaving and ransoming of U.S. merchant ships and seamen by the Barbary pirates.

This paper will examine in detail the complex problems and issues regarding piracy attacks on merchant ships, focusing on the area of responsibility (AOR) for the United States Pacific Command (CINCPAC). CINCPAC is the unified and specified command responsible for the application of national instruments of power to serve the U.S. strategic interests within the Pacific and Indian Oceans. These national instruments and processes include economic, military and political tools that are applied in

concert with other facets of the U.S. Government. CINCPAC is primarily concerned with the military support of the United States security strategy in this region. The argument will be developed that piracy is a national security concern to the United States that impacts the national military and security strategy. CINCPAC has options available at the operational level of warfare to apply military capability consistent with the Pacific Command strategy<sup>1</sup> against the piracy problem in the Straits of Malacca and Singapore to ensure the maintenance of the U.S. strategic aims in this region.

Finally, this paper will address four general questions: what military conditions are required to achieve the strategic goals; what sequence of actions is most likely to achieve this; how should military force be applied to achieve this sequence of actions; and what is the expected gain and risk from the course of actions chosen?

## CHAPTER II

### PIRACY TODAY

The 600 mile long Strait of Malacca is the world's second busiest transit area for commercial shipping that connects Asia and the Indian Ocean (Appendix I).<sup>2</sup> Over 600 ships pass through the busy and narrow (3.4 miles adjacent to Singapore) strait every day.<sup>3</sup> The small island nation of Singapore has become the busiest container port in the world, serving as a major cargo transshipment point.

According to the Singapore National Shipping Association, 36 incidents of piracy in the Straits of Malacca and Singapore were reported in 1990, compared to three incidents reported in 1989. The International Maritime Organization reported more than 200 incidents in 1991.<sup>4</sup> However, there were only 36 piracy reports submitted to the U.S. government during the period from January 1992 to May 1993 for this same region (Appendix II).<sup>5</sup> There has been a recent decrease in the number of attacks in the Singapore Straits due to greater patrolling by the Indonesian Navy.<sup>6</sup> While there is a decrease in this specific region, piracy continues in the Strait of Malacca and just north of Singapore in the South China Sea. The reports submitted to governments are relatively small in number, incomplete and sometimes conflicting but "experts agree that reported piracy reflects just the tip of the iceberg."<sup>7</sup> Simply, the majority of attacks go unreported to officials since most occur in international waters where there is

little chance of retribution after the attack, a fear of increasing vessel insurance premiums for the appearance of weak security, or to avoid expensive delays caused by investigations.

Mr. Erik Ellen, head of the International Chamber of Commerce's International Maritime Bureau, has long been a proponent of actions to deal with piracy.<sup>1</sup> One of Mr. Ellen's action points is for mariners to report all incidents of piracy to government officials. It is generally agreed among experts that less than thirty percent of all incidents are eventually reported. The lack of specific reporting hinders governments from initiating actions beyond periodic warnings to mariners. Lacking reports of sizable amounts of attacks a year, there is little to prompt a governmental reaction.

A feeling of apathy may develop regarding these "simple robberies." What notes the attention of the U.S. government? Piracy attacks have occurred against a maritime prepositioning ship (MPS) loaded with military cargo returning from DESERT STORM; U.S.-flag merchant tankers loaded with Persian Gulf oil bound for Japan; and a U.S.-flag loaded liquified natural gas (LNG) carrier vessel bound for Japan. In addition a Military Sealift Command (MSC) tanker was boarded by pirates on two separate voyages.<sup>2</sup> This list of U.S. interest vessels being attacked in the Straits of Malacca and Singapore identifies that not only commercial vessels but also military cargo vessels are victims. The disruption caused by a pirate attack would pose a serious problem in terms of an oil spill or LNG explosion. It is

doubtful the pirates were aware of what type of cargo was aboard the MPS, but had they known or were members of a determined terrorist group, many "what if" situations may have developed.

A growing concern exists regarding the bounding of the crew on watch during a piracy attack.

When a crew is busy repelling boarders and its captain is being handcuffed to the rail, who's minding the ship? I worry about one of these tankers or chemical carriers running aground because the captain has a gun to his head. It could be the most colossal environmental disaster. Were that disaster to strike, odds favor its blighting the waters off Singapore, the world's busiest port.<sup>12</sup>

This exact situation may have occurred on September 20, 1992, when the fully loaded 57,000-ton Liberian-flag oil tanker, NAGASAKI SPIRIT was sailing in the Malacca Strait from Saudi Arabia to Brunei.<sup>13</sup> The master reported that he had been "fired on" and then reported a collision. The tanker, with three cargo tanks on fire, collided with the container ship OCEAN BLESSING setting it on fire which burned for over a week. It remains unclear what actually occurred as only two crew members survived, forty-one are missing, and only the charred bodies of 12 sailors were found aboard the containership. The collision is suspected of being the direct result of a piracy attack against the tanker since pirates are known to favor boarding oil tankers due to their low freeboard.<sup>14</sup> If this incident is proven to be a result of pirates, this will have demonstrated the lethal impact of this crime that some have been predicting.

The recent severity in attacks is another concern. On

December 11, 1992, the master and first officer of the Danish-flag vessel BALTIMAR ZEPHIR, were shot and killed in the Strait of Malacca.<sup>1</sup> This prompted the British government to issue a written piracy warning, the first in its modern maritime history.

## CHAPTER III

### REGIONAL ASSESSMENT

Following the discussion of current piracy attacks it may appear useful to briefly look back and review why piracy exists. Modern society may be surprised to discover that piracy exists today. Cyrus H. Karraker's novel Piracy was a Business, states that piracy from the time of ancient Greece through the 1700's was actually a profession, occupation and nations' policy.<sup>14</sup> Piracy flourished as a profession due to wars and civil strife as persons went to sea to seek treasures to supplement their earnings. Plundering of ships was a business that was coined "Piracy Limited" in England and was heavily supported by the local citizens and government. Piracy in Southeast Asia has fostered since the 1830's beginning with the development of European settlements and "the lack of policy and legal means to punish the pirates effectively as well as the unrestricted trade in arms and ammunition."<sup>15</sup>

The influences of economic strife, comparatively large riches to be gained and non-intervention by host nations which led to the early existence of piracy are still evident today. "The socioeconomic conditions and the prevalence of strife and conflict nourish piracy in Southeast Asia."<sup>16</sup> Asian officials claim that they are unable to identify pirates after an attack, since they need to be caught in the process of committing the illegal act. This is complicated by the fact that governments

sometimes blame each other for the problem. In the past the tendency of the Singaporeans to blame the Indonesians, and vice versa has hindered combined actions to combat piracy in those waters. New efforts in the Singapore Strait between Indonesia and Singapore appear to offer some hope that inter-government cooperation may expand to the Malacca Straits with Malaysia.

