

THE LAHAD DATU **INCURSION** & *its Impact on* MALAYSIA'S SECURITY

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J A S M I N E J A W H A R
&
K E N N I M R O D S A R I B U R A J A



“Coming together is a beginning. Keeping together
is progress.

Working together is success.”

- *Henry Ford* -

Jasmine Jawhar

**THE LAHAD DATU INCURSION AND ITS IMPACT
ON MALAYSIA'S SECURITY**

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FOREWORD

In February 2013, Malaysia was at a standstill. Approximately 200 armed personnel of the so-called Royal Sulu Force (RSF) from southern Philippines had invaded a small village in Lahad Datu, Sabah, with the purpose of reclaiming Sabah. The incident then led to several strategic moves by the Malaysian government including the establishments of the Eastern Sabah Security Command (ESSCOM) and the security zone called the Eastern Sabah Security Zone (ESSZONE). The incident had also led us to ponder on our nation's vulnerabilities, the unique history of our country and the capability of a non-state actor to make a country shudder, albeit to no avail. But above all, it was also able to heighten the nation's sense of patriotism, the very ingredient indispensable in safeguarding nation-states. The patriotic refrain of "Inilah Barisan Kita" could be heard daily on televisions during the standoff period. This was certainly a testament that the citizens of Malaysia were not backing down.

Three years have passed since the event in 2013. Many strategic steps were taken but the battle to secure Sabah's eastern seaboard is still ongoing. Threats are still being posed not only by the RSF but also organised crime groups and other active terrorist groups in the region, particularly the Abu Sayyaf Group (ASG) which through their various factions, have conducted many Kidnapping-For-Ransom activities (KFR) on Malaysia's soil. What is most troubling is the thought that these elements that threaten the security of Malaysia, a sovereign state, are not only non-state actors but also external in nature. How could this be?

With this question in mind, the authors of the monograph set out on a journey to discover the basis behind the Lahad Datu incursion. The findings were both intricate and multifaceted. Layer upon layer of threats and challenges exists that makes securing eastern Sabah even

more daunting. It is also in these layers that the authors were able to identify the various catalysts that facilitate the threats to Sabah's security. These catalysts range from the issues of undocumented travellers to the water villages to the Pala'u community (sea gypsies) and to the centuries old custom of barter trading amongst others.

What approach then should Malaysia take to better secure Sabah? The possible answer to this is in three defining words: 'Whole-of-Nation'. The many layers of government and society that make up Malaysia must cooperate and have one overarching aim of ensuring a peaceful Malaysia for a better future for the coming generations. Hence, in this monograph, the authors have put forth several recommendations in the effort to ensure that the approach in dealing with the threat to Sabah is a holistic one involving every stratum of both government and society.

In this regard and on behalf of the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT), Ministry of Foreign Affairs, Malaysia, I sincerely hope that having read this monograph, the reader will have an adequate understanding of the complex situation in the eastern Sabah seaboard.

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LIST OF ACRONYMS

ASG	Abu Sayyaf Group
BIFF	Bangsamoro Islamic Freedom Fighters
CCTVs	Closed Circuit Televisions
Daesh	<i>al Dawla al Islamiya fi al Iraq wa al-Sham</i>
DI	<i>Darul Islam</i>
ESSCOM	Eastern Sabah Security Command
ESSZONE	Eastern Sabah Security Zone
FTF	Foreign Terrorist Fighters
FOB	Forward Operating Base
IGP	Inspector-General of Police
ISIS	Institute of Strategic and International Studies
JI	<i>Jemaah Islamiyah</i>
KFR	Kidnapping-For-Ransom
MAS	Malaysia Airlines
MAF	Malaysian Armed Forces
MIDAS	Malaysian Institute of Defense and Security
MMEA	Malaysian Maritime Enforcement Agency
MOA-AD	Memorandum of Agreement on Ancestral Domain

MoU	Memorandum of Understanding
MILF	Moro Islamic Liberation Front
MNLF	Moro National Liberation Front
NBOS	National Blue Ocean Strategy
NDUM	National Defense University of Malaysia
NPA	New People's Army
NGOs	Non-governmental organisations
<i>Ops Daulat</i>	<i>Operasi Daulat</i>
<i>Ops Sanggah</i>	<i>Operasi Sanggah</i>
PACOS	Partners of Community Organisation in Sabah
PIPVTR	Philippine Institute for Peace, Violence and Terrorism Research
RSM	Rajah Sulaiman Movement
RCI	Royal Commission of Inquiry
RMP	Royal Malaysian Police
RSF	Royal Sulu Force
SAPP	Sabah Progressive Party
SOSMA	Security Offences (Special Measures) Act 2012
SEARCCT	Southeast Asia Regional Centre for Counter-Terrorism
Pakot	Tidung Tawau Community Association
TNA	Training Needs Analysis
UMS	Universiti Malaysia Sabah

1

INTRODUCTION

Sabah, a state on the eastern part of Malaysia, is recognised for its unique culture as well as diverse ethnicities and languages. Also known as the 'Land below the Wind', its attractions include beautiful beaches and crystal clear waters which have drawn many diving enthusiasts to the state. Sabah is also home to Southeast Asia's highest mountain, Mount Kinabalu, which has attracted many tourists and hikers from all over the world.

In February 2013, Sabah once again attracted the attention of the world. But this time, the attention was not focused on its picturesque and sublime landscape but on a serious security incident perpetrated by an external armed non-state actor. Sabah came to a standstill when a 200 armed terrorists group called the Royal Sulu Force (RSF) encroached into Lahad Datu, a district on Sabah's eastern seaboard. When negotiations between the Royal Malaysian Police (RMP) and representatives of the RSF and the self-proclaimed Sultanate of Sulu broke down, the RMP and the Malaysian Armed Forces (MAF) jointly launched a major security operation that successfully eliminated the armed threat. In the process however, the Malaysian security forces lost ten of its personnel. The incident consequently highlighted, amongst other things, the need for Malaysia to be more vigilant and better prepared to deal with external threats, especially from armed non-state actors.

Indeed the need for the Malaysian authorities to be better prepared is of utmost urgency. This is particularly so because the

Lahad Datu incursion was not the first time Malaysia has faced such a threat from a non-state actor. However, the Lahad Datu incident was by far the most violent. External threats such as this can be traced as far back as in 1963, when a group from the southern Philippines, led by an individual called Datu Pukol, robbed and killed villagers in Bum-Bum Island in Semporna, Sabah.¹ Such groups were known as *Mundu*² to the locals. Other major *Mundu* incidents were the 1985 Standard Chartered Bank and Malaysia Airlines (MAS) office shootings and robberies in Lahad Datu, Sabah which killed 11 people³ and the kidnapping and holding hostage of 21 people from a resort island in Sipadan by a terrorist group known as the Abu Sayyaf Group (ASG).⁴ According to Ramli Dollah, in his article titled "*Lanun atau Mundu di Sabah*" (Pirates or Mundu in Sabah), he stated that from 1991 to 2003, there were about 367 Mundu cases in Sabah.⁵

So why did Malaysia not learn from history? Why is Sabah still vulnerable to attacks and crimes perpetrated by armed groups from outside? In the case of the 2013 Lahad Datu incursion, how did an armed external non-state actor with no conventional military capability and strength managed to reach our shores

¹Ramli Dollah, "Lanun atau *Mundu* di Sabah," *Journal of Southeast Asian Studies*, Vol 9, 2004, pg.171 -188, <http://repository.um.edu.my/705/1/12.%20171-188%20Ramli..%20Lanun%20Atau%20Mundu%20Di%20Sabah..%20Jati%209.pdf> (accessed February 20, 2015).

² *Mundu* is a term used by the locals in Sabah as reference to a person or a group who commits armed piratical acts, armed robbery and kidnappings. *Mundu* also has the connotation of "outlaws".

³ Daily Express, "Over 100 Armed Foreigners Held", February 13, 2013, <http://www.dailyexpress.com.my/news.cfm?NewsID=84279> (accessed May 13, 2016).

⁴ CNN, "Hostage Crisis in the Philippines", August 15, 2002, <http://edition.cnn.com/2002/WORLD/asiapcf/southeast/06/07/phil.timeline.hostage/> (accessed May 13, 2016).

⁵ Ramli Dollah, "Lanun atau *Mundu* di Sabah," *Journal of Southeast Asian Studies*, Vol 9, 2004.

without being detected and launched an attack? The purpose of this paper is to attempt to answer these pertinent questions by firstly identifying the external threats posed by various non-state actors that include terrorist and organised crime groups, while simultaneously demonstrating the relationship between these two groups. The report will then argue that in order to effectively address the threats posed by such groups, a thorough look at the catalysts or contributing factors such as water villages, barter trading ports, illegal immigrants and sea gypsies is essential. Finally, the paper will propose that a comprehensive, multi-pronged and Whole-of-Nation approach is needed to combat the threats posed by terrorists and organised crime groups against Sabah's eastern seaboard. However, before attempting to understand the threats to Sabah, the monograph will firstly provide an overview of the incursion.

2

THE INCURSION AND THE SECURITY RESPONSE

On 11 February 2013, 200 militants travelled by boats from the island of Tawi-Tawi in the southern Philippines to Kampung Tanduo, a small village in Felda Sahabat, approximately 105 kilometres from the town of Lahad Datu in Sabah, Malaysia. The militants, calling themselves the Royal Sulu Force (RSF), were led by Raja Muda Agbimuddin Kiram, the brother of the self-proclaimed Sultan of Sulu, Jamalul Kiram III, who claimed that Sabah was part of the Sulu Sultanate.

The group laid down three conditions for the Malaysian government.⁶ Firstly, Malaysia must recognise the Sulu Sultanate. Secondly, Malaysia must acknowledge that a part of Sabah belongs to the Sultanate and thirdly, the group demanded that Malaysia pays a sum of USD\$7.5 billion as compensation to the group given that Malaysia, in their view, had been occupying Sabah since 1963.

The Malaysian authorities however, did not entertain these demands, and on 12 February 2013 they surrounded the area where the RSF had gathered and began a negotiation process with the group to persuade them to peacefully return to their country. The Malaysian government gave the militants until 26 February 2014 to leave the country. However, after two weeks of unsuccessful negotiations, the Malaysian security forces moved in and engaged in combat with the Sulu militants. During the operations, two policemen, ASP Zulkifli Mamat and Sergeant Sabarudin Daud, were killed on 1 March 2013 in a gun battle with

⁶ Royal Malaysian Police (RMP) official, presentation at SEARCCT's Internal Lecture Series, October 2013.

the militant group in Kampung Tanduo while patrolling the sieged area.⁷ On 2 March 2013, six more Malaysian police officers, ACP Ibrahim Lebar, DSP Michael Padel, Sergeant Major Baharin Hamit, Sergeant Major Abd Azis Sarikon, Sergeant Salam Togiran and Corporal Mohd Azrul Tukiran, were killed in an ambush by the militants at the water village of Kampung Sri Jaya Simunul in Semporna, Sabah while conducting a security operation.⁸

In the wake of the two incidents at Kampung Tanduo and Kampung Sri Jaya Simunul, the Malaysian government launched '*Operasi Daulat*' or (*Ops Daulat*) to counter the threat posed by the RSF. '*Ops Daulat*' was a joint operation between the RMP, the MAF and the Malaysian Maritime Enforcement Agency (MMEA) to evict the RSF threats from Sabah's soil. Meanwhile, the President of the Philippines, Benigno Aquino III, released a statement disagreeing with the action taken by the RSF. He further issued a warning for the RSF members to withdraw from Malaysia or face legal action by the Philippines government.⁹

During the security operation, the Malaysian security forces also maintained a tight security cordon surrounding the affected areas. Those without proper documentations such as the Malaysian Identity Card (IC) were detained by security personnel. On 11 March 2013, Kampung Tanduo village was declared secured by the Malaysian security forces after six weeks of military operations.

