Piracy in Southeast Asian Waters: Problems, Legal Measures and Way Forward

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Abstract: Southeast Asia is considered as an area which is important in terms of piratical studies. There are several reasons to this argument: firstly, it has the second highest figure of piracy attacks in the world from 2008 to 2012. Only the African Region transcends the number of piracies that were committed in Southeast Asia. Secondly, the geographical location of the region is very important to world trade. There are several sea lanes and straits which are normally used for international navigation mainly for trade purposes. In fact, there are six out of 25 busiest ports all over the world located in Southeast Asia. In ancient times, the main drivers of piracy were raiding for plunder and capture of slaves; however, in modern times, developments in politics, economics and even military technology have drastically altered the universal crime of piracy. There are a variety of motives behind modern day piracy including economic gains from receiving ransoms from government or ship companies, political and even terrorist reasons. However, it cannot be denied that piratical attacks persist and continue. States have taken measures both at the international and regional level in order to eradicate piratical attacks. The United Nations Convention on the Law of the Sea and the Convention on the Suppression of Unlawful Act against the Safety of Navigation served as the two main international legal frameworks in combating piracy. At the regional level, Regional Cooperation Agreement against Piracy and Armed Robbery and ASEAN measures are regard as prominent in addressing the piracy problem. This paper will elaborate the problems of piracy in Southeast Asia and examine the adequacy of legal frameworks at both the international and regional levels in order address the current legal measures in combating piracy. Furthermore, it will discuss current challenges in the implementation of anti-piracy measures at the international and regional levels as well as the way forward in addressing the issue.

Keywords: piracy, Southeast Asia, maritime security, legal frameworks

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