Coupled with ineffective law enforcement, today's pirates "are full-time professionals, capable of orchestrating complex attacks," using high speed boats, radar, and even communications jamming equipment.<sup>17</sup> Mr. Ellen has suggested that some pirates are members of organized crime syndicates operating out of Singapore, Malaysia and Indonesia.<sup>18</sup> Piracy is part of a larger maritime industry problem in Southeast Asia which includes hijacked ships, diverted cargoes, scuttled ships for insurance fraud, and scrapping of hijacked ships for conversion to hard currency. This provides a source of financing to ensure that the "professional pirates" have high technological equipment support to conduct and safely escape their attacks.

Under international law there is a concept of "standing" which is the relationship between an act and a state applying its laws to the act. Basically, a state must have some interest in an action to cause it to take action. A lack of standing compels states not to meddle into the affairs of other states for which it has no direct interest. Merchant ships today have a confusing international composition: the vessel may be owned by a company in one country; fly the flag of another; the crew most likely

will be from a less developed country and the master and officers from other countries; while the insurers and cargo owners comprise another mix. The ships being attacked in the Straits are likely not representative of those coastal states.

As a matter of customary law and practice, very few states in very few circumstances have engaged, or would even have considered engaging, the lives of their mariners, the money of their taxpayers, of the prestige of their rulers in policing activities with regard to acts that have no clear impact on the material interests of influential constituencies.<sup>19</sup>

## CHAPTER IV

### LEGAL ASPECTS REGARDING PIRACY

The United States did not sign the 1982 United Nations Convention on the Law of the Sea (1982 LOS Convention) due to various objections, notable with deep seabed mining. However, the United States has generally stated that it does recognize and will act in accordance with the 1982 LOS Convention as common international law. The Presidential Proclamation issued by President Reagan regarding the United States position declared that, "unimpeded commercial and military navigation and overflight are critical to the national interests of the United States. The United States will continue to act to ensure the retention of the necessary rights and freedoms."<sup>20</sup> United States support for the 1982 LOS Convention was shared by Congress as Congressman Paul N. McCloskey, Jr. stated that the 1982 LOS Convention was "an immense step toward world peace under world law, a goal to which all of us should be dedicated."<sup>21</sup> These statements reflected the strategic importance of maritime straits from the military perspective and also the necessity of unhindered commerce upon the high seas under international law.

The 1982 LOS Convention Articles 100 through 107 define piracy and establish the requirement for the repression of piracy. Piracy is defined as:

any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship . . . and directed on the high

seas, against another ship . . . or against persons or property on board such ship . . . in a place outside the jurisdiction of any State.<sup>2</sup>

The definition of piracy is often erroneously applied to actions against a state to conjure an image of a common enemy. The definition of piracy excludes actions by warships or other groups that have a political agenda. Piracy-type actions that have the support of a state in terms of political antagonism, can not be considered as piracy acts. For example, President Ford improperly called the actions by Kampuchean government forces against the MAYAGUEZ while not on the high seas or for private ends, as "an act of piracy" .<sup>3</sup>

Under the 1982 LOS Convention articles, all States are directed to "cooperate to the fullest possible extent in the repression of piracy on the high seas . . . ." Only warships, government authorized ships or aircraft may seize a pirate ship and the persons engaged in this activity upon the high seas. The state that conducts the seizure has the jurisdiction to decide what penalties are to be imposed under its own municipal legal system.

The articles on piracy in the 1982 LOS Convention leave individual states to specifically define and apply their own municipal laws on an international basis. United States Code, Title 33, Chapter 7, "Regulations for the Suppression of Piracy" identifies that public armed vessels of the United States may seize any vessel that was built for, attempted, or committed "any piratical aggression, search, restraint, depredation, or seizure,

or in the commission of any other act of piracy, as defined by the law of nations . . . ."24 United States Code, Title 18, Chapter 81, "Piracy and Privateering" provides the terms of imprisonment and fines for individuals convicted of piracy. The code states "whoever, on the high seas, commits the crime of piracy as defined by the law of nations . . . shall be imprisoned for life."<sup>25</sup> As these parts of the U.S. Code imply, acts of piracy are defined by the law of nations, while punishable under U.S. admiralty jurisdiction.

Neither the 1982 LOS Convention, nor the continuance of piracy in the Strait of Malacca, has yet compelled any nation to take decisive action. What, in effect, has been created in terms of jurisdiction is that most piracy attacks occur in international waters of a strait. Hence Indonesia, Malaysia, and Singapore do not respond to attacks outside of their own self-interest territorial waters. Daniel Ten, Executive Secretary of the Singapore National Shipping Association states "once a vessel is out of our territorial waters, the matter, basically, is out of our hands."<sup>26</sup> Nor does the 1982 LOS Convention compel states to ensure that piracy is acted upon within a state's territorial waters because it is not addressed.

## CHAPTER V

### U.S. NATIONAL INTERESTS

President Bush outlined in August 1991 the National Security Strategy of the United States that suggested that the new world order is an opportunity for the U.S. to give direction and guidance to the world.<sup>77</sup> This strategy called for the United States to be a world leader in the building and usage of alliances and coalitions for the common good. The strategy also favors the utilization of the United Nations for resolutions to international problems. Some of the specific interests and objectives the President identified included:

- o Establish a more balanced partnership with our allies and a greater sharing of global leadership and responsibilities;
- o Strengthen international institutions like the United Nations to make them more effective in promoting peace, world order and political, economic and social progress;
- o Promote diplomatic solutions to regional disputes.<sup>78</sup>

The Defense Planning Guidance FY 1994 - 1999 identifies the mutually supportive strategic goals for U.S. forces. Generally, these are: deter attack; collective response for defense; preclude hostile powers in critical regions; and reduce sources of political instability.<sup>79</sup> The United States is not to be the world's policeman to every international security problem. However, the United States will not let its critical interests be blocked by other countries or organizations.

The Defense Planning Guidance (DPG) identifies that a strategy of forward presence will be utilized to support the U.S.

strategic goals. This strategy includes exercises, training, deployments, exchanges and visits of forces with allies. Security assistance and peace keeping operations with other nations is part of the forward presence strategy.

"History suggests that effective multilateral action is most likely to come about in response to U.S. leadership, not as an alternative to it."<sup>30</sup> This suggests that the United States should be a strong leader who acts decisively to encourage other nations to resist aggression and compel them to commit themselves to resistance. The DPG indicates that the United States can show leadership with collective responses. This was shown in Operations DESERT SHIELD/STORM and currently in the Bosnian conflict.