⁷ The Star, "Lahad Datu: Two police commandos dead, four others injured" March 1, 2013, <http://www.thestar.com.my/News/Nation/2013/03/01/Lahad-Datu-Two-police-commandos-dead-four-others-injured/> (accessed November 25, 2014).

⁸ MySin Chew, "Six Malaysian policemen, six armed intruders killed in Semporna" March 4, 2013, <http://www.mysinchew.com/node/83645> (accessed May 13, 2016).

⁹ The Brunei Times, "President Aquino urges clan to leave Sabah village", February 27, 2016, <http://www.bt.com.bn/2013/02/27/president-aquino-urges-clan-leave-sabah-village> (accessed May 13, 2016).

However, two more Malaysian security personnel, Corporal Ahmad Hurairah Ismail and Corporal Ahmad Farhan Ruslan, were killed, one in a gun battle and the other in an accident during the standoff period. The incursion resulted in the loss of ten Malaysian security personnel while 68 RSF members were killed. Meanwhile, 443 other individuals were arrested for various offences during the incident.

The Malaysian government has labelled the intruders as terrorists.¹⁰ A total of 30 individuals (27 Filipinos and three Malaysians namely, Norhaida Ibhani, Abd Hadi Mawan, and Abdul Majil Jubin) were also arrested for their alleged involvement in the incursion. They were detained under the Security Offences (Special Measures) Act 2012 (SOSMA) for various offences including waging war against the *Yang di-Pertuan Agong*, the supreme head of Malaysia, harbouring terrorists, being members of a terrorist group, and recruitment of terrorists. The individuals are currently facing trial in Kota Kinabalu, Sabah.

As a result of the incursion, on 7 March 2013, the Prime Minister of Malaysia, Dato' Seri Najib Tun Razak announced the establishment of the Eastern Sabah Security Command (ESSCOM) with the aim of protecting the eastern part of Sabah. ESSCOM is based in Lahad Datu, Sabah. Additionally, on 25 March 2013, Najib announced the creation of a security zone known as the Eastern Sabah Security Zone (ESSZONE) that comprised districts of Kudat, Kota Marudu, Pitas, Beluran, Sandakan, Kinabatangan, Lahad Datu, Kunak, Semporna and Tawau.

¹⁰ Ministry of Foreign Affairs, "Press Statement by YB Minister of Foreign Affairs of Malaysia on a Meeting with the Secretary of Foreign Affairs of The Philippines, H.E. Albert F. Del Rosario on 4 March 2013" March 5, 2015, <https://www.kln.gov.my/archive/content.php?t=3&articleId=2751630> (accessed November 28, 2015).

ESSCOM, the main enforcement agency tasked to safeguard the sovereignty of ESSZONE, covers 1733.7 kilometre stretch of coastline.¹¹ The '*Ops Daulat*' ended on 29 June 2013 and was replaced by '*Operasi Sanggah*' (*Ops Sanggah*) under the purview of the ESSCOM.¹²

The formation of ESSCOM was different from "*Ops Pasir*" launched in 2000 after the 2000 Sipadan kidnappings in Sabah. "*Ops Pasir*" involved the mobilisation of MAF in securing the eastern seaboard of Sabah by building patrol posts on several islands along the Sabah coastal area.¹³ ESSCOM on the other hand plays a bigger role in securing the Sabah eastern seaboard with the involvement of multiple agencies such as the RMP, MAF, MMEA and civil officers in tackling not only issues related to terrorism and kidnapping but also organised crime, illegal immigrants, relocation of water villages as well as being involved in community engagement and public awareness programmes amongst others.¹⁴

The incursion has placed the security of Sabah under serious scrutiny by the Malaysian government as well as the international community. To many, the incursion was seen as a "wake up call" for Malaysia on the vulnerability of Sabah towards internal and external threats. An officer from the MMEA interviewed in Kota

¹¹ The Star, "Lahad Datu: Esszone set up to halt incursions" March 26, 2013, <http://www.thestar.com.my/News/Nation/2013/03/26/Lahad-Datu-Esszone-set-up-to-halt-incursions/> (accessed May 13, 2016).

¹² Borneo Post, "Ops Daulat renamed Ops Sanggah" June 30, 2013, <http://www.theborneopost.com/2013/06/30/ops-daulat-renamed-ops-sanggah/> (accessed May 13, 2016).

¹³ Rais Yeop Johari, "Ops Pasir gantikan Ops Padan", *Kosmo*, http://www.kosmo.com.my/kosmo/content.asp?y=2011&dt=0808&pub=Kosmo&sec=Rencana_Utama&pg=ru_01.htm (accessed May 13, 2016).

¹⁴ Eastern Sabah Security Command (ESSCOM) Times, "ESSZONE dan ESSCOM", https://esscom.gov.my/?page_id=139 (accessed May 13, 2016).

Kinabalu, Sabah, stated that among the limitations unveiled during the incursion period were the unpreparedness of our country in facing such security breaches due to intelligence failure, lack of inter-agency cooperation, lack of patriotism and nationalist sentiments amongst the locals, poor border control and management as well as unsecured waters and areas in Sabah's eastern seaboard.¹⁵

He further added that, although the Malaysian authorities managed to kill 68 of the RSF militants, prosecute 30 of their members and sympathisers as well as drive out their leaders from Sabah, the perception that Sabah was not safe among the locals still remained. Nevertheless, he also added that the Malaysian authorities are taking the right steps in ensuring better security through the establishment of ESSCOM and ESSZONE.¹⁶

Though the incursion had a negative security impact on the country, it has also heightened the awareness of the Malaysian government towards other looming threats and security breaches in the areas under ESSZONE. These include threats from terrorist organisations and organised crime groups including KFR activities.

¹⁵ Malaysian Maritime Enforcement Agency (MMEA) officer, interview by Authors, November 18, 2014, Kota Kinabalu, Sabah.

¹⁶ Ibid.

3

UNDERSTANDING THE THREATS TO SABAH'S EASTERN SEABOARD

Terrorist Organisations

Sabah's geographical location between the Philippines and Indonesia, coupled with an extensive coastal border and numerous off-shore islands make it ideal for the covert travelling of terrorists between the Philippines, Malaysia and Indonesia. Terrorist groups such as *Jemaah Islamiyah* (JI), *Darul Islam* (DI), Abu Sayyaf Group (ASG) and the RSF have been using Sabah as a transit point for various illegal activities including the smuggling of humans and weapons.

The Jemaah Islamiyah (JI)

During the peak of the JI threat in the region, the group had established four regional commands or *Mantiqi*,¹⁷

- a. *Mantiqi I* – Peninsular Malaysia and Singapore (for fund-raising);
- b. *Mantiqi II* - Java, Sumatra and other islands of Indonesia (for operation);
- c. *Mantiqi III* – Sabah, southern Philippines, Kalimantan and Sulawesi (for training);
- d. *Mantiqi IV* - Australia (for fund-raising).

JI had placed Sabah in *Mantiqi III* as one of the areas for training. In the 1990s and early 2000s, JI had sent their newly recruited cadres to receive trainings in arms and bomb-making alongside the ASG and other militant groups in southern Philippines, another area in *Mantiqi III*.¹⁸ Due to the porous borders and sometimes lack of enforcement capabilities, JI managed to send their Malaysian and

¹⁷ Kennimrod Sariburaja, *al-Jemaah al-Islamiyah*, Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT): Kuala Lumpur, 2013.

¹⁸ Ibid.

Indonesian members to receive training in southern Philippines through Sabah.¹⁹

Darul Islam (DI)

Besides the threat from JI in using Sabah as a transit point to southern Philippines for armed and bomb making training, another group known as *Darul Islam* (DI) has also been using Sabah for terrorist-related activities. The DI, in which JI originated from, is one of the oldest militant organisations based in Indonesia. The group has been using Sabah to conduct recruitment and fundraising activities, smuggling of humans and weapons as well as an entry point for their Indonesian members to receive military training in southern Philippines.²⁰ In addition, JI, as a splinter group of DI which shared *Salafi Jihadiyyah* ideology, cooperated with each other to send their members from Indonesia and Malaysia through Sabah to the southern Philippines.²¹ The height of the militants' movement occurred during the Maluku and Poso sectarian conflicts when members from JI and DI were sent to be trained in southern Philippines via Sabah, before they were sent to Ambon and Poso to fight against non-Muslims in the areas.²²

In 2006, the RMP arrested 12 DI members in Sabah for their alleged involvement in militant activities such as arms smuggling, weapons training, fund raising, recruiting new cadres and cooperating with other terrorist groups such as JI, *Komando Jihad* and the ASG. In 2011, the RMP again managed to arrest 13 DI members from Malaysia, Indonesia and the Philippines in Tawau,

¹⁹ Furthermore, in the 1990s, the leader of JI for Mantiqi III, a Malaysian known as Nasir Abas, in cooperation with local militant groups in southern Philippines such as the ASG, managed to establish a JI training camp known as 'Camp Hudaibiyah' in Mindanao that served as a centre for JI members to receive military training in the region.

²⁰ Nasir Abas, interview by Kennimrod Sariburaja, Jakarta, Indonesia, April 7, 2011.

²¹ Kennimrod Sariburaja, "*al-Jemaah al-Islamiyah*," Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT): Kuala Lumpur, 2013.

²² Nasir Abas, interview by Kennimrod Sariburaja, Jakarta, Indonesia, April 7, 2011.

Sabah.²³ The group was using Tawau as their transit point for the gathering of weapons from the Philippines, planning to kill a local assemblyman in Tawau as well as planning to hold Indonesian police officers hostage to secure the release of their comrades in Indonesia.²⁴

Abu Sayyaf Group (ASG)

Besides JI and DI, the ASG from the Philippines had also been using Sabah to conduct their terrorists' related activities such as Kidnapping-For-Ransom (KFR) and arms smuggling. Since 2000, the ASG has been targeting resorts in eastern Sabah to kidnap either tourists or resort workers. Between 2000 and 2015, the ASG had conducted at least eight kidnappings²⁵ in Sabah. Among notable kidnappings in Sabah perpetrated by the ASG was the Sipadan Island kidnapping in April 2000, when it kidnapped ten western tourists and 11 resort workers.²⁶ In September 2000 the ASG kidnapped three resort workers from Pandanan Island, Sabah.²⁷

The ASG is also known to be harbouring and training Malaysian militants in southern Philippines as well as conducting militant operations against the Philippines' authorities. Among the Malaysian militants who went into hiding in southern Philippines were JI members, Zulkifli Hir @ Marwan (now deceased),²⁸ and

²³ Zachary Abuza, "Malaysia announces the arrest of 12 Darul Islam Members", *The Jamestown Foundation, Terrorism Focus: vol 3, issue 22*, http://www.jamestown.org/single/?tx_ttnews%5Btt_news%5D=795#.VPPC-y5Xp6I (accessed May 13, 2016).

²⁴ Rashitha A. Hamid, "IGP: 13 suspected JI members arrested under ISA in Tawau", *The Star*, November 17, 2011, <http://www.thestar.com.my/story/?file=%2f2011%2f11%2f17%2fnation%2f20111117180201&sec=nation> (accessed on May 13, 2016).

²⁵ Refer to pages 24-25 for list of kidnappings.

²⁶ Philip Golingai, "Where kidnapping is a lucrative industry", *The Star*, May 4, 2014, <http://www.thestar.com.my/News/Nation/2014/05/04/Where-kidnapping-is-a-lucrative-industry/> (accessed May 16, 2016).

²⁷ United States Department of State, "Patterns of Global Terrorism 2000 – Malaysia", April 30, 2001, <http://www.refworld.org/docid/4681075e20.html> (accessed May 16, 2016)

²⁸ National Counter Terrorism Centre (NCTC), "Terrorist Profile: Zulkifli bin Hir", <http://www.nctc.gov/site/profiles/zulkifli.html> (accessed August 7, 2015).

