

CONCLUSION

Pirate attacks occurred regularly in Southeast Asia and the waters of Bangladesh between 1992 and 2006. Within this region piracy hot spots shifted between countries and ocean areas over time. In the early 1990s the waters between the Malacca and Singapore Straits were identified as the most pirate-prone, and between 1993 and 1995 a high proportion of reported attacks took place in the South China Sea. However, since the mid-1990s Indonesian ports and territorial waters were the most pirate-infested in Southeast Asia. Of considerable concern in the early twenty-first century was also the high number of attacks in the busy Malacca Strait and the waters of Bangladesh. Pirates in these waters have targeted merchant vessels as well as small craft with attacks ranging from simple hit-and-run robberies to hijackings. While hijackings of vessels and kidnapping of crew occurred in Southeast Asia and Bangladesh, the vast majority of pirate attacks on merchant vessels were simple hit-and-run robberies at sea or in ports. Opportunistic sea robbers or organized pirate syndicates were responsible for these attacks.

In terms of attacks on small craft, yachts have only rarely been targeted in Southeast Asia and Bangladesh between 1992 and 2006. However, examples from Bangladesh to the waters between Sabah and the southern Philippines have highlighted that piracy is a real concern for fishers. Indeed, fishers are arguably most affected by piracy, and attacks on such vessels were often serious in nature, and included kidnapping of fishers. Overall, attacks on fishers can have very different consequences and impact compared with attacks on merchant vessels, as sea robbers inevitably confront the fishers directly and can destroy a fisherman's livelihood by taking his vessel, equipment, or catch. However, fishers were not only victims of pirate attacks. In many places in Southeast Asia and Bangladesh, fishermen themselves were the perpetrators, attacking their counterparts or participating in attacks on merchant vessels.

This book offered explanations for why piracy still exists today and argued that piracy can be understood as both a symptom and a sign of a number of geopolitical and socio-economic problems and security concerns. Factors which have contributed towards the occurrence of contemporary piracy in Southeast Asia and Bangladesh and have determined the nature of pirate attacks include: the impact of ecological degradation and overfishing on the occurrence of piracy; loopholes and shortcomings in maritime laws and regulations that are conducive to the operations of pirates; the involvement of transnational crime syndicates and radical, politically motivated groups in piracy; as well as problems with state and private responses to pirate attacks. The examination of these root causes of piracy exposed a range of security concerns and political and social developments which affect security adversely. Piracy, therefore, offers a singular framework to cast a critical gaze at a range of political, social, and ecological developments, as well as security risks, and how they impact the lives and circumstances of people in Southeast Asia, Bangladesh, and the wider international community. Indeed, it has been shown that piracy and the various responses to it reflect both political and social developments within countries, and cooperation, tension and friction between states. Additionally, it has been demonstrated that the occurrence of pirate attacks in a region, or a country, indicates the existence of a wide range of traditional and non-traditional security risks in the area, which can have far-reaching repercussions for individuals, nations, or the international community. Through an examination of maritime piracy in Southeast Asia and Bangladesh, and the responses it triggers, important new trends and practices in the security sector have also been identified, including the increasing privatization of security and protection services around the globe. In essence, many of the issues pertaining to maritime piracy in Southeast Asia and Bangladesh mirror those associated with other political developments and security threats evident at local, regional, and international levels.

This examination of piracy, therefore, clearly demonstrates that piracy in Southeast Asia and Bangladesh should be taken seriously as a security concern and that ways need to be found to address the problem. Both the examination of piracy in Southeast Asia and Bangladesh and the discussion of its wider security implications are useful in suggesting approaches to combat piracy successfully. The examination of piracy has shown that the underlying factors abetting piracy in the region are manifold and include

lax control of the maritime environment, poverty within Southeast Asia and Bangladesh, and corruption within local militaries and law enforcement agencies. In order to be successful, responses to piracy, therefore, have to address most, if not all, of the problems discussed. Combating piracy is consequently a difficult task, requiring more than merely patrolling piracy-prone waters. Indeed, in order to reduce the number of pirate attacks in Southeast Asia and Bangladesh significantly, maritime rules and regulations have to be tightened and their implementation assured. In this regard, it is of particular importance to address the shortcomings in the FOC system and to support initiatives of international bodies such as the ITF, the IMO, and the ILO that aim to increase security and safety standards of vessels, ports, and crews. Furthermore, to prevent fishers from turning to piracy or falling victim to pirates when fishing illegally in foreign country's waters, efforts have to be made to protect the marine environment and combat illegal fishing activities. Further steps have also to be taken to reduce the scale of operations, power, and influence of organized crime syndicates and radical, politically motivated groups. Here, more than continuous military force or operations by law enforcement agencies are needed to successfully combat organized crime and to "pacify" and integrate areas in which separatists, guerrillas, or terrorists operate. In fact, it is crucial to address the root causes of such violence, which include poverty, the marginalization of certain geographic areas or ethnic groups, and government efforts in the form of military violence that exacerbate, rather than solve, existing problems and tensions. Moreover, problems within local militaries and law enforcement agencies have to be addressed, with the eradication of rampant corruption being of crucial importance. Sufficient equipment suitable for combating non-traditional security threats such as piracy is also needed in order for militaries and law enforcement agencies to succeed. Finally, laws and regulations regarding the operations of PSCs in Southeast Asia have to be crafted to minimize problems resulting from the privatization of maritime security.