The Joint Strategic Capabilities Plan (JSCP) provides guidance to the supported and supporting commands from the Chairman, Joint Chiefs of Staff, which outlines specific strategic planning responsibilities. The tasking for CINCPAC includes the following:

- o Enhance and maintain U.S. access to foreign facilities and U.S. influence with regional governments by strengthening political, economic, and security cooperations;
- o Ensure unimpeded access to strategic resources and security of lines of communication through the region;
- o Foster cooperation with South East Asian nations, with friends and allies, exploit measures to strengthen capabilities of regional countries for their own defense against both internal and external threats."

In a recent letter to a U.S. corporation (whose vessels had been frequently pirated off Costa Rica), the Director of

Operations, Plans, and Politico-Military Affairs of the Chief of Naval Operations stated that:

The Navy views piracy and other illegal acts against maritime shipping as a violation of the fundamental right to freely and safely transit the high seas. We remain deeply committed to preserving the principles associated with freedom of the seas and will continue to take the appropriate actions designed to resist challenges to those principles."

The hijacking of the ACHILLE LAURO on October 7, 1985 "brought strident cries for increased government action to safeguard maritime transport . . . these assaults illuminated the great vulnerability of ships on the high seas, in coastal areas, and in ports . . . ."

Perhaps the long standing view has been that the suppression of piracy was a difficult task and should be left for regional nations to address. The United States government is concerned for the safety of merchant ships and gives close attention to those incidents against U.S.-flag merchant ships. Incidents against one nation's merchant ships should raise that nation's concerns to the regional states. The actual number of U.S. merchant ships known to have been attacked since 1991 in this region were less than ten.<sup>24</sup> The law of the sea is clear regarding the suppression of piracy by all nations but clearly requires cooperation and dialogue among nations. If the U.S. Navy was to pursue Indonesian pirates without the consent of the Indonesian government, it could develop into a sensitive diplomatic concern over violation of territorial integrity.

## CHAPTER VI

### CINCPAC CONSIDERATIONS

Piracy has been outlined in this paper as a continuing crime under international law against all nations that poses grave consequences. The impact upon shipping in international straits is counter to the U.S. strategic goals for maintaining the sea lanes of communications (SLOC). The focus will now shift to the options that CINCPAC has to consider if tasked to attempt to apply force capabilities to this problem. Different options will be discussed followed by recommended initiatives.

The first impulse may be to send U.S. naval assets to patrol the Straits to end piracy. This was actually tried in the mid-1980's to halt the savage pirate attacks in the Gulf of Thailand on Vietnamese refugees. In 1985, the Chief of Naval Operations, Admiral Watkins responded to a request by Secretary of the Navy Lehman to develop a plan to meet the responsibilities for the repression of piracy on the high seas. Admiral Watkins identified that ". . . it is clear that a U.S. or U.S. Navy and Marine Corps effort cannot be decisive without the cooperation and participation of the littoral states concerned."<sup>35</sup>

The plan identified the asset intensive operation that would be required by the U.S. This included patrol aircraft, helicopters, destroyers, frigates, patrol craft and amphibious vessels. This force would have impacted other primary missions and increased the operations tempo of the fleet at an unfunded

cost of 50 to 60 million dollars (1985).<sup>34</sup> The Secretary responded in favor of a single frigate with a helicopter, assisted by a two patrol aircraft (P-3) detachment. "This kind of minimum commitment should be sufficient to demonstrate U.S. resolve and presence, and provide enough force to intervene effectively if necessary," stated the Secretary.<sup>35</sup> This program was eventually disbanded as too expensive while having minimal impact.

The policy of the United States is to protect U.S. citizens, their property, and U.S. commercial assets against the illegal use of force at sea. This protection under international law may require the lawful application of force. It is limited to instances when armed force is necessary to counter the threat and must be the minimum amount necessary to do the job.<sup>36</sup>

Admiral Watkins had identified that use of U.S. force without assistance from other nations would be fruitless. Currently, U.S. strategy options strongly favor the use of U.S. forces in conjunction with other nations to resolve regional issues. It is doubtful that a United Nations sponsored multinational force would be brought into the region to halt piracy. The situation in the Straits is certainly not as severe as the current crisis in the Balkans where debate continues over the use of force by the United Nations.

"The so-called new world order promised with the end of the Cold War [a world] predicated on international community values. They should be applied and upheld rationally in the case of the

Straits of Malacca and Singapore, with the lead being taken by the major maritime powers."<sup>3</sup> The problem is complicated by the mere size of the area involved and the surrounding nations having limited resources to combat piracy. Indonesia, Malaysia and Singapore have small navies and coast guards which primarily focus on the protection of their territorial waters. The problem of piracy falls in line with coastguard responsibilities in a policing role for smuggling, drug interdiction, customs, fisheries, and immigration. The policing role is primarily to create order, but is not only internal as the effort, or lack of in this case, has external implications.<sup>4</sup> Statements from shipowners regarding the lack of patrols or commitments to deter piracy has agitated officials of those coastal states. Instead of creating concern by officials it has appeared at times to desensitize them, even to the point of denial of the problems in their waters. "Pride and patriotism runs high in each of the three nations, while mutual suspicions are always a factor in relations . . . ."<sup>5</sup>

The world's oceans and straits provide benefit to all maritime nations for the conduct of international commerce, thus the burden sharing responsibility of all nations must be considered. Piracy randomly affects vessels of many different countries. Individually, most nations are ill prepared to cooperate in the repression of piracy. The two largest maritime nations ("flags of convenience"), Liberia and Panama, do not have the abilities to protect their vessels nor do they lead the

effort in the suppression of piracy. What may be required is a redrafting of the piracy Articles in the 1982 LOS Convention to develop a specific regime to protect merchant vessels on the high seas. This would not seem practical considering the problems with the deep seabed mining issues and the long time required for implementation.

A regional piracy center has been established in Kuala Lumpur, Malaysia, under the auspices of the International Maritime Bureau (IMB) from which information and warnings regarding piracy attacks is disseminated and collected, and it provides support services after incidents of piracy." This center is privately funded and operated and has no official connection to a government. The center is endorsed by the United Nations International Maritime Organization (IMO) as it provides useful information to ships' crews on anti-piracy counter measures. This center relies on reports of piracy from ship owners and masters and relays them to the regional search and rescue coordination center (RCC). The RCC utilizes its communication center to notify vessels in the area of the possible danger and to alert officials. This is the industry's first attempt at an intelligence center and does not appear to be heavily subscribed to. The establishment of an intelligence center or supporting the IMB center for the coordination of regional governments' activities in response to piracy attacks may be an area that CINCPAC can apply its capability.