Mohd Noor Fikrie Abd Kahar (now deceased),²⁹ Amin Baco and Jeknal Adil, members of DI Sabah,³⁰ and Dr Mahmud Ahmad, Mohd Najib Hussein, and Muhammad Joraimee Awang Raimee, members of a *al Dawla al Islamiya fi al Iraq wa al-Sham* (Daesh) cell in Malaysia.³¹ The five individuals is believed to have links with the ASG.³² In August 2015, the ASG had pledged its loyalty to Daesh.³³

Bangsamoro Islamic Freedom Fighters (BIFF)

In addition, the BIFF may also pose a threat to the security of Sabah. The BIFF is a breakaway group from the Moro Islamic Liberation Front (MILF), headed by foreign-trained guerrilla, Omra Ameril Kato, a former MILF commander who is opposed to the peace negotiations between the government and the MILF.³⁴ The BIFF broke away from MILF in 2008 after the botched signing of

²⁹ Razak Ahmad, Steven Daniel, Isabelle Lai, Allison Lai, Desiree Thresa Gasper, Lee Yen Mun, Stephanie Lee And Kathleen Ann Killi, "Noor Fikrie's dad: His character changed after failed marriage", *The Star*, December 18, 2012, <http://www.thestar.com.my/story/?file=%2F2012%2F12%2F18%2Fnation%2F12474807&sec=nation> (accessed January 20, 2015).

³⁰ The Malaysian Insider, "UM lecturer among 5 hunted by police for terrorism activities" July 2, 2014, <http://www.themalaysianinsider.com/malaysia/article/um-lecturer-among-5-hunted-by-police-for-terrorism-activities#sthash.ZbPgEXVd.dpuf> (accessed January 2, 2015).

³¹ PK Katharason, "Photo of Wanted Malaysian Jihadist found on dead terrorist's phone", *The Star*, September 28, 2014, <http://www.thestar.com.my/news/nation/2014/09/28/amin-baco-in-sulu-photograph/> (accessed May 5, 2015).

³² GMA News Online, "Malaysia asks PHL for help in tracking militants with Abu Sayyaf", July 6, 2014, <http://www.gmanetwork.com/news/story/368926/news/nation/malaysia-asks-phl-for-help-in-tracking-militants-with-abu-sayyaf-ties> (accessed November 21, 2014).

³³ Maria A. Ressa, "Senior Aby Sayyaf Leader Swears Oath to ISIS", *Rappler*, October 15, 2014, <http://www.rappler.com/nation/65199-abu-sayyaf-leader-oath-isis> (accessed June 27, 2015).

³⁴ Terrorism Research and Analysis Consortium (TRAC), "Bangsamoro Islamic Freedom Fighters", <http://www.trackingterrorism.org/group/bangsamoro-islamic-freedom-fighters-biff> (accessed May 16, 2016).

the Memorandum of Agreement on Ancestral Domain (MOA-AD).³⁵

On 28 April 2015, the President of Sabah Progressive Party (SAPP), Datuk Yong Teck Lee asserted that Sabah should prepare for the worst owing to the likely breakdown in peace efforts between the Philippines government and the Moro Islamic Liberation Front (MILF), following the Mamasapano clash in January 2015 between the Philippine police with the MILF and BIFF.³⁶ He further added that the Moro fighters who were unhappy with the proposed peace deal with the Philippines government would likely form "lost commands" and new fronts, such as the BIFF, to continue the war against the Philippines, which would then pose a serious threat to the peace and security of the southern Philippines, and hence to neighbouring Sabah by committing crimes in the state.³⁷

Furthermore, in August 2014 the BIFF pledged its loyalty to Daesh and its leader Abu Bakr al-Baghdadi.³⁸ In January 2015, the Malaysian Defence Minister, Datuk Seri Hishammuddin Tun Hussein stated that Malaysian intelligence reported that Philippines terrorist groups such as BIFF and ASG have targeted the east coast of Sabah as the place to spread their ideology.³⁹ He further added that the Moro National Liberation Front (MNLF) led by Nur Misuari and the RSF were also using the Daesh model in achieving their aims.⁴⁰

³⁵ Global Security, "Bangsamoro Islamic Freedom Fighters", <http://www.globalsecurity.org/military/world/para/biff.htm> (accessed May 16, 2016).

³⁶ Borneo Post, "No peace in Mindanao, Sabah should prepare for worse – Yong", April 28, 2015, <http://www.theborneopost.com/2015/04/28/no-peace-in-mindanao-sabah-should-prepare-for-worse-yong/> (Accessed May 16, 2016).

³⁷ Ibid.

³⁸ Inquirer.net, "BIFF, Abus pledge allegiance to Isis", August 16, 2014, <http://globalnation.inquirer.net/109452/biff-abus-pledge-allegiance-to-isis> (accessed May 16, 2016)

³⁹ Justin Ahmad Tarmizi, "Sabah's IS threat under control", *The Star*, January 24, 2015, <http://m.thestar.com.my/story.aspx?hl=Sabahs+IS+threat+under+control&sec=news&id={3E386B5E-322D-434E-8C8D-99520CA1B8B5}> (accessed May 16, 2016).

⁴⁰ Ibid.

The threat of terrorist groups to Sabah is further seen through the network between militants from Malaysia, Indonesia and the Philippines that form the Southeast Asia Daesh branch in Syria and Iraq known as the *Khatibah Nusantara Lid Daulah Islamiah*.⁴¹ Such a group could pose a threat in the future to not only Sabah but Malaysia as a whole via returning Foreign Terrorist Fighters (FTF) from the three countries. They can expand their networking and cooperation as shown by the returning Malaysian, Indonesian and Philippines *mujahidin* from Afghanistan in 1980s and 1990s which enabled them to train and conduct a series of bombings in Indonesia and the Philippines.⁴²

Royal Sulu Force (RSF)

In the meantime, the threat posed by the RSF after the Lahad Datu intrusion in 2013 still persists. ESSCOM's former Commander, Datuk Abdul Rashid Haron, commented that the death of Esmail Kiram II would not lessen the threat from Sulu-based groups and that ESSCOM would continue to monitor the activities of his successor, Phugdalun Kiram II.⁴³ Under the leadership of Esmail Kiram II, who succeeded his brother Jamalul Kiram III as the claimant to the Sultanate of Sulu and the RSF leader, the sultanate was steadfast on putting a claim on Sabah.⁴⁴ In October 2014, two

⁴¹ Terrorism Research & Analysis Consortium (TRAC), "Islamic State Malaysia, Indonesia & Philippines (IS, ISMIP, ISISMIP, JAKDN)-- Kuala Lumpur Cell / Katibah Nusantara Lid Daulah Islamiyyah / Malay archipelago unit for ISIS / Majmu'ah al Arkhabiliy / Jamaah Ansar Khilafah Daulah Nusantara", <http://www.trackingterrorism.org/group/kuala-lumpur-cell-katibah-nusantara-lid-daulah-islamiyyah-malay-archipelago-unit-islamic-state> (accessed May 16, 2016).

⁴² Jeffrey H. Norwitz, *Pirates, Terrorists, and Warlords: The History, Influence, and Future of Armed Groups around the World*, (New York, USA: Skyhorse Publishing Inc., 2009)

⁴³ Muguntan Vanar, "All eyes on Sulu successor following death of Esmail Kiram II", *The Star*, September 21, 2015, <http://www.thestar.com.my/news/nation/2015/09/21/all-eyes-on-sulu-successor-security-forces-to-monitor-his-agenda-following-death-of-esmail-kiram-ii/> (accessed November 27, 2015).

⁴⁴ Ritchie A. Horario, "New sultan to press claim on Sabah", *The Manila Times*, October 27, 2013, <http://www.manilatimes.net/new-sultan-to-press-claim-on-sabah/48428/> (accessed February 20, 2015).

members of the RSF were killed by the Malaysian police in Penampang, Sabah.⁴⁵ The authorities believe that RSF militants in Sabah are planning to cause more security threats in the state as well as to conduct armed robbery to finance their militant activities.⁴⁶

Despite the death of Raja Muda Agbimuddin Kiram, who led the armed intrusion into Lahad Datu in 2012, the RMP still believe that the RSF group poses a threat to Sabah. In January 2015, Datuk Jalaluddin Abdul Rahman, the Police Commissioner of Sabah, stated that the RMP viewed the Sulu threat as a real possibility as they have successors and followers who still believed in the idea that Sabah belong to them.⁴⁷ In this regard, it was reported that the Kiram family had named Raja Muda Agbimuddin Kiram's younger brother, Datu Ahugdal Kiram, 68, as the "*Raja Muda*" successor.⁴⁸

In February 2014, after the death of Jamalul Kiram III, Abraham Idjirani, the family's representative, reportedly stressed that the family wants to "reclaim" Sabah in a peaceful way. However, if peaceful measures fail, they would then have no choice but to "send in the troops".⁴⁹ Wan Shawaluddin Wan Hassan from Universiti Malaysia Sabah (UMS), pointed out that the death of Raja Muda Agbimuddin Kiram was unlikely to diminish the security threat posed by Sulu gunmen. He explained that the gunmen were

⁴⁵ The Star, "RSF militants part of 'fifth column', says don", November 8, 2014, <http://www.thestar.com.my/news/nation/2014/11/08/rsf-militants-part-of-fifth-column-says-don/> (accessed February 17, 2015).

⁴⁶ The Straits Times, "Sabah police on massive hunt for Sulu militants", November 6, 2014, <http://www.straitstimes.com/asia/se-asia/sabah-police-on-massive-hunt-for-sulu-militants> (accessed January 20, 2015).

⁴⁷ Ruben Sario and Stephanie Lee, "Cops: Sulu armed threat remains", *The Star*, January 15, 2015, <http://www.thestar.com.my/News/Nation/2015/01/15/Cops-Sulu-armed-threat-remains-Security-forces-on-alert-for-a-resurgence/> (accessed May 16, 2016).

⁴⁸ Ibid.

⁴⁹ Ruben Sario, "'Royal' family still yearns for Sabah", *The Star*, February 15, 2015, <http://www.thestar.com.my/News/Nation/2014/02/15/Royal-family-still-yearns-for-Sabah-Force-not-ruled-out-as-Kiram-clan-now-seeks-to-pursue-claim-thro/> (accessed May 16, 2016).

made up largely of the Tausug community and that they were likely to seek revenge for the dozens killed by Malaysian forces in the 2013 incursion.⁵⁰ Although this has not happened yet, several kidnappings by KFR groups have taken place since the incursion.

The ideology and belief that Sabah still belongs to them is embedded among the leaders and the members of RSF. Tausug or Suluk culture also regard it as disgraceful if a person does not take revenge against an enemy.⁵¹ In September 2014, the RMP detained two Malaysians and one Filipino for their alleged involvement in the RSF. The three had been recruiting new members to join their cause and propagating the idea of reclaiming Sabah for the self-proclaimed Sulu Sultan.⁵² Thus, the Malaysian government needs to be vigilant of future possible threat from the RSF. Although the group was driven out successfully by the Malaysian security forces from Sabah in 2013, it would be naïve to think that the group would not launch another attack on Sabah in the future.

The terrorist threat in Sabah is an important element that needs to be addressed in order to ensure a peaceful Sabah. The traditional terrorist groups such as the DI, JI, BIFF and ASG have been taking advantage of Sabah's porous borders especially in facilitating terrorist movements and arms smuggling activities. Meanwhile new terrorist groups such as the RSF with the political motive of reclaiming Sabah as belonging to the Sultanate of Sulu have further raised concerns regarding the threat posed by external non-state actors.

⁵⁰ Ruben Sario, "Another Sulu attack possible", *The Star*, January 19, 2015, <http://www.thestar.com.my/News/Nation/2015/01/19/Another-Sulu-intrusion-possible/> (accessed May 16, 2016).

⁵¹ Dirk J. Barreveld, *"Terrorism in the Philippines: The Bloody Trail of Abu Sayyaf, Bin Laden's East Asian Connection,"* (Lincoln, United States of America: iUniverse, 2001)

⁵² The Star, "Three held for joining bid to claim Sabah for Sulu sultanate", September 11, 2014, <http://www.thestar.com.my/News/Nation/2014/09/11/Three-held-for-joining-bid-to-claim-Sabah-for-Sulu-sultanate/> (accessed May 16, 2016).