Overall, combating piracy can, therefore, not be achieved in isolation, but has to be linked to a wider security strategy and framework. However, it has to be acknowledged that it is a daunting task to address these issues discussed above in a coherent manner, and will require local, national, and international efforts to be successful. Yet, even though these problems are difficult to address, the potential benefits for individuals, nations, and the international community are immense. For example, better maritime laws

and regulations could improve the working conditions of seafarers, increase security, and protect the environment by preventing substandard vessels from operating. The maritime environment would also benefit from measures to combat the continued overexploitation of the oceans and illegal fishing activities. Furthermore, reducing the influence and activities of transnational crime syndicates would be advantageous for the legal economy and violence and intimidation would decrease. By effectively addressing politically motivated violence in Southeast Asia, Bangladesh, and beyond, the number of terrorist attacks could be reduced and fewer people may join or support such organizations. Clearly, by providing sufficient equipment and salaries to personnel of government forces, and by reducing their direct involvement in politics, corruption may cease to be a major concern in countries such as Indonesia. This could not only reduce the involvement of government personnel in illegal activities, but may also increase the confidence of the population in these institutions. To address issues such as non-traditional security threats successfully, governments from different countries and regions will have to cooperate more closely than in the past. This intergovernmental (as well as military) cooperation, in turn, could build trust between governments and reduce the risk of armed conflict between states. Last, but not least, by introducing and enforcing clear laws and regulations regarding the operations of PSCs, the services provided by these companies could be a valuable supplement to government efforts to increase security on land and at sea.

While this study focused on piracy in Southeast Asia and Bangladesh, the conclusions can be applied to piracy in other parts of the world, such as the waters off the Horn of Africa. Piracy anywhere in the world has root causes, many of them the same or similar to those discussed here. Without addressing these root causes piracy is unlikely to disappear regardless where the attacks occur, and local, regional and international efforts — beyond sending patrol vessels — are needed. Clearly, addressing the root causes of piracy in other parts of the world is just as difficult — but the benefits are equally immense.

APPENDIX 1

Table A
Hijackings by Year, Location, and Type of Vessel

	1995	1996	1997	1998	1999	2000
Indonesia			1 Cargo	3 Cargo (2),	2 Barge, Cargo	2 Tanker, Fishing
Malaysia	2 Fishing, Bulk		1 Yacht	2 Fishing (2)	4 Fishing, Barge, Tug, Tanker	
Malacca Strait				1 Fishing		1 Tanker
Philippines	1 Fishing		2 Fishing, Ferry	2 Cargo, Fishing		
Singapore (Strait)		2 Tanker, Cargo				
Thailand			2 Bulk, Tanker		1 Cargo	
South China Sea				3 Tanker (2), Bulk		
China	1 Lighter + Tug			1 Cargo	1 Fuel Barge	
Vietnam						
Bangladesh	1 Fishing					
Total	5	2	6	12	8	3

	2001	2002	2003	2004	2005	2006
Indonesia	4 Cargo, Speed Boat, Tanker, Tug	8 Tug + Barge (5), Barge, Supply Vessel, Tug	9 Tug (3), Tug + Barge (6)	4 Fishing, Tug + Barge (2), Tug	5 General Cargo (2), Tug + Barge (2), Tanker	2 General Cargo + Barge
Malaysia	6 Barge (2), Fishing (4)	3 Fishing (2), Speed Boat		1 Tug + Barge	1 Tug + Barge	1 Tug + Barge
Malacca Strait	2 Tanker, Tug	9 Fishing (8), Tanker	3 Fishing (3)	2 Tanker, Cargo	2 Tanker	
Philippines				1 Tug + Barge	1 Tug + Barge	1 Fishing Boat
Singapore (Strait)		1 Tanker				
Thailand	1 Tanker	1 Tanker				1 Yacht
South China Sea	1 Tanker					
China						
Vietnam				1 Fishing		
Bangladesh			3 Fishing (2), Cargo	1 Fishing		
Total	14	22	15	10	8	5

Source: "ICC, Piracy and Armed Robbery against Ships", Annual Reports, 1995-2006. (Hijackings include missing vessels)

APPENDIX 2

In November 1998, while *en route* from Shanghai to Port Klang in Malaysia, the Hong Kong registered cargo ship *Cheung Son* was approached west of Kaohsiung, off the coast of southern Taiwan, by a small boat which appeared to be a Chinese customs vessel. Left with little choice, the captain allowed the officers on board his ship, which carried a cargo of furnace slag. Once on board the *Cheung Son*, the Chinese “officers”, dressed in uniforms and armed with guns, threatened the crew and took control of the vessel. After being held hostage for ten days, all twenty-three Chinese crew of the *Cheung Son* were bludgeoned to death and their weighted bodies thrown into the sea. After the killings, the pirated vessel was sold within China. The new owner hired a new crew and reportedly sold the vessel to an unknown Singaporean party for US\$300,000.