There may be lessons learned from applications of U.S.

military force over recent time that could be synthesized to developing options. CINCPAC has been involved in counter drug operations involving detection and monitoring of suspected maritime transport of illegal drugs. The U.S. Coast Guard has similarly developed certain capabilities for tracking small, fast maritime targets. The escorting of merchant tankers in the Persian Gulf provided coordinated air and sea protection from small boat attacks (as well as missile attacks). Recently the U.S. Navy has been involved in United Nations maritime interdiction efforts in the Adriatic and Red Seas and the Persian Gulf. This combined experience could be applied in training and exercises for security assistance to the regional nations.

## CHAPTER VII

### PACIFIC COMMAND STRATEGY FOR COMBATTING PIRACY

CINCPAC can develop a strategy for United States support to combatting piracy in the Straits of Malacca and Singapore; a strategy which is consistent with the strategic guidance and able to be conducted at the operational level of warfare.

Over one third of all U.S. trade is with nations in CINCPAC's AOR; the free movement of imports and exports is critical to the stability of the region. It remains in the U.S. interests to maintain mutually profitable economic relations in this region of the world and to maintain the stable environment to allow for continued growth of democratic countries. The national military objectives identify the continuance of global access and influence for the U.S. This includes free commerce, access to world markets and critical resources, and freedom of air and sea LOC's. The national objectives also call for the promotion of regional stability and cooperation through mutual security arrangements and security assistance. The regional defense objectives for the Indian Ocean and South Pacific include the assurance of unimpeded access to strategic resources (including Persian Gulf oil) and security of the LOC (Strait of Malacca) connecting this region.

Security assistance (SA) is a major principle of the U.S. security policy in Asia. SA allows for continued engagement in the region through economic, military and diplomatic efforts. SA

helps to maintain strong bilateral and multilateral security arrangements. These programs reduce the need for forward deployed U.S. forces while placing greater security responsibilities on U.S. allies. "Making greater contributions to conflict deterrence or sustained access to strategic resources and facilities [sic] USCINCPAC seeks maximum strategic and tactical advantage from all military SA efforts underway or planned for countries in the Pacific AOR."<sup>3</sup>

CINCPAC's existing framework tries to develop those alliances and friendships that foster security and stability. This framework provides for U.S. allies to share in the determination and deterrence of mutual security threats. Due to the diversity of the region, CINCPAC must be careful in the approach to developing assistance programs to counter piracy. Deploying a battle group to the Straits probably will not have the same long term benefits as working to increase the internal capabilities of each nation and fostering an environment where the three nations can increase cooperation. The increased security of this sea LOC could eventually free CINCPAC forces for other missions.

The Clinton Administration recently announced that counter drug operations overseas would begin to be scaled back with an increase in domestic programs aimed at reducing drug usage.<sup>4</sup> This shift will probably reduce CINCPAC counter drug operations. If this reduction occurs it may allow for a counter piracy strategy to utilize many of the same facets as counter drug

operations. The suggestion is not to shift counter drug operations to piracy efforts but to utilize the same type of approach.

CINCPAC has identified potential military operations for which forces prepare. These consist of maritime interdiction and interception operations, freedom of navigation challenges, and hostage and terrorism responses. The Pacific command structure for operations (J-3) includes effort for ship visits, exercises, and disaster relief efforts. The organization for logistics and security assistance programs exists in the J-4 organization. These two organizations would provide support to a Joint Task Force (JTF) established under CINCPAC for counter piracy efforts.

Similar to CINCPAC's JTF for counter drug operations, this command structure allows for a lead organization to coordinate all the activities of the command for piracy. The JTF would plan and direct the overall military operations against piracy and coordinate the security assistance programs in the AOR. The JTF would be the primary interface for regional nations and international organizations such as the IMB.

The JTF would focus as an intelligence fusion center for piracy matters. This is a key element that has been identified by the IMO and IMB, regional countries and ship owners as severely lacking. The Department of Defense (DOD) has expert capabilities in the areas of information fusion and dissemination. This center would serve to support detection, monitoring and interdiction of piracy acts in the Straits with

the support of the regional countries (Indonesia, Malaysia, and Singapore). This intelligence center could be used to foster better relations and cooperation among the nations and possibly attract the attention of other states such as the Philippines, which also have piracy problems. Information could be provided to merchant ships transitting the area detailing current hostile areas, successful counter measures and also serve as a center for the reception of distress calls and information from these ships.

Associated with the intelligence fusion center is the sophisticated command, control and communications support that DOD resources can provide. Counter piracy activities among the regional nations will require a communications capability to provide connectivity and support operations. This is a peacetime activity in terms of technology exchange and transfer.

The approach for CINCPAC strategy is to apply theater resources to security assistance programs and operations. The active role of U.S. security assistance builds consensus for a cooperative regional approach to piracy. There currently are no major naval exercises within this region, which would support forward presence operations and training with the regional navies.<sup>45</sup> Australia has expressed concern over the piracy problem and may be a willing naval partner for joint training and exercises in this regard. The application of force in a joint manner for piracy activities is in accordance with the national objectives and reinforces international law for the suppression of piracy by all nations.

## CHAPTER VIII

### CONCLUSIONS

CINCPAC is concerned with supporting the United States security strategy. The conditions to achieve the strategic goals in this region require the restoration of order with minimal risk from piracy attacks, to the Straits of Malacca and Singapore for merchant ship transits. This will require the cooperation and involvement of several nations principally Indonesia, Malaysia, and Singapore in building a collective response to piracy. These nations will be required to assume a greater role in the policing activities of their territorial waters and into international waters particularly for pirates that are based out of their country.

To achieve this strategic goal of the United States several actions must take place. The first step is for the U.S. to provide the leadership in building cooperative efforts, through diplomatic discussions and economic assistance. Increased security assistance is a consistent principle of U.S. security policy in Asia. Increased military to military exchanges, training and exercises can be developed to assist these nations with the building of their defensive capabilities. Support efforts should be provided to regional governments, the shipping industry and the Association of Southeast Asian Nations (ASEAN), to find solutions consistent with U.S. security concerns.

Military force should be applied in a supporting role to the

regional nations. However, the U.S. capability must always exist for direct action when our national interests so require. Military support can be applied to security assistance training, joint exercises and operations, technology transfer, command, control, communication, and intelligence expertise. An intelligence fusion center may provide the most direct coordinating mechanism for combating piracy over this large region.

The expected gain, with minimal cost, to the United States for following this approach is consistent with CINCPAC's direction from higher authority. This course of action provides for greater security in the region while strengthening bonds with countries in the AOR. This fosters regional cooperation and goodwill among the nations of this region by providing a common effort. This approach ensures that U.S. forces continue to train with allied forces and possibly gain access to the region in the future. Ultimately, this will ensure the unimpeded transit of commerce through this strategic strait and may lead to a reduction in U.S. forces. The costs associated with this approach may increase operations tempo until the regional nations assume a greater role. Costs would be largest for a commitment of U.S. forces to patrol the Straits, but this is not a chosen course as it is counter to CINCPAC's strategy for U.S. forces to take less of a lead role by encouraging burden sharing.