Daesh and Terrorist Groups in Sabah and the southern Philippines

In recent developments, terrorist groups from southern Philippines such as the ASG, the BIFF and the Rajah Sulaiman Movement (RSM) have pledged their loyalty to Daesh.⁵³ According to Rommel Banlaoi from the Philippine Institute for Peace, Violence and Terrorism Research (PIPVTR), a video showing detainees pledging their allegiance to Daesh in a prison in the Philippines suggested that Ahmad Santos, the founder of the RSM, may have been the one who organised the activity.⁵⁴ In addition, his brother-in-law, Dinno Amor R. Pareja @ Abu Jihad Khair Rahman al-Luzuni, had posted videos online calling on Muslims in the Philippines to join the jihad in Syria and Iraq.⁵⁵ Pareja is the creator of the Islamic Emirate of the Philippines - The Black Flag Movement website, which is an affiliate of Daesh.⁵⁶

Noteworthy is that these terrorist groups from southern Philippines share the same ideology of *Salafi-Jihadism* as Daesh, thus enabling them to pledge their loyalty to Daesh.⁵⁷ For that reason, members of local groups could be easily recruited to become new cadres especially from the Sulu community, not only in southern Philippines, but also those who are residing in Malaysia. Furthermore, with the financial strength of Daesh, it is not impossible for groups such as the Black Flag Movement to be funded by Daesh in other terrorist activities such as training and spreading propaganda to further gain support and sympathisers from the local community.

⁵³ Agence France Presse (AFP), "Philippine militants pledge allegiance to ISIS", *The Daily Star*, August 15, 2014, <http://www.dailystar.com.lb/News/Middle-East/2014/Aug-15/267358-philippine-militants-pledge-allegiance-to-isis.ashx> (accessed May 16, 2016).

⁵⁴ Rommel Banlaoi, ISIS threats and followers in the Philippines", *Rappler*, August 5, 2014, <http://www.rappler.com/thought-leaders/65313-isis-threats-followers-philippines> (accessed May 16, 2016).

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Rommel Banlaoi, "Countering Violent Extremism at 3,000 feet: The Philippines Experience, Presentation at the ASEAN Regional Forum (ARF) Workshop on Counter Radicalisation, March 25, 2015, Kuala Lumpur.

It has been alleged that various terrorist groups operating in Malaysia, Indonesia and the Philippines are using Sabah as a transit point for terrorism-related purposes.⁵⁸ These terrorist groups are also involved in various organised crimes such as KFR and smuggling activities. The ASG is a terrorist group notorious for KFR activities. Furthermore, it is also believed that smuggling networks are also used to fund KFR activities and armed intrusion.⁵⁹

Organised Crime

The establishment of both ESSCOM and ESSZONE is seen as positive steps taken by the government towards ensuring the safety of these areas. However, the areas are also prone to being targeted by various KFR groups such as the Mukhtadir brothers based in the islands of southern Philippines including Tawi-Tawi and Sulu.⁶⁰ Since the incursion in February 2013, Sabah had been linked to at least seven KFR incidents. The first of such incidents was on 14 November 2013 when a Taiwanese tourist was killed and his partner abducted by an armed group in Sipadan.⁶¹ On 2 April 2014, a group of armed men abducted a Chinese tourist and a Filipino hotel worker from Singamata Reef Resort, Semporna.⁶² The third incident was on 6 May 2014 where another Chinese national was abducted on Pulau Baik in Silam, Lahad Datu.⁶³ A subsequent event occurred on 16 June 2014 with the kidnapping

⁵⁸ Nasir Abas, interview by Kennimrod Sariburaja, Jakarta, Indonesia, April 7, 2011.

⁵⁹ MMEA officials, interview by Authors, November 18, 2014, Kota Kinabalu, Sabah; and Eastern Sabah Security Command (ESSCOM) officials, interview by Authors, November 19, 2014, Lahad Datu, Sabah.

⁶⁰ Ibid.

⁶¹ Muguntan Vanar, "Taiwan tourist shot dead, wife kidnapped from island in Sabah", *The Star*, November 15, 2013, <http://www.thestar.com.my/News/Nation/2013/11/15/sabah-semporna-tourist-shot-kidnap/> (accessed May 16, 2016).

⁶² Reena Raj, "Sabah Security Under Scrutiny", *The Malay Mail Online*, November 21, 2015, <http://www.themalaymailonline.com/malaysia/article/sabah-security-under-scrutiny> (accessed November 22, 2015)

⁶³ Ibid.

of a Malaysian fish breeder and his Filipino employee in Kunak.⁶⁴ The fifth incident occurred on 12 July 2014 in Mabul Island, Semporna, when a police officer was shot dead and another kidnapped by a group of armed men, believed to be part of the ASG.⁶⁵ On 14 May 2015, two persons, Bernard Then Ted Fun, 39, and Thien Nyuk Fun, 50, were kidnapped from a seafood restaurant in Sandakan, Sabah.⁶⁶ Bernard Then was reported to have been beheaded by the ASG on 17 November 2015 in Jolo while Thien was released on 8 November 2015.⁶⁷ It was believed that Bernard Then's head was found on the same day he was beheaded but his decapitated body was reportedly found on 16 December 2015.⁶⁸ The latest kidnapping incident was on 1 April 2016 when four Malaysians, Wong Teck Kang, 31, Wong Hung Sing, 34, Wong Teck Chii, 29, and Johnny Lau Jung Hien, 21, were kidnapped off Pulau Ligitan in Semporna. Additionally, there were also other kidnapping incidents that occurred off eastern Sabah involving 14 Indonesians. Ten of the 14 were kidnapped on 26 March 2016 and were released on 1 May 2016 while the other four were kidnapped on 15 April 2016 and released on 11 May 2016.⁶⁹

All the perpetrators involved in these kidnappings were believed to be part of various KFR groups such as the Muktadir brothers with links to criminal and terrorist groups such as the ASG. This has caused ESSCOM and other relevant authorities to be under immense pressure to perform better and implement security

⁶⁴ Ibid.

⁶⁵ The Malay Mail, "Cop killed, another kidnapped after shootout in Mabul Island" July 13, 2014,

<http://www.themalaymailonline.com/malaysia/article/cop-killed-another-kidnapped-after-shootout-in-mabul-island> (accessed May 16, 2016).

⁶⁶ Bernama, "Sandakan kidnapping: Incident in Sabah recurs", in *Astro Awani*, May 16, 2015, <http://english.astroawani.com/malaysia-news/sandakan-kidnapping-incident-sabah-recurs-60048> (accessed May 15, 2016).

⁶⁷ P. Divakaran, "Bernard Then's family seeks PM's help to expedite identification, return of body", *The Star*, December 16, 2015, <http://www.thestar.com.my/news/nation/2015/12/16/bernard-then-family-seeks-pm-help/> (accessed 16 December 2015).

⁶⁸ Ibid.

⁶⁹ Julie S. Alipala, "4 Indonesian hostages released by Abu Sayyaf", *Inquirer.net*, May 11, 2016, <http://globalnation.inquirer.net/139379/4-indonesian-hostages-released-by-abu-sayyaf> (accessed May 12, 2016)

measures with greater effectiveness. Despite the alarming numbers of kidnapping cases in the areas under ESSZONE, the ESSCOM has managed to foil at least nine attempts of kidnapping in those areas since July 2014.⁷⁰

However, the threat to Sabah's security are not only confined to terrorist groups and KFR groups, but also by other organised crime groups that have been conducting smuggling activities in Sabah, the southern Philippines and Indonesia. The smuggling activities on Sabah's borders include the smuggling of humans, fire arms, cigarettes, diesel and consumer goods such as sugar and cooking oil.⁷¹

It is also believed that terrorist groups have been using criminal groups such as human traffickers and illegal boat operators to assist them in smuggling members as well as explosives and fire arms from Indonesia to the Philippines through Sabah and vice versa.⁷² For example, Ali Fauzi, a former member of JI in his Al Jazeera interview in 2013, explained how he and his JI members smuggled between 10 to 15 M-16 rifles from the Philippines to Indonesia through Sabah by using fishing boats and petrol tankers.⁷³ He also described how several senior JI members who were involved in the Bali bombings used a sea route from Indonesia to the Philippines through Sabah's waters to evade Indonesian authorities after the 2002 Bali Bombings.⁷⁴ Smuggling

⁷⁰ ESSCOM, "ESSCOM Foils Nine Attempts To Kidnap For Ransom In ESSZONE Since Curfew", October 21, 2015, <https://esscom.gov.my/?p=16929> (accessed November 1, 2015).

⁷¹ Ramli Dollah and Ahmad Mosfi Mohammad, "Perdagangan Tukar Barang Malaysia-Indonesia: Potensi Dan Cabaran", *Jati*, vol. 12, December 2007, <http://repository.um.edu.my/1069/1/Ramli%2C%20Ahmad%20Mosfi%20Mohd-Malaysia-Indonesia%20Barter%20Trade-Opportunities%20and%20Challenges.pdf> (accessed January 24, 2015).

⁷² Amy Chew, "Porous Borders Leave Sabah Open to Invaders", *AlJazeera*, March 22, 2013, <http://www.aljazeera.com/indepth/features/2013/03/2013319141436491978.html> (accessed December 23 2014).

⁷³ Ibid.

⁷⁴ Ibid.

networks are also said to be funding other illegal activities such as KFR and armed intrusion.⁷⁵

The activities of terrorist, KFR and organised crime groups in Sabah's eastern seaboard could be seen as interrelated where organised criminals and terrorist groups operate together in the same theatre. The confluence between terrorist organisations and organised crime groups could also be seen in the case of the Muktadir brothers who are ASG sympathisers and actively conduct ASG-linked kidnapping activities.

The threats from terrorist organisations, KFR and organised crime groups are pertinent issues in Sabah that need to be addressed in a holistic and comprehensive manner. Though Malaysia has taken steps in addressing some of these threats, there are other challenges that must be addressed in order to strengthen the security of Sabah and eliminate the threats from external non-state actors. These challenges are seen as catalysts or contributing factors to the present security threats.

⁷⁵ MMEA officials, interview by Authors, November 18, 2014, Kota Kinabalu, Sabah.

4

IDENTIFYING THE CATALYSTS

The catalysts, and issues surrounding the security of eastern Sabah go far back to its history and are deeply rooted in the area's cultures and traditions. They include elements such as the free movement of undocumented travellers (illegal immigrants) from the Philippines and Indonesia, water villages, sea gypsies or Pala'u and barter trading. Addressing these issues involve overcoming many challenges. Above all, it requires a change in the hearts and minds of the people including local communities, stateless individuals, security officials as well as government officials.

Illegal Immigrants: Facilitating Smuggling and KFR Activities

In recent decades, the east Coast of Sabah has seen an influx of migrants, both legal and illegal, and this had led to a significant increase in the population of Sabah. This is clearly evident in the large increase of population from 653,000 in 1970 to 2.6 million in 2000.⁷⁶ In 2000, it was estimated that around 600,000 people or 24% of Sabah's population were non-citizens.⁷⁷ By 2010, this number increased to 889,779 people or 29% of the state's population of 3,206,742 people.⁷⁸ The entry of these immigrants, mainly from the islands of southern Philippines as well as Indonesia, was due to a number of key factors.

⁷⁶ Sina Frank, "Project Mahathir: 'Extraordinary' Population Growth in Sabah", 2006, in *Südostasien aktuell: Journal of Current Southeast Asian affairs* 25 (2006), 5, pp. 71-80, <http://nbn-resolving.de/urn:nbn:de:0168-ssaoar-336994> (accessed May 16, 2016).

⁷⁷ Report of the Royal Commission of Enquiry on Illegal Immigrants in Sabah, December 3, 2014 <http://www.sapp.org.my/rci/RCI-Eng.pdf> (accessed May 16, 2016).