The pirates, however, did not get away with their crime. In an interview granted to the foreign media, Chinese police officials recounted that investigation into the *Cheung Son*'s disappearance had begun as soon as the owner of the vessel reported having lost contact with the ship. As the first bodies of the murdered crew members were found by fishermen, police learned that a man from Shanwei “went to sea and came back with a lot of money and a dented boat”. The police officers eventually located the boat and its owner who was hiding in a fishing village. He told the police that he had lent his vessel to two men who could be found in Shenzhen. Acting on this information, 300 officers raided a Karaoke bar, where the alleged members of the pirate gang were celebrating. In the course of further investigation, the Chinese authorities discovered that some of the gang members had been involved in at least two other serious pirate attacks between August and November 1998. This information and the discovery of a celebratory photograph, taken by the pirates on board the *Cheung Son*, led to further arrests. In total, more than fifty alleged pirates, aged between twenty-one and sixty, were arrested. Among them was the alleged leader of the gang, Sony Wei, an Indonesian who had previously been involved in inspection work contracted out by the Chinese customs authorities. All other gang members captured were Chinese.

In mid-December 1999, the arrested pirates were brought to trial in the Intermediate People's Court of Shanwei, Guangdong Province, where they were charged with robbery, mass murder, the illegal possession of firearms, and handling stolen property. Most of the defendants, among

them Lu Xu, an unemployed man from Shanxi, and Cai Mutong, a fisherman from Lufeng, claimed that they were hired to participate in a legitimate anti-smuggling mission. According to their statements, they only later discovered the true nature of the voyage, but were too afraid to act against the “pirates”. Zhang Fenshen, a forty-two-year-old mechanic, told the court that the boat had, in fact, sailed from an official border defence pier, and added that he was not aware of any attack, as he was working in the “custom vessel’s” engine room. The court also heard that the Indonesian Sony Wei had been commissioned by Liem Sioe Liong, an ethnic Chinese Indonesian tycoon, to hire a pirate gang to attack the *Cheung Son*. Despite such evidence, the court established that Weng Siliang, a businessman from Shanwei, and not Sony Wei, was the ringleader of the gang. According to the interrogation statements, Weng co-ordinated the attack from mainland China. He remained in Shanwei when the *Cheung Son* was hijacked and was sent a sample of the furnace slag on board which he forwarded to Singapore, enquiring if it could be sold there for a good price. Sony Wei told the court that the order to kill the crew also came directly from Weng. In regard to the killings, the prosecutor told the court that each gang member was asked to kill at least one member of the crew and those who refused to obey were threatened with being thrown overboard.

Thirty-eight of the defendants were eventually convicted of hijacking the *Cheung Son* and the court sentenced thirteen of the accused, among them Wei Suoni and Weng Siliang, to death. One other pirate was sentenced to life imprisonment, while eighteen other gang-members received sentences ranging from one to twelve years. Six further suspects did not receive jail time because they had earlier assisted the police with their enquiries. The court also ruled that those convicted pay compensation to the families of the murdered crew members.

In late January 1999 the death sentences for the thirteen pirates were confirmed. Before being led to the execution grounds, however, the convicts were locked in the courtroom with relatives, some food, and a large quantity of rice wine. Shortly afterwards, the pirates emerged, visibly intoxicated by the liquor, shouting and singing a rendition of Ricky Martin’s 1998 Soccer World Cup theme song *La Copa de la Vita* — The Cup of Life. One of the pirates, Yang Jingtao, who reportedly led the singing, jumped up and down in his shackles, singing “Go, go go, olé, olé, olé” as he was led to one of the trucks that was to bring him and his companions to the

execution grounds. Turning from the truck to speak to journalists waiting in front of the courtroom, he yelled: "I want to thank all the Communist Party's judicial system and thank my defending counsel for giving me a fair chance."

The thirteen pirates were shot by a firing squad a short time later.

Sources: Cheung Chi-fai, "Customs 'Used Pirate Ship' ", *South China Morning Post*, 12 December 1999, n.p.; Bertil Lintner, *Blood Brothers: Crime, Business and Politics in Asia* (Crows Nest, NSW, Australia: Allen and Unwin, 2002), pp. 1-2; Douglas Stewart, *Piraten: Das organisierte Verbrechen auf See* (Hamburg: Marebuchverlag, 2002), pp. 411-19; Thomas Withington, "The Pirates Had Been Trailing the Cheung Son for Hours", *Business*, 14 July 2002, n.p.