Piracy is a national security concern to the United States as it impacts the national military and security strategy.

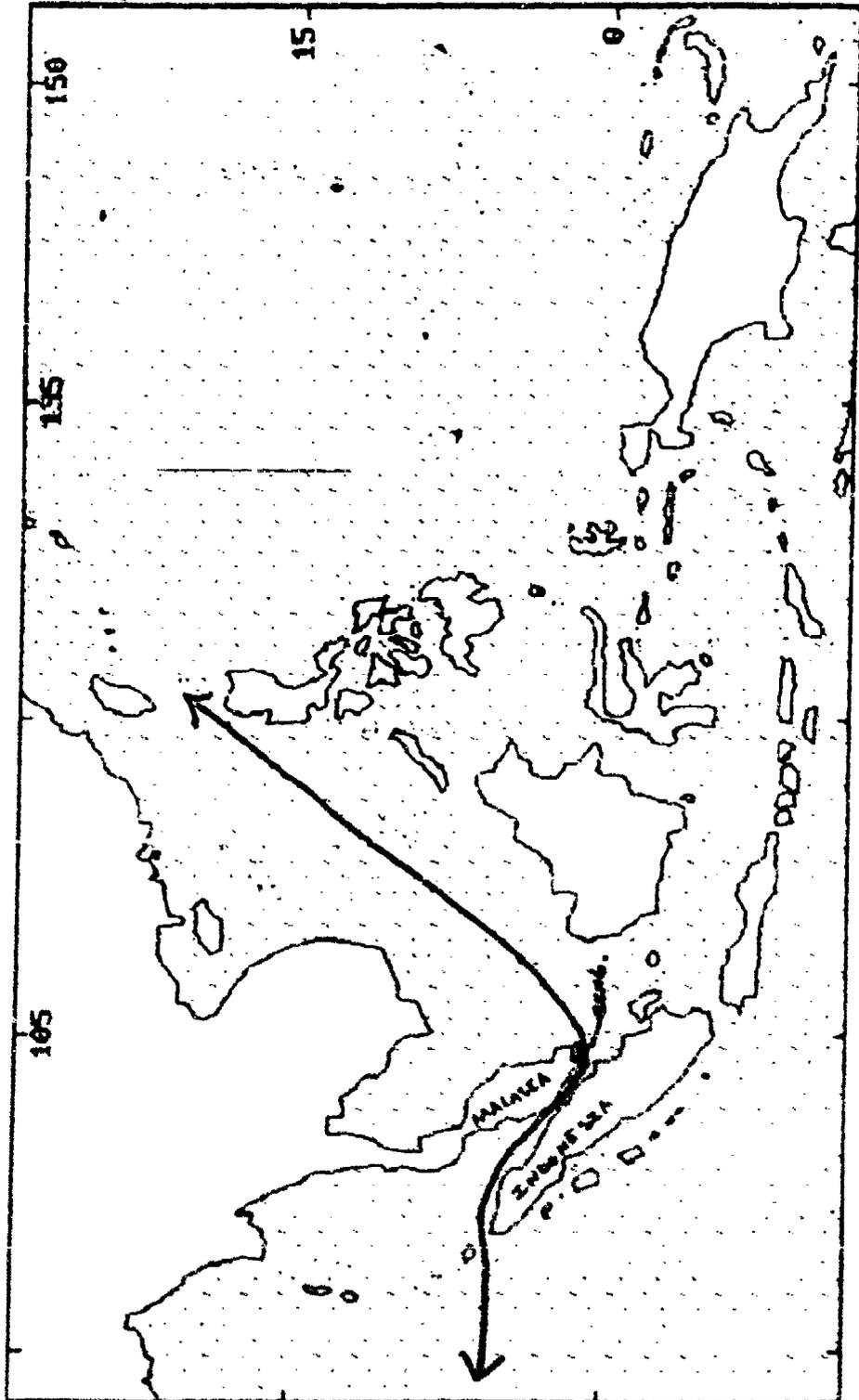
CINCPAC has options available to apply military capability consistent with the Pacific Command Strategy against the piracy problem in the Straits of Malacca and Singapore and ensure the maintenance of the U.S. strategic aims in this region.

APPENDIX I

FIGURE 1.