⁷⁸ Ibid.

One reason is the close proximity of Sabah to the Philippines' Sulu archipelago and Indonesia's Kalimantan. For example, only a short 45-minute boat ride is needed to travel from the eastern point of Sabah to the Philippines' islands of Sibutu and Simunul.⁷⁹ Sabah shares a land border with Kalimantan.

Another key factor that led to such an increase in immigrants, particularly from the Sulu archipelago, is the political turmoil in southern Philippines.⁸⁰ For decades now, the region has been experiencing civil unrest and violence from the activities of various terrorist groups such as the ASG and the New People's Army (NPA) as well as separatist movements such as the MILF, MNLF and BIFF. The economic pull of Sabah is another contributing factor. Immigrants are drawn by the economic opportunities in Sabah where they serve as cheap labour in the services, plantation and construction industries.⁸¹ The final and important factor that has contributed to the large number of illegal immigrants in Sabah is the close family ties and social linkages that exist between the immigrants' home country and country of destination.⁸²

The problem of illegal immigrants in Sabah came to light particularly in the mid-1970s with the fear that its number would surpass that of the locals.⁸³ The issue was again heightened by the 2013 Lahad Datu incident and the subsequent kidnappings in the eastern part of Sabah. It highlighted, most importantly, a more serious security breach to the state as a result of the migration and the immigrants were believed to be facilitating the conduct of KFR and smuggling activities.

⁷⁹ The Star Online, "Semporna – The Gateway to Sipadan", March 4, 2013, <http://www.thestar.com.my/News/Nation/2013/03/04/Semporna--the-gateway-to-Sipadan/> (accessed February 20, 2015).

⁸⁰ Hajjon Gunggut, Habibun Nisa Mohamed Ajmal and Zuraidah Zaaba, "Illegal Immigrant Entry Into Sabah", November 2006, http://ir.uitm.edu.my/4382/1/LP_HAIJON_GUNGGUT_06_24.pdf (accessed February 20, 2015).

⁸¹ Ibid.

⁸² Report of the Royal Commission of Enquiry on Illegal Immigrants in Sabah, December 3, 2014.

⁸³ Ibid.

It is important to note that the migration and the almost-free movement of people, specifically between the islands of southern Philippines and Sabah, date far back to the 15th century when the eastern part of Sabah was under the control of the Sulu Sultanate. The sentiment that Sabah still belongs to the people of Sulu, known as 'Suluks', remain strong among at least some of them. As mentioned by Abdul Mohd Ibnu Kadir Baba, a former District Officer of Semporna, these illegal immigrants are steadfast in their belief of the existence of the Sultanate of Sulu and the idea that Semporna is part of the Philippines.⁸⁴

Many of the illegal immigrants' families reside in the ESSZONE areas,⁸⁵ having migrated from southern Philippines generations ago. Some of these immigrants are also believed to be working hand-in-hand with organised crime groups such as KFR groups and smugglers,⁸⁶ while some are members of these groups. Having familial ties with the locals in Sabah is certainly beneficial for these organised crime-linked immigrants as they could also act as informers and provide details of potential victims for KFR activities. For example, several kidnappings in the areas within ESSZONE in 2013 and 2014 demonstrated precise knowledge of the victims' whereabouts, and led the authorities to believe that it was an insider's work, with information given by illegal immigrants working in hotels and fish farms.⁸⁷

Since the incursion in 2013, relevant authorities have been beefing up security in the ESSZONE area. In 2014, around 20,096 illegal immigrants were detained while 1,479 illegals were sent back,

⁸⁴ New Sabah Times, "Terrorists confident of Governing Semporna – DO", July 17, 2013, <http://www.newsabahtimes.com.my/nstweb/fullstory/70231> (accessed January 1, 2015).

⁸⁵ MMEA officials, interview by Authors, November 18, 2014, Kota Kinabalu, Sabah.

⁸⁶ The Sun Daily, "Illegal Immigrants Believed to be Henchman in Kidnapping Incidents", June 22, 2014, <http://www.thesundaily.my/news/1089431> (accessed 20 February 2015).

⁸⁷ NamNewsNetwork, "Malaysia: ESSCOM Eyes on Illegal Immigrants in Sabah's East Coast", April 30, 2014, <http://namnewsnetwork.org/v3/read.php?id=MjY3MTY0> (accessed January 1, 2015).

including 1,165 from the Philippines and 314 from Indonesia.⁸⁸ The initiative to act on illegal immigrants was also taken up by the ESSCOM under its security operation code-named 'Ops Gasak'. 'Ops Gasak' was a series of joint security operations involving the police, army and registration and immigration officials. In 2014, 2,636 illegal immigrants (1,727 men and 636 women) were nabbed by the authorities under 'Ops Gasak'.⁸⁹ Semporna had the highest number of illegal immigrants arrested with 1,519 people, followed by Lahad Datu with 518 people and Sandakan with 187 people.⁹⁰

But the Malaysian government is also facing another challenge with regard to facilities to accommodate the detained immigrants. Presently, there are only three detention centres located in Kota Kinabalu, Tawau and Sandakan.⁹¹ Each of these centres can only hold around 2,000 illegal immigrants at a time and the process of returning them to their country of origin takes up to several months involving relevant embassies and procedures of the country of origin.⁹²

It is clear that checking the entry of illegal immigrants and resolving the issue of immigrants already in Sabah would greatly facilitate the elimination of the threat of terrorism and organised crime groups including smuggling and KFR activities. But the authorities are also facing several other challenges in ensuring the security of the waters of eastern Sabah including the existence of water villages, the Pala'u community and barter trading ports.

Water Villages: Links to KFR, Smuggling and Illegal Immigrants

⁸⁸ The Sun Daily, "MKN repatriates 18,288 illegals in Sabah last year", January 26, 2015, <http://www.thesundaily.my/news/1307806> (accessed January 27, 2015).

⁸⁹ Muguntan Vanar, "Don't Harbour Illegal Immigrants", *The Star*, January 22, 2015, <http://www.thestar.com.my/News/Nation/2015/01/22/Dont-harbour-illegal-immigrants-Esscom-chief-2300-nabbed-in-security-zone/> (accessed January 23, 2015).

⁹⁰ Ibid.

⁹¹ ESSCOM officials, interview by Authors, November 19, 2014, Lahad Datu, Sabah.

⁹² Ibid.

As noted above, some of the illegal immigrants are believed to have links to smuggling and KFR activities. The water villages that are located on the eastern Sabah seaboard are home to many illegal immigrants and serve as ideal safe haven for criminal elements engaged in smugglings and KFR activities. The water villages are thus one of the sources of security breach in the area due to lack of surveillance and easy access to the numerous jetties built illegally along the water villages.⁹³

The water villages are key entry points into Sabah where smuggled goods and firearms can be stored and sold.⁹⁴ When the militants invaded Lahad Datu in 2013, the authorities were exposed to the intruders who were hiding in the houses in the water villages.⁹⁵ These water villages are also known to be the hotbeds for kidnappers, intruders and terrorists as well as illegal immigrants to conduct their illegal activities.⁹⁶

As such, both the state and federal governments should devise effective measures to address the security issues posed by the water villages. Such measures must no doubt recognise the way of life of the people living in water villages as their livelihood very much depends on sea-based activities such as fishing.⁹⁷

Pala'u: The Eyes and Ears at Sea

Addressing the issue of water villages alone to eliminate the threat posed by smuggling, KFR and terrorist activities would not suffice as another contributing factor exists: the *Pala'u*.

⁹³ Ibid.

⁹⁴ Ibid: and The Malaysian Insider, "Get rid of water villages to curb intrusions, Dr. Mahathir tells Sabah", July 16, 2014, <http://www.themalaysianinsider.com/malaysia/article/get-rid-of-water-villages-to-curb-intrusions-dr-mahathir-tells-sabah> (Accessed January 1, 2015).

⁹⁵ Ibid.

⁹⁶ The Rakyat Post, "IGP says water villages in Sabah a hotbed for foreign terrorist activities" July 17, 2014, <http://www.therakyatpost.com/news/2014/07/17/igp-says-water-villages-sabah-hotbed-foreign-terrorist-activities/#ixzz3PWJPZXNq> (accessed on January 1, 2015).

⁹⁷ ESSCOM officials, interview by Authors, November 19, 2014, Lahad Datu, Sabah..

Sea gypsies or *Pala'u* are essentially stateless people who live a nomadic life at sea. Also known as *Bajau Laut*, they do not belong to any state and move from one place to another in search of sea-based food.⁹⁸ The *Pala'u* are said to have originated from the isles of Riau Johor and the Sulu Archipelago.⁹⁹ They live on waters surrounding Semporna, Kunak, Lahad Datu and Sandakan. As they are excellent divers and boat craftsmen, they have earned the title of "King of the Sea".¹⁰⁰

Their strategic location on islands and seas bordering Malaysia and the Philippines and their skills as seafarers, coupled with their lack of education and poverty, make them attractive target for exploitation by criminal groups and smugglers.¹⁰¹ As such, some members of the *Pala'u* community may be able to provide various critical services – act as 'eyes and ears' of the criminal groups, provide cover and refuge, facilitate the trafficking of illegal immigrants as well as the smuggling of goods and weapons, and operate as informers.¹⁰²

⁹⁸ Arfa Yunus, "Meyangkap Kehidupan Orang Laut", Astro Awani, September 18, 2013, <http://www.astroawani.com/news/show/menyangkap-kehidupan-orang-laut-22382> (accessed February 25, 2015).

⁹⁹ For more information on the origins and background of *Pala'u/Bajau Laut*, refer to Ismail Ali, "Komuniti Orang Tanpa Negara (Stateless People) Di Sabah: Kajian Kes Komuniti Bajau Laut di Pulau Mabul, Semporna", http://www.myjurnal.my/filebank/published_article/22931/069_081.PDF (accessed February 25, 2014) and Ismail Ali, "Since Birth Till Death, What is Their Status: A Case Study of the Sea Bajau in Pulau Mabul, Semporna", *Researchers World – Journal of Arts Science and Commerce*, October 1, 2010, http://www.researchersworld.com/vol1/Paper_16.pdf (accessed February 10, 2015).

¹⁰⁰ Arfa Yunus, "Meyangkap Kehidupan Orang Laut", Astro Awani, September 18, 2013.

¹⁰¹ ESSCOM officials, interview by Authors, November 19, 2014, Lahad Datu, Sabah.

¹⁰² MMEA officials, interview by Authors, November 18, 2014, Kota Kinabalu; ESSCOM officials, interview by Authors, November 19, 2014, Lahad Datu, Sabah; and Free Malaysia Today, "Stateless Sea Gypsies a Security Threat to Sabah", November 5, 2014, <http://www.freemalaysiatoday.com/category/nation/2014/11/05/stateless-sea-gypsies-a-security-threat-to-sabah/> (accessed January 1, 2015).

An effective campaign to eliminate the security threats to Sabah's eastern Sabah must therefore also include, as a key and integral part, the management of the complex *Pala'u* people. The difficulty confronted in this case includes the fact that the *Pala'u* are stateless, and therefore, no states are claiming responsibility over them. Who then is rightly responsible for taking the necessary steps to tackle the problem of the *Pala'u* people?

A second challenge is the placement of these people. As people of the sea, the only way of life known to them is to live at sea, on boats and as fishermen. If these people were to be moved to land with housing facilities, they would have difficulty to adapt.¹⁰³

Barter Trading: "Legalised" Back Door into Sabah

Another challenge faced by the Malaysian authorities in addressing the threats of terrorism and organised crime activities, including smuggling and KFR activities, is the prevalence of barter trading that serves as a conduit for the entry into Sabah illegally, through legitimate activity.

Barter trading between Sabah and countries in the vicinity, such as the Philippines, Indonesia and Brunei, existed even before the arrival of the British to North Borneo and the Spaniards' arrival in the Philippines. However, a tradition that began in the 15th century, has seen a considerable change from the act of exchanging goods for goods to purchasing of goods between these countries.