CHART OF SOUTHEAST ASIA

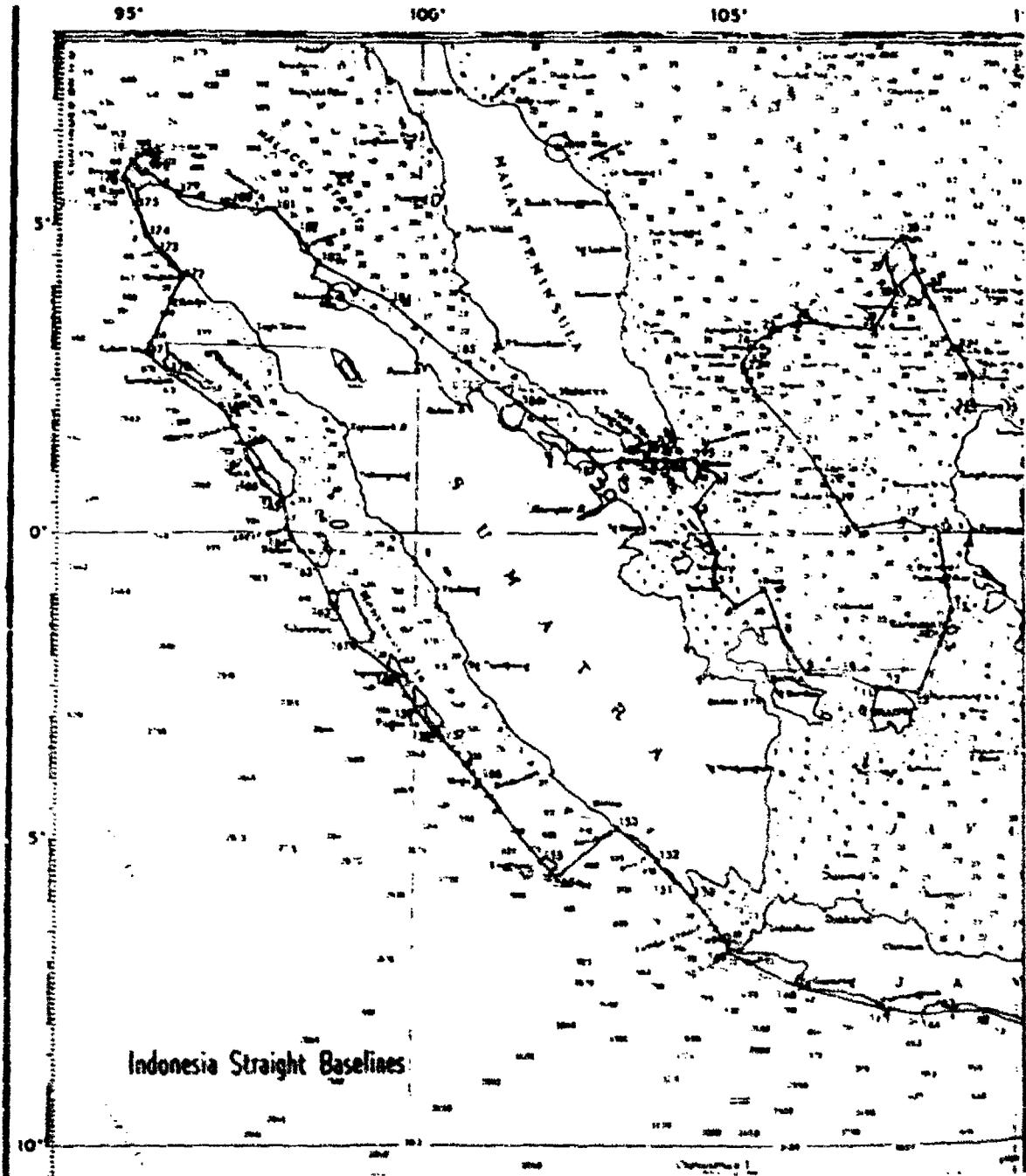
Southeast Asia



APPENDIX I

FIGURE 2.

CHART OF INDONESIAN BASE LINES, STRAIT OF MALACCA

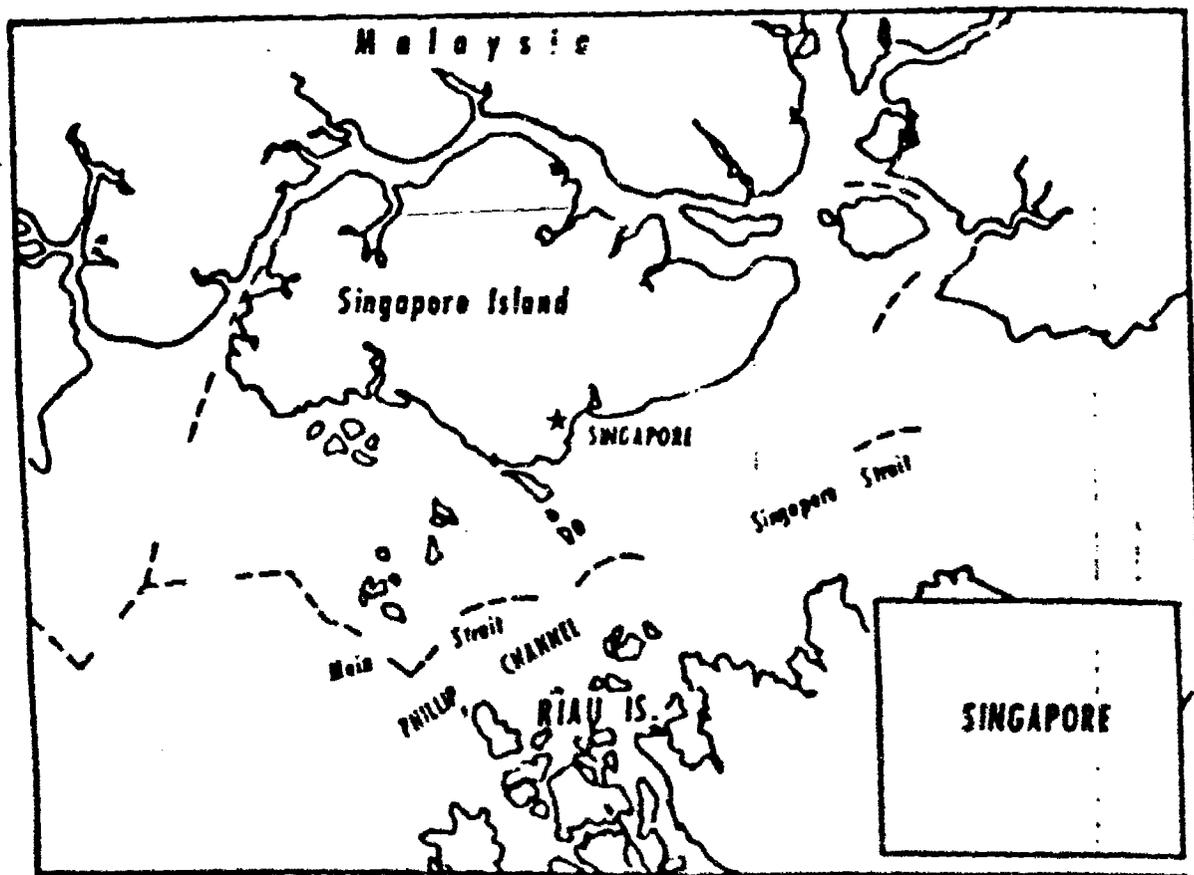


APPENDIX I

FIGURE 3.

CHART OF SINGAPORE STRAIT, PHILLIPS CHANNEL

SINGAPORE STRAITS PIRATE ACTIVITY



APPENDIX II

- - - - A S A M M E S S A G E S - - - -  
FROM 1/01/92 TO 5/14/93

5/14/93

Date of Occurrence: 1/05/92 Reference Number: 92-0001  
Geographical Subregion: 71  
Geographical Location: 01/07.1/00 N 103/45.9/00 E  
Aggressor: Pirates  
Victim: M/V AL MUHARRAQ  
Description:  
SINGAPORE-Vicinity of Phillips Channel.

052154ZJAN92 Pirates boarded the M/V Al Muharraq. Stolen was \$1000 cash and personal property. Four men were injured, but vessel was permitted to continue her voyage.

--//--

Date of Occurrence: 1/05/92 Reference Number: 92-0002  
Geographical Subregion: 71  
Geographical Location: 01/0004/00 N 103/0038/30 E  
Aggressor: Pirates  
Victim: M/V FORTUNE  
Description:  
SINGAPORE-Vicinity of Phillips Channel.

052145ZJAN92 on approaching Palau Takong Ketjil Light, pirates boarded the M/V FORTUNE. Stolen was personal property. No injuries were reported and the vessel was permitted to continue her voyage.