Nonetheless, it is important to note that the attitude towards barter trading between Malaysia and the Philippines is in complete contrast. While Malaysia recognises barter trading as an economic opportunity with incoming foreign exchange, the Philippines on the other hand viewed it simply as smuggling activities.¹⁰⁴ This

¹⁰³ ESSCOM officials, interview by Authors, November 19, 2014, Lahad Datu, Sabah.

¹⁰⁴ Mak Joon Nam, Pirates, "Barter Traders, and Fishers: Whose Rights, Whose Security? User Conflicts and Maritime Nontraditional Security in Malaysian Waters"

could be due to the fact that barter trading “deprived Manila of much needed revenue”.¹⁰⁵ Despite the opposing take on barter trading, it still exists today and is concentrated in areas such as Tawau and Sandakan.

At the beginning, goods bartered included spices, copra, resin and rattan. However, in recent times, goods exchanged or purchased at barter trading ports included sugar, timber, marine life, and fruits amongst others. However, smuggling activities are also being conducted through barter trading. Illegal goods are being smuggled through the use of barter trading boats, known as Kumpits.¹⁰⁶ Items that are being smuggled in from the Philippines include drugs, weapons, cigarettes and alcohol among other things. While goods being smuggled out of Sabah includes petrol, sugar and other subsidised goods. In addition, illegal immigrants are also being smuggled in by using the Kumpits through barter trade routes. In fact, terrorists of the 2013 Lahad Datu incursion who had come in stages were also using these barter trading boats to enter Lahad Datu. In a recent kidnapping in Sandakan in May 2015, the RMP mentioned that the kidnappers came to Sandakan by pretending to be barter traders to avoid detection from the authorities.¹⁰⁷

As such, the security situation of Sabah's eastern seaboard is one that is intricate and complex. In the attempt to make such issue

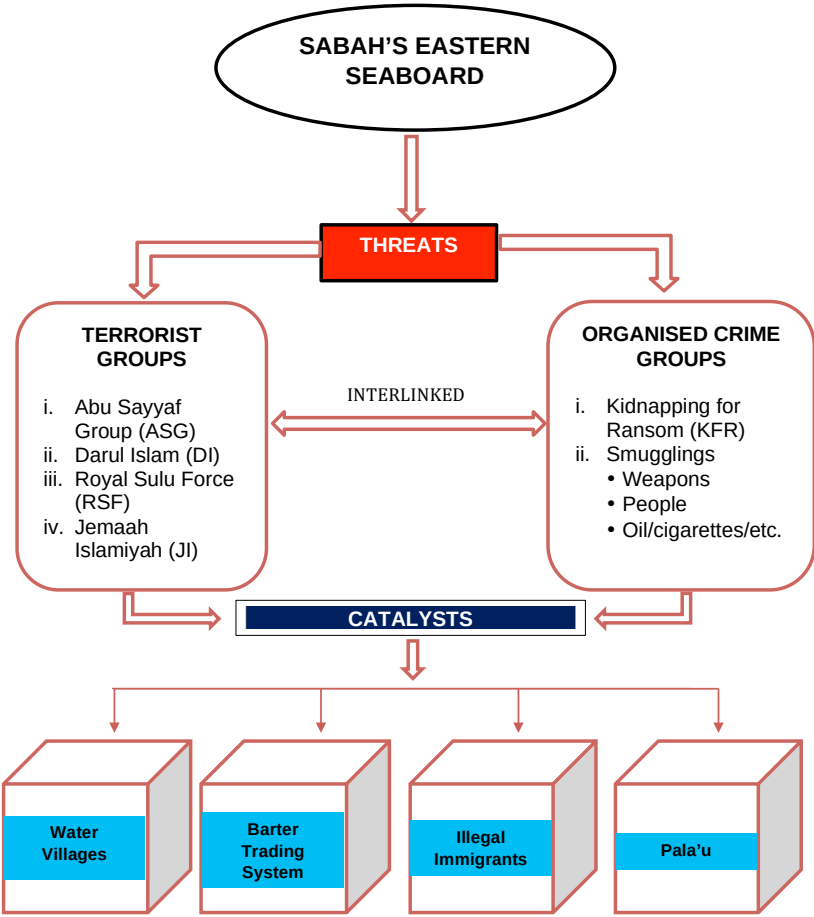
http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB4QFjAAahUKEwi_ydnh1YnGAhUMe7wKHaL1Djk&url=http%3A%2F%2Fmercury.ethz.ch%2Fserviceengine%2FFiles%2FISN%2F100587%2Fchaptersection_singledocument%2F2eb6b2cb-0bdc-445b-9cc1-5227a93b1ce6%2Fen%2F02_Joon.pdf&ei=Po96Vb-yCoz28QWi67vIAw&usq=AFQjCNEzFTKWRufCU4xrtFKuB0wN5QO4zA&bvm=bv.95515949,d.dGc (accessed December 15, 2014).

¹⁰⁵ Ibid.

¹⁰⁶ Ramli Dollah and Ahmad Mosfi Mohammad, “Perdagangan Tukar Barang Malaysia-Indonesia: Potensi Dan Cabaran”, Jati, vol. 12, December 2007.

¹⁰⁷ Julia Chan, “Citing security breach, IGP urges review of Malaysia-Philippines trade ties”, *The Malay Mail*, May 20, 2015, <http://www.themalaymailonline.com/malaysia/article/citing-security-breach-igp-urges-review-of-malaysia-philippines-trade-ties> (accessed May 16, 2016).

comprehensible, below is a diagram depicting the subject in general.



The diagram above shows that the external threats to Sabah's eastern seaboard came from various terrorist organisations such as JI, DI, ASG and RSF, as well as organised crimes including KFR and smuggling activities. As mentioned previously, what made these threats even more serious and complex is how these threats are dependent on each other. Therefore, having established the various challenges in addressing the threats of organised crimes, KFR and terrorist activities, it is now best to turn our attention to some possible ways to address such deep-rooted and complex challenges.

5

RECOMMENDATIONS

This section outlines some recommendations to address each of the catalysts discussed above and propose additional measures to address the overall threat to Sabah's eastern seaboard, facilitated by these catalysts.

1. Illegal Immigrants: Legalising Those Who Qualify

In the effort to address the issue of illegal immigrants, Malaysia established a Royal Commission of Inquiry (RCI) tasked to study the issue of illegal immigrants in Sabah. A report detailing the findings of the issue was released in December 2014. However, the report received criticisms, particularly from the opposition and independent parties, especially on the alleged issue of 'Project IC' where non-citizens were freely given Malaysian Identity Card (IC). Nonetheless, the establishment of the RCI was a positive initiative by the Malaysian government to address the issue of illegal immigrants in Sabah as the report findings also highlighted important issues relating to the influx of illegal immigrants in Sabah such as corruption and the lack of political will to address the problem.

In the report, the RCI recommended that the government should establish a Permanent Secretariat that will oversee the works of the Administrative Committee¹⁰⁸ in relations to issue of immigrants and foreigners. However, if the government is in disagreement with the formation of the Committee, the RCI proposed that a Consultative Council be established instead. In the proposal, the Council should include politicians, government officers, academicians, corporate figures and professionals such as lawyers.

¹⁰⁸ The RCI propose the formation of Administrative Committee under the purview of a Permanent Secretariat relating to immigrants and foreigners in Sabah during a workshop with the National Registration Department of Malaysia (NRD).

The Council will conduct research on every aspects relating to immigrants and foreigners in Sabah and to provide recommendations to the government regarding the issues.¹⁰⁹

But an important aspect in countering the problem of illegal immigrants at present is the lack of detention centres to house detained illegal immigrants numbering in hundreds of thousands while the process of deporting them could take several months. Hence, as a short-term solution, the Malaysian government could opt to build more and/or bigger temporary detention centres to accommodate the large number of illegal immigrants, particularly in the areas located on Sabah's eastern seaboard. Detained immigrants may be placed in these centres while awaiting the process of deportation.

However, based on interviews conducted via e-mail questionnaires' respondents¹¹⁰ were of the opinion that in the long-run, the idea of building additional detention centres would be very costly and would not be effective in solving the issue of illegal immigrants in Sabah.¹¹¹ To accommodate for example 800,000 illegal immigrants, and taking into consideration the current number that could be housed in one detention centre, which is 2,000 people, the government must actually build approximately 397 more detention centres to accommodate the number of illegal immigrants in Sabah today. Furthermore, Sabah relies heavily on foreign labours. As such, "the state's economy

¹⁰⁹ Report of the Royal Commission of Enquiry on Illegal Immigrants in Sabah, December 3, 2014

¹¹⁰ The views expressed by the respondents of the interview questionnaires are solely those of the respondents and do not necessarily reflect the views of the agencies/institutions they represent.

¹¹¹ Shahrman Lockman, Senior Analyst, ISIS Malaysia. Questionnaire, Received May 25, 2015.; Siti Salmiah, Senior Director of Comprehensive Defense and Security Research Centre (CDSRC) at MIDAS, Interview Questionnaire, received June 29, 2015; Lt. Col. Dr Zulkarnain bin Haron, former Assistant Director, Non-Traditional Military Affair, MIDAS, Interview Questionnaire, received June 15, 2015; and Dr. Arnold Puyok, Senior Lecture, Department of Political Studies, University of Malaysia, Sarawak, Interview Questionnaire received July 13, 2015.

would be severely affected by such large-scale detentions of undocumented migrants”.¹¹²

Therefore, a better solution to this would be to offer illegal immigrants or undocumented travellers who meets a certain ‘set of criteria’, the opportunity to become a citizen or ‘Permanent Resident’ (PR) of Malaysia. The criteria could include the number of years that they have been residing in Sabah; individuals with valid documentations; no criminal records; and their ability to contribute to the nation’s economy. According to Dr. Arnold Puyok, “it is important for the government to identify who these illegal immigrants are (workers in construction sites, palm oil plantations, their family ties) and provide them with proper documents.”¹¹³ In addition, those who have arrived relatively recent should be detained and face deportation.¹¹⁴ However, for those who have stayed here for decades and have been living in the state genuinely (with proper jobs, no criminal records and such) should be allowed to stay.

In this case, the approach to detain and deport those who do not meet the criteria would be more feasible than to build more temporary detention centres that would eventually affect the country’s economic well-being. This would also deter future migrants from entering Sabah as the approach would be able to project a clear message that Malaysia will not tolerate any further migration into Sabah.¹¹⁵

With regard to the lengthy process of deportation due to the amount of procedures required, it is then necessary for the Malaysian government, along with the governments of the Philippines and Indonesia where the majority of the immigrants originates from, to develop a mechanism that will reduce

¹¹² Shahrman Lockman, Senior Analyst, ISIS Malaysia. Interview Questionnaire.

¹¹³ Dr. Arnold Puyok, Senior Lecturer, UNIMAS, Interview Questionnaire received July 13, 2015.

¹¹⁴ Shahrman Lockman, Senior Analyst, ISIS Malaysia, Interview Questionnaire.

¹¹⁵ Ibid.

bureaucratic and lengthy procedures in order to hasten the process of deportation. This could be done through strong diplomatic relations or Memorandum of Understanding (MoU) between relevant countries on the deportation of illegal immigrants. Professor Ruhanas Harun of the National Defense University of Malaysia (NDUM) agreed that bilateral arrangements between relevant countries could expedite the process of deportations as long as both sides implement the agreement accordingly.¹¹⁶ Furthermore, according to Siti Salmiah, Senior Director at the Malaysian Institute of Defense and Security (MIDAS), "... practical efforts between neighbouring countries should be crafted and adopted to address issues of common concern for instance, illegal immigrants".¹¹⁷ She further added that should the source and destination countries work closely together to implement such actions collectively, "things will be a lot improved, if not resolved".¹¹⁸ Hence, it is vital that the Malaysian government and the relevant countries work alongside each other in creating an effective mechanism that would help solve the problem of illegal immigrants in Sabah.

2. Water Villages: Monitoring through Restoration and Community Engagement

Water villages in Sabah have been in existence for decades. This makes it even more of a challenge for the government to address the issue. However, there have been attempts by ESSCOM to deal with the issue by relocating the villages to a different landed area. Nevertheless, many of these villages still remain today and a more concrete and tangible approach to this must be developed.

However, before such an approach be designed, it is firstly essential that the Malaysian government deliberate on whether it is beneficial or otherwise, to acknowledge and offer these villages

¹¹⁶ Professor Ruhanas Harun, National Defense University of Malaysia (NDUM), Interview Questionnaire, received June 29, 2015.

¹¹⁷ Siti Salmiah, Senior Director of Comprehensive Defense and Security Research Centre (CDSRC) at MIDAS, Interview Questionnaire received June 29, 2015.

¹¹⁸ Ibid.

legal status. In the case of a negative response to such a deliberation, relevant authorities may want to consider abolishing these villages once and for all. This would allow for the elimination of the issue relating to some of the water villages being the hotbed for criminals to conduct illegal activities, such as hiding and storing illegal goods. It would also eliminate the issue of criminals using water villages as entry points into Sabah's land. Apart from that, by abolishing water villages, it would also be able to eliminate illegal and undocumented travellers living in water villages whether on their own or with relatives who are already citizens of Malaysia. This would also be a positive step in ensuring the cleanliness of Sabah's waters, as it is known that the occupants of water villages lack hygiene awareness.

But this approach would not address pressing issues such as illegal immigrants in Sabah and since criminals often have the knack to adapt to challenging situations, it is highly likely that they will find other areas for resettlement to conduct illegal activities. Furthermore, in doing so, it is also important to understand and address the consequences that it may bring such as building alternative neighbourhood close to the sea for them to stay and continue their livelihoods within Sabah's waters. Given that their livelihood depends on maritime economy, resettling them away from the sea or shores would bring dire consequences such as loss of income, which may lead to other unwarranted social problems. Hence, it is reasonable that the alternative neighbourhood be placed near shores or rivers. This however, would not differ much from the current situation and would probably lead to the same issue at present. In addition, the costs of building alternative neighbourhoods would be high and the search for suitable areas to relocate would be time consuming. Furthermore, it is also likely that frictions could also arise between relocated water villagers and the local communities as a result of the resettlement.¹¹⁹ Different cultures and way of living could cause tension between the new and existing communities. Hence, according to Shariman Lockman of the Institute of Strategic and International Studies

¹¹⁹ Shahriman Lockman, Senior Analyst, ISIS Malaysia, Interview Questionnaire, received May 25, 2015.

(ISIS), Malaysia, the attempt to relocate these water villages should only be done after “extensive consultation with the villagers and the other local communities that may be affected by the resettlement”.¹²⁰

However, a more promising alternative is if the deliberation decides to acknowledge the water villages. This approach, such as giving legal status through offering citizenship, or ‘Permanent Resident’ (PR) status to residents who meets a certain set of criteria “is a feasible move to eradicate this problem”.¹²¹ Hence, a concrete strategy must be developed to ensure that illegal immigrants, who are residing in these villages, be dealt with justly and allow only citizens as well as those with valid travel documents to reside. In this aspect, the government should ensure the registrations of all residents of water villages in Sabah and reissue proper documentations especially to those with valid Malaysian birth certificates.¹²²

Nonetheless, noted also is the challenge for authorities to gain information on illegal immigrants residing in water villages. According to a census conducted by ESSCOM in 2014 on five water villages in Sandakan, 58% of the houses were occupied by non-citizens.¹²³ However, 244 houses were unaccounted for as the houses were vacant and ESSCOM officials did not rule out the possibility that these houses were occupied by illegal immigrants who managed to flee during the exercise.¹²⁴ This makes it harder for the authorities to obtain accurate information on illegals residing in water villages, and thus take appropriate actions against them.

¹²⁰ Ibid.

¹²¹ Siti Salmiah, Senior Director of Comprehensive Defense and Security Research Centre (CDSRC) at MIDAS, Interview Questionnaire received June 29, 2015.

¹²² Lt. Col. Dr Zulkarnain bin Haron, former Assistant Director, Non-Traditional Military Affair, MIDAS, Questionnaire received June 15, 2015.

¹²³ Free Malaysia Today, “Sandakan records 58% aliens in water villages”, February 19, 2014, <http://www.freemalaysiatoday.com/category/nation/2014/02/19/sandakan-records-58-aliens-in-water-villages/> (accessed August 1, 2015).

¹²⁴ Ibid.

Following this, water villages should be rebuilt to improve living conditions and proper sewerage and garbage systems must be built to ensure decent sanitation of these villages. Additionally, a single and proper jetty could also be built at each of these villages while eliminating all other illegal jetties. This is important in order to monitor the movements of its people and other criminal or terrorist activities more efficiently. Security posts must also be built for police to monitor the activities at these villages. Another additional element to monitoring the movements on and around these water villages is also to have the villagers themselves to regulate the movements of the people coming in and out of these villages, albeit with the supervision of the police.¹²⁵

In this regard, community engagement is important. Getting the local communities in the affected areas involved will provide understanding of the issue surrounding water villages at the grass-root level. This would include information of potential inadequate amenities of these waters villages as well as making the water villages more secured and meeting the needs of villages for an improved quality of life, with access to proper sewerage system and sanitation. As such, the move by ESSCOM in conducting census on water villages to collect data such as the demographic characteristics of citizens and non-citizens, residents' background and socio-economic status to devise an informed development plan for them was a step in the right direction to tackle the issues surrounding water villages.¹²⁶

Furthermore, non-governmental Organisations (NGOs) could also take part in engaging the communities. This could be done through conducting public awareness programmes on basic health care, hygiene and security awareness. Such an effort was that of a workshop on Building Kampung Pulau Sebatik leadership capacity conducted in August 2013. The workshop was co-organised by the Asia Foundation, Partners of Community Organisation in Sabah

¹²⁵ Shahriman Lockman, Senior Analyst, ISIS Malaysia, Interview Questionnaire, received May 25, 2015.

¹²⁶ ESSCOM Times, "Esscom to Launch Census Operation in Five Water Villages in Sandakan Next Month", January 13, 2014, <http://esscom.gov.my/?p=1318> (accessed December 27, 2014).

(PACOS) Trust and Tidung Tawau Community Association (Pakot) “to discuss the issues and challenges of Pulau Sebatik security”.¹²⁷

By retaining the water villages, the cost to gradually rebuild the villages would be lower than that of inland settlement.¹²⁸ It would also be able to provide the villagers continued access to their livelihood and improve sanitation to the area. Apart from that, eliminating illegal immigrants and jetties, placing security officials in the area as well as by having a more structured housing to ensure safety, would also enhance security. The deployment of security officials to the area would also open up the opportunity for security officials to get acquainted and bond with the local community. This is particularly important in the effort to build trust amongst authorities and the local communities.

3. Pala’u: Eliminating the “Eyes and Ears” of Organised Crime and Terrorist Groups through Vocational Training

The handling of the issue of stateless Pala’u is an intricate one. As their livelihood depends on the sea, a possible solution to this would be to place them on an island with housing lots and a single jetty as an access point to the island. The building of a single jetty and placing them on an island would allow security forces to monitor the movements of these people as well as the running of any organised crimes and terrorists activities more effectively.¹²⁹ To further enhance the security of the island, cameras, security posts and adequate deployment of security officials must also be present. This approach could be seen as an effort to “...bring the Pala’u people into mainstream development while at the same time maintaining their unique way of living”.¹³⁰

¹²⁷ ESSCOM Times, “Security in ESSZONE areas back to normal: ESSCOM Intelligence”, August 25, 2013, <http://esscom.gov.my/?m=201308> (accessed July 1, 2014).

¹²⁸ Shahrman Lockman, Senior Analyst, ISIS Malaysia, Interview Questionnaire, received May 25, 2015.

¹²⁹ ESSCOM officials, interview by Authors, November 19, 2014, Lahad Datu, Sabah.

¹³⁰ Dr. Arnold Puyok, Senior Lecturer, UNIMAS, Interview Questionnaire, received July 13, 2015.

However, while this would be an effective measure to reduce the use of Pala'u community as the eyes and ears of organised crime and terrorists groups, it will however not be helpful in stopping them from entering Sabah's eastern seaboard. Thus, the possibility of criminal and terrorist groups still exploiting the Pala'u for their benefits will remain. Furthermore, the issue of human rights would also arise, as it would be seen as though the government is confining them to an island thus limiting their movements.

In this regard, it is timely that the Malaysian government takes a step back and weigh the possibility of providing them with avenues to attain a decent life. While this is an altruistic effort with an undoubtedly high cost should the government consider it, it will nonetheless help to offer them opportunities to improve themselves. As such and given that they have been on Malaysian soil for generations now, the government should seriously consider developing the community's skills through vocational training, particularly in maritime economy, and provide conventional education to children of the Pala'u people for the opportunity to further their studies in universities and earn a better living. As stated by Lt. Col. Dr Zulkarnain bin Haron, such vocational training would certainly help in improving the Pala'u community's economic well-being as well as their social well-being.¹³¹

However, as suggested by Siti Salmiah, a Training Needs Analysis (TNA) must first be conducted before providing them with such training opportunities to ensure that what is required by the community will be met through such vocational trainings.¹³² This is particularly important as setbacks to offering them a better life inland should also be accounted for. A major hindrance would be the ability for the community, known to be nomads of the sea, to adapt to life on land. Unlike those who lived on land, who get seasickness by being on boats or ships, the Pala'u community faces

¹³¹ Lt. Col. Dr Zulkarnain bin Haron, former Assistant Director, Non-Traditional Military Affair, MIDAS.

¹³² Siti Salmiah, Senior Director of Comprehensive Defense and Security Research Centre (CDSRC) at MIDAS, Questionnaire received June 29, 2015.

the opposite challenge of being 'land-sick'.¹³³ In addition, Dr. Arnold Puyok also cautioned that providing them with vocational training and education opportunities "...must be done with care as they may be reluctant to lose their identity."¹³⁴ Therefore, adapting them to life on land and motivating them to live inland would be some of the few and immediate challenges that the government would face. Should they fail to adapt, other unwarranted social problems could also arise.

Furthermore, like with resettling water villagers inland, frictions could also arise between the resettled Pala'u community and the local communities. Another issue that should also be taken into consideration when resettling the Pala'u community inland is the risk of projecting the idea that Malaysia is opening its gates for outsiders to resettle in Malaysia.¹³⁵ Hence, it is important that the government takes measured and tangible steps in resettling them inland so as to not project such false ideas.

Nonetheless, by providing the Pala'u community with education and vocational trainings, it would certainly open up opportunities for them economically by expanding their skills. This in turn would also contribute to Malaysia's economy positively while simultaneously enhancing their way and standard of living. It would also be able to keep them off the streets and conduct illegal activities such as 'glue sniffing' as well as away from being manipulated by criminals.¹³⁶ Hence, eliminating them as the eyes and ears of criminal and/or terrorist groups.

However, as with dealing with the issues surrounding water villages, resolving the issues relating to the Pala'u community also

¹³³ Berita Harian, "Bajau Laut boleh mabuk jika di darat", April 13, 2015, <http://www.bharian.com.my/node/47297> (accessed 13 April 2015).

¹³⁴ Dr. Arnold Puyok, Senior Lecturer, UNIMAS, Interview Questionnaire received July 13, 2015.

¹³⁵ Shahrman Lockman, Senior Analyst, ISIS Malaysia, Interview Questionnaire.

¹³⁶ European Commission, "Education for children of the nomadic Bajau Laut and other marginalised or stateless children of the East coast of Sabah", 2013, https://ec.europa.eu/europeaid/printpdf/63209_en (accessed December 1, 2015).

needs community engagement. This is important on two particular bases. The first is by consulting the community itself. This would allow for the gathering of information such as their training needs, their willingness to adapt to new surroundings and their ability to assimilate with the local communities. The second basis entails the involvement of the community as stake-holders in resolving the issue. This would allow for the local communities to understand the Pala'u community better by engaging with them, for example through programmes conducted by authorities as well as NGOs, to help them adapt to a new environment and to open up their acceptance towards a better life through cultivating their interest in education.