--//--

Date of Occurrence: 1/19/92 Reference Number: 92-0003  
Geographical Subregion: 71  
Geographical Location: 05/0041/00 N 096/0048/00 E  
Aggressor: Pirates  
Victim: M/V AMBRA ORIENT  
Description:  
SINGAPORE-Strait of Malacca

191600Z JAN92 M/V AMBRA ORIENT was attacked by armed men in a high speed boat. Pirates were unable to reach accommodation ladder, being repelled by ships ANTI-PIRATE watch. No injuries were reported. --//--

Date of Occurrence: 2/11/92 Reference Number: 92-0006  
Geographical Subregion: 71  
Geographical Location: 01/0000/00 N 104/0000/00 E  
Aggressor: Pirates  
Victim: M/V DEVOTION  
Description:  
SINGAPORE-Anchorage

110200L FEB 92 Vessel was boarded and robbed without the knowledge of the crew. Stolen were Dangerous Drugs and personal effects. No injuries were reported.

APPENDIX II

Date of Occurrence: 3/30/92 Reference Number: 92-0009  
Geographical Subregion: 93  
Geographical Location: 05/0059/42 N 095/0011/12 E  
Aggressor: PIRATES  
Victim: M/V PELANDER  
Description:  
SINGAPORE-Strait of Malacca

302100. MAR 92 M/V PELANDER was attacked by armed men in a high speed boat. Pirates were unable to reach accommodation ladder, being repelled by ships ANTI-PIRATE watch. No injuries were reported. --//--

Date of Occurrence: 4/11/92 Reference Number: 92-0016  
Geographical Subregion: 93  
Geographical Location: 21/0000/00 N 107/0020/00 E  
Aggressor: PIRATES  
Victim: M/V WORLD ARETUS  
Description:  
VIETNAM-Vicinity Cam Pha Roads

Early morning of 11 Apr 92 three pirates armed with knives boarded M/V WORLD ARETUS, while ship was at anchor. The attack was discovered and crew mobilized, which caused the pirates to flee with mooring lines and other line. No injuries were reported.  
--//--

Date of Occurrence: 4/19/92 Reference Number: 92-0017  
Geographical Subregion: 71  
Geographical Location: 03/0005/00 S 107/0021/00 E  
Aggressor: PIRATES  
Victim: M/V MAERSK ASIA DECIMO  
Description:  
JAVA SEA-Vicinity Belitung Island.

190230G APR 92 five pirates armed with knives boarded M/V MAERSK ASIA DECIMO. Stolen were cash and personal items. No injuries were reported.  
--//--

Date of Occurrence: 4/22/92 Reference Number: 92-0013  
Geographical Subregion: 71  
Geographical Location: 01/0000/00 N 105/0000/00 E  
Aggressor: Pirates  
Victim: AUSTRALIAN STAR  
Description:  
STRAIT OF SINGAPORE-Vicinity Horsborough Light.

22APR92 nine armed pirates boarded the AUSTRALIAN STAR using a grappling hook to gain access. Stolen were cash and personal possessions. No injuries were reported.

APPENDIX II

Date of Occurrence: 4/24/92 Reference Number: 92-0014  
Geographical Subregion: 71  
Geographical Location: 01/0000/00 N 105/0000/00 E  
Aggressor: Pirates  
Victim: VALIANT CARRIER  
Description:  
STRAIT OF SINGAPORE-Vicinity of Bintan Island.

242200LAPR92 ten armed pirates boarded the VALIANT CARRIER unnoticed despite illumination, piracy watch set, and additional precautions. Stolen were \$4000.00 cash and personal possessions. Injured were the Captain's infant daughter, Captain's wife, Captain, and Navigation Officer.  
--//--

Date of Occurrence: 5/09/92 Reference Number: 92-0015  
Geographical Subregion: 71  
Geographical Location: 01/0000/00 N 104/0000/00 E  
Aggressor: Pirates  
Victim: M/V SWAN REEFER  
Description:  
SINGAPORE-Vicinity Phillips Channel.

090100LMAY92 five armed pirates boarded M/V SWAN REEFER using a high-powered fishing boat and line. Stolen were cash, liquor, and personal possessions. No injuries were reported.  
--//--

Date of Occurrence: 5/24/92 Reference Number: 92-0021  
Geographical Subregion: 91  
Geographical Location: 15/0000/00 N 120/0000/00 E  
Aggressor: UNIDENTIFIED VESSEL  
Victim: VILKOV  
Description:  
PHILIPPINES.

241240Z MAY 92 RUSSIAN AMPHIBIOUS LANDING SHIP VILKOV maneuvered to pass an unidentified vessel, which seemed to be a fishing seiner, and was fired upon by automatic small arms. VILKOV returned fire with a small-caliber gun. The attacking vessel ceased fire and fled. No injuries were reported.  
--//--

Date of Occurrence: 9/11/92 Reference Number: 92-0024  
Geographical Subregion: 94  
Geographical Location: 23/24 /00 N 117/36 /00 E  
Aggressor: PIRATES  
Victim: M/V TRANSASIA  
Description:  
SOUTH CHINA SEA.

110830ZSEP92 M/V TRANSASIA was fired upon by attack boats. The vessel was boarded by fifteen to twenty pirates and fifty pair of shoes were stolen. No injuries were reported.

APPENDIX II

Date of Occurrence: 9/25/92 Reference Number: 92-0025  
Geographical Subregion: 94  
Geographical Location: 21/0000/00 N 123/0000/00 E  
Aggressor: PIRATES (PEOPLES REPUBLIC OF CHINA)  
Victim: M/V WORLD BRIDGE  
Description:  
SOUTH CHINA SEA.

25 SEPTEMBER 92 M/V WORLD BRIDGE was ordered to heave to by small attack boats identified as Naval Units of the Peoples Republic of China. When the WORLD BRIDGE increased speed, she was fired upon with automatic weapons with explosive charges. M/V WORLD BRIDGE out ran the attack boats and was not boarded. No casualties were reported.  
--//--

Date of Occurrence: 10/08/92 Reference Number: 92-0026  
Geographical Subregion: 72  
Geographical Location: 04/26 /30 N 115/16 /30 E  
Aggressor: PIRATES  
Victim: M/V BANOWATI  
Description:  
CELEBES SEA-EAST OF SIBUTU PASSAGE.

08 OCTOBER 92 M/V BANOWATI was boarded by more than fifty pirates. The crew was thrown overboard, but no serious injuries were reported. The vessel was run aground and set on fire. The cargo was salvaged. --//--

Date of Occurrence: 10/28/92 Reference Number: 92-0028  
Geographical Subregion: 93  
Geographical Location: 22/0009/55 N 114/0055/00 E  
Aggressor: Pirates  
Victim: M/V MARINE EXPRESS  
Description:  
SOUTH CHINA SEA-Vicinity of Hong Kong.  
28NOV92 M/V MARINE EXPRESS reported ten gunshots to Hong Kong authorities and has not been reported since.  
--//--

Date of Occurrence: 12/11/92 Reference Number: 92-0033  
Geographical Subregion: 71  
Geographical Location: 05/0000/00 S 107/0000/00 E  
Aggressor: PIRATES  
Victim: BALTIMAR ZEPHYR  
Description:  
JAVA SEA  
11 DEC 92 BALTIMAR ZEPHYR ATTACKED BY PIRATES 150 MILES NORTH OF JAKARTA IN INDONESIAN WATERS. MASTER AND CHIEF OFFICER KILLED.  
SINGAPORE  
23 DEC 92 BALTIMAR ZEPHYR ARRIVED SINGAPORE.  
BAHAMIAN  
19 DEC 92 BALTIMAR ZEPHYR CREW WERE COERCED INTO SIGNING STATEMENTS TO THE EFFECT THAT NO PIRACY ATTACK TOOK PLACE.  
23 DEC 92 BALTIMAR ZEPHYR SAILED FOR CALCUTTA.

APPENDIX II

Date of Occurrence: 12/15/92 Reference Number: 92-0006  
 Geographical Subregion: 71  
 Geographical Location: 04/00.0/00 N 107/30.0/00 E  
 Aggressor: PIRATES  
 Victim: FAR TRADER  
 Description:  
 PIRATES BOARDED FAR TRADER NEAR THE INDONESIAN ISLAND OF NATUNA LAST WEEK AND SEIZED CARGO AND PERSONAL EFFECTS.  
 --//--

Date of Occurrence: 12/28/92 Reference Number: 93-0007  
 Geographical Subregion: 93  
 Geographical Location: 19/0010/00 N 118/0045/00 E  
 Aggressor: PIRATES  
 Victim: SHINANOGAWA MARU  
 Description:  
 JAPANESE  
 1100 LOCAL TIME/0300,UTC. ON DEC 28, SHINANOGAWA MARU WAS ATTACKED B PIRATES. NO INJURIES OR DAMAGE REPORTED.  
 UPDATE:5 JAN 93 SHINANOGAWA MARU ARRIVED IN SAKAI FROM NAKAGUSUKU.  
 7 JAN 93 SHINANOGAWA MARU LEFT FOR THE PERSIAN GULF. --//--

Date of Occurrence: 12/31/92 Reference Number: 93-0010  
 Geographical Subregion: 94  
 Geographical Location: 31/0000/00 N 127/0000/00 E  
 Aggressor: PIRATES  
 Victim: HALIMATUM  
 Description:  
 31 DEC 92 HALIMATUM WAS ATTACKED BY PIRATES 340 KILOMETERS WEST OF YAKU ISLAND. NO INJURIES REPORTED.  
 UPDATE:9 JAN 93 HALIMATUM ARRIVED MUTSURE FROM SAKAIMINATO AND SAILED FOR SUNGAI RAJANG.  
 --//--

Date of Occurrence: 1/06/93 Reference Number: 93-0012  
 Geographical Subregion: 41  
 Geographical Location: 16/0049/00 N 117/0056/00 E  
 Aggressor: PIRATES  
 Victim: ARKTIS STAR  
 Description:  
 6 JAN 93 ARKTIS STAR WAS ATTACKED BY PIRATES IN THE SOUTH CHINA SEA. NO INJURIES. VESSEL PROCEEDING ON VOYAGE WITH ETA BISLIG ON JAN 11.  
 21 JAN 93 ARKTIS STAR ARRIVED FROM BISLIG.  
 --//--

Date of Occurrence: 1/06/93 Reference Number: 93-0013  
 Geographical Subregion: 94  
 Geographical Location: 35/0000/00 N 124/0000/00 E  
 Aggressor: PIRATES  
 Victim: PRIOZYORNYI  
 Description:  
 06 JAN 1993 PRIOZYORNYI(RUSSIAN) WAS ATTACKED BY A TRIO OF PIRATES IN THE YELLOW SEA.

APPENDIX II

Date of Occurrence: 1/08/93 Reference Number: 93-0014  
Geographical Subregion: 94  
Geographical Location: 29/0000/00 N 125/0000/00 E  
Aggressor: PIRATES  
Victim: USSURIYSK  
Description:  
08 JAN 1993 USSURIYSK(RUSSIAN) WAS ATTACKED BY PIRATES IN THE EAST  
CHINA SEA.  
--//--

Date of Occurrence: 2/18/93 Reference Number: 93-0015  
Geographical Subregion: 41  
Geographical Location: 16/0049/00 N 117/0056/00 E  
Aggressor: PIRATES  
Victim: ALEKSANDR TSURYUPA  
Description:  
18 FEB 93 ALEKSANDR TSURYUPA WAS ATTACKED BY SEA PIRATES IN THE  
SOUTH CHINA SEA AT 7:30 MOSCOW TIME. NO INJURIES.  
--//--

Date of Occurrence: 2/24/93 Reference Number: 93-0016  
Geographical Subregion: 93  
Geographical Location: 17/0000/00 N 111/0000/00 E  
Aggressor: PIRATES  
Victim: MARY NOUR, AND LION  
Description:  
16 FEB, 1993, MARY NOUR WAS ATTACKED BY PIRATES. NO INJURIES. 17  
FEB, 1993, LION WAS ATTACKED BY PIRATES AT 1600 LOCAL TIME. NO  
INJURIES.  
UPDATE:MARY NOUR SAILED FOR AQABA ON FEB 22 AND LION ARRIVED FROM  
BUSAN.  
--//--

Date of Occurrence: 3/05/93 Reference Number: 93-0020  
Geographical Subregion: 93  
Geographical Location: 17/0036/02 N 120/0004/04 E  
Aggressor: PIRATES  
Description:  
05 MARCH 93 PIRATES CHASED AND TRYED TO BOARD A VESSEL IN POSITION  
1736.2N 12004.4E. SHIPS IN VICINITY TAKE PRECAUTIONS AND REPORT ANY  
SUSPICIOUS CRAFTS TO CENTRE IMMEDIATELY. REGIONAL PIRACY CENTRE KUALA  
LUMPUR TEL: 603 201-0014 FAX: 603 2385769 TELEX: MA 31880. --//--

Date of Occurrence: 3/06/93 Reference Number: 93-0022  
Geographical Subregion: 93  
Geographical Location: 04/0000/00 N 098/0000/00 E  
Aggressor: PIRATES  
Victim: KAVO SIDERO  
Description:  
06 MARCH 1993 KAVO SIDERO WAS ATTACKED BY PIRATES WHILE ANCHORED IN  
BELAWAN ROADS. ONE CREW MEMBER WAS SLIGHTLY HURT.  
--//--

Source: U.S. Defense Mapping Agency/Hydrographic Topographic Center,  
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