4. Barter Trading: Strengthening and Developing Laws to Improve Security of the System

Barter trading through Sabah's sea-lanes is deeply rooted in the region's history for decades and given its traditional values, barter trading has continued to operate in various districts in Sabah's eastern seaboard. But as mentioned in the previous section, it is also known to be facilitating organised crimes and terrorist elements. In fact, such facilitation is an open secret and has been going on for many years now.¹³⁷

With such criminal links and the kidnapping incident in May 2015, the Malaysian Inspector-General of Police (IGP), Tan Sri Dato' Sri Khalid Abu Bakar, proposed that the barter trading activities between the eastern Sabah and southern Philippines communities be banned.¹³⁸ However, this proposal was received with strong opposition, particularly from the provinces in southern Philippines arguing that it would be counterproductive to ban barter trading.¹³⁹ The Malaysian government however has yet to decide

¹³⁷ Lt. Col. Dr Zulkarnain bin Haron, former Assistant Director, Non-Traditional Military Affair, MIDAS, Interview Questionnaire.

¹³⁸ The Star, "Police to Propose Banning Barter Trade in Sabah", May 18, 2015, <http://www.thestar.com.my/News/Nation/2015/05/18/igp-khalid-police-to-propose-barter-trade-ban-in-sabah/> (accessed June 2, 2015).

¹³⁹ The Rappler, "Philippine Official hits Proposed Sabah Barter Ban", June 1, 2015, <http://www.rappler.com/nation/94947-basilan-vice-governor-sabah-barter-ban> (accessed June 2, 2015).

on whether it is necessary to ban the barter trading activities in Sabah. Nonetheless, following the kidnapping of four Malaysian sailors on a tugboat on 1 April 2016, Datuk Seri Panglima Haji Musa bin Haji Aman, Chief Minister of Sabah, announced that barter trading activities with southern Philippines would be halted indefinitely.¹⁴⁰

Indeed, the proposal to ban barter trading, the centuries-old activity, would not do good to either Malaysia or the Philippines. This is due to the fact that Sabah as well as the southern Philippines and east Kalimantan are also relying on the barter trading system for their respective economic growths. For example, the total barter trade value between Sabah and the two neighbouring areas ranges from RM150 million to RM300 million per year.¹⁴¹ This is a significant amount, especially for states and provinces with relatively low incomes. As such, societies from such areas would prefer to obtain goods that are cheaper than the market price, and this is when barter trading activities becomes valuable and a necessity.

In essence, barter trading exists due to market forces where for example, the residents of western Mindanao would prefer to buy goods in Sabah as they were cheaper while those who reside in Tawi-Tawi Island would prefer to go to Sabah rather than to Zamboanga City as it was easier to sail to the former.¹⁴² Therefore, the proposal to ban barter trading activities would not be feasible as it may also increase the rate of criminal activities and kidnappings as well as the influx of illegal immigrants.¹⁴³ Echoing this is Shahrman Lockman who argued that “barter trading will only cease to be the norm with the emergence of modern socio-

¹⁴⁰ Ruben Sario, “Move to Ban Barter Trade Essential for Sabah's Border Security”, *The Star*, April 6, 2016, <http://www.thestar.com.my/news/nation/2016/04/06/move-to-ban-barter-trade-in-sabah-essential-for-border-security/> (accessed May 12, 2016).

¹⁴¹ Lt. Col. Dr Zulkarnain bin Haron, former Assistant Director, Non-Traditional Military Affair, MIDAS, Interview Questionnaire.

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

economic conditions in the various communities of eastern Sabah and southern Philippines.¹⁴⁴

Given the negative outcomes from the banning of barter trading, it is then more logical for the Malaysian government to seek other alternatives in securing the ports. As mentioned by Dr. Arnold Puyok, “the issues here are regulation and facilitation”.¹⁴⁵ Hence, one such alternative could be to strengthen law and order in these ports.

While any known illegal activities regarding barter trading would be dealt with under the nation’s immigration and human trafficking laws, the Malaysian government may want to consider developing laws with specific focus on barter trading and its related operations. This is imperative because the various transactions can “...easily be manipulated and abused”, hence the need for the authority to impose certain regulations on this system to avoid criminals operating their activities via the barter trading system.¹⁴⁶

5. Sea-Basing: Utilising Existing Islands for Effective Surveillance and Responses to Security Threats

In late May 2014, Datuk Seri Shahidan Kassim, Minister in the Prime Minister’s Department, announced the government’s decision to use Forward Operating Base (FOB) in securing the eastern Sabah seaboard.¹⁴⁷ The FOB would utilise abandoned oil rigs owned by Petronas in strategic locations between the Malaysian and the Philippines’ borders. According to the former Director-General of ESSCOM, Datuk Mohammad Mentek, the FOB

¹⁴⁴ Shahrman Lockman, Senior Analyst, ISIS Malaysia, Interview Questionnaire.

¹⁴⁵ Dr. Arnold Puyok, Senior Lecturer, UNIMAS, Interview Questionnaire received July 13, 2015.

¹⁴⁶ Siti Salmiah, Senior Director of Comprehensive Defense and Security Research Centre (CDSRC) at MIDAS, Interview Questionnaire.

¹⁴⁷ The Star Online, “Abandoned Petronas oil rigs in Sabah waters to be converted into Esscom bases”, May 29, 2014, <http://www.thestar.com.my/News/Nation/2014/05/29/Story/> (accessed January 15, 2015).

effort was designed to boost the capabilities of the ESSCOM and enhance security in the ESSZONE areas by having strong capacity to block foreign ships or boats illegally trespassing the Malaysian sea border.¹⁴⁸

While this was an excellent attempt by the government to increase security in the area, it is also worth considering utilising the existing islands for sea basing. Utilising the existing islands as FOBs is expected to be more practical according to Lt. Col. Dr Zulkarnain bin Haron.¹⁴⁹ This effort is in line with the recent statement made by SAC Abdul Rahim Abdullah, Bukit Aman Marine Police Commander, who announced the set-up of FOB in Mabul Island.¹⁵⁰ Furthermore, it is also crucial to develop as well as empower the community of islanders so that they become part of the government's effort in securing eastern Sabah".¹⁵¹

Nonetheless, to ensure the effectiveness of these islands as sea-bases, adequate surveillance technologies such as radars and cameras, the placement of appropriate numbers of speedboats and weapons as well as the sufficient deployment of security officials to patrol the areas and to mind the surveillance equipment at all hours, must be ensured. In addition, according to Lt. Col. Dr Zulkarnain bin Haron, troops stationed in various islands who are equipped with technologies such as Fast Attack Craft or Assault Boat as well as communication facilities "...will cover more areas of operations with faster response time rather than having one big ship or troops stationed on oil rigs".¹⁵² Having said this, it is also important that the welfare of the security officers, including

¹⁴⁸ The New Straits Times Online, "ESSCOM to fully utilise forward operations base", June 10, 2014, <http://www.nst.com.my/node/1370>, (accessed October 15, 2014).

¹⁴⁹ Lt. Col. Dr Zulkarnain bin Haron, former Assistant Director, Non-Traditional Military Affair, MIDAS, Interview Questionnaire.

¹⁵⁰ The Star Online, "Marine police to set up tactical base in Mabul Island", March 22, 2016 <http://www.thestar.com.my/news/nation/2016/03/23/marine-police-to-set-up-tactical-base-in-mabul-island/> (Accessed April 26, 2016).

¹⁵¹ Dr. Arnold Puyok, Senior Lecturer, UNIMAS, Questionnaire received July 13, 2015.

¹⁵² Lt. Col. Dr Zulkarnain bin Haron, former Assistant Director, Non-Traditional Military Affair, MIDAS Interview Questionnaire.

the supply of clean water, food as well as sufficient time for resting be granted to the officers deployed at these islands. Ensuring such welfare for the officers-on-duty would increase their motivation and attentiveness to the duty at hand.

However, the deployment of security officers in the various islands could be a liability for the nation's enforcement agencies as such resources are limited. Furthermore, the costs to ensure security and proper technologies to be put in place is certainly high however, the costs are expected to be less than having FOBs.¹⁵³ Hence, the cost that could be saved from maintaining oil rigs could be channelled to strengthening sea bases on islands and other community engagement activities.

In addition, by utilising present islands as sea bases and equip them with relevant technologies and manpower, the issues of illegal immigrants and organised crimes activities as well as threat from intruders and terrorists, could also be halted at the point of entry itself. This is because the move would provide a more scattered and wide-ranging surveillance areas and could cover more coordinates as opposed to having a limited number of FOBs.

6. Equipping Security Forces

In order to better secure the shores of Sabah's eastern seaboard, security authorities must be equipped with proper boats that can operate on shallow waters. It is known that smugglers and kidnappers operating in the areas of ESSZONE uses pump boats to manoeuvre in shallow waters as deep as one foot, and through narrow water villages.¹⁵⁴ On the other hand, Malaysian authorities are equipped with boats that are made for deeper waters, and this has hampered, to a certain degree, the effort to secure the shores and rivers of ESSZONE.¹⁵⁵ In addition, surveillance cameras must also be installed in 'hot areas' including in barter trading ports as

¹⁵³ ESSCOM officials, interview by Authors, November 19, 2014, Lahad Datu, Sabah.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

well as on the water villages. This would allow for better monitoring and effective surveillance near shores.

7. Increase Security Awareness of Business Operators

Business operators such as ferry, resort, fish farm and plantation operators plays an integral role in directly ensuring the safety of their businesses, including their personnel and stakeholders against threats posed by criminal and terrorist groups. As such, it is important that they are made aware of their responsibility to ensure the security of their businesses in all aspects, as “they too should become part of the government’s comprehensive and long-term effort”.¹⁵⁶ This includes ensuring that their businesses and personnel are not being exploited by these groups or are a part of such groups. It is also important that these operators, particularly those who have direct contact with foreigners or tourists such as fish farm and resort businesses, to increase the security of their premises by installing Closed Circuit Televisions (CCTVs) and placing security guards on duty at all hours.

On top of that, business operators must also ensure that they do a thorough screening of their potential employees and to avoid hiring those without valid travel documents. With regard to palm oil operators, the use of sub-contractors by these operators to conduct its plantation activities must be limited and where sub-contractors are hired, proper registration with authorities must be ensured.¹⁵⁷

In this aspect, increasing security awareness of business operators would certainly be of added value as security of the area would be enhanced. This is also ideal as the business operators will not have to be fully dependable on the authorities to secure the area. As an external benefit, by taking the necessary measures to enhance the security of the area, it would also be able to instil confidence in

¹⁵⁶ Dr. Arnold Puyok, Senior Lecturer, UNIMAS, Questionnaire received July 13, 2015.

¹⁵⁷ ESSCOM officials, interview by Authors, November 19, 2014, Lahad Datu, Sabah.

tourists to visit the business or area. In this regard, investing in security would protect the image of business operators.¹⁵⁸

However, it may not be easy for the operators to cooperate with the authorities by enhancing security at their own expense as the costs of installing CCTVs as well as hiring security guards and legal workers would be higher than to just depend on the authorities. Additionally according to the former Commander of ESSCOM, Datuk Abdul Rashid Harun, there were some dive and resort operators who do not want to cooperate with ESSCOM's personnel for fear of losing money for giving free boat rides to security personnel.¹⁵⁹ Furthermore, it is equally important to understand that increasing such security awareness for businesses may not result in a significant reduction of criminal activities, which can only be achieved with regular police patrol, and presence of security forces.¹⁶⁰ Nevertheless, such an awareness and increased security at resorts and other business facilities would certainly be an added value with a second-layer of defence.

On the other hand, the government could also make it compulsory for new resorts to undergo security screening to ensure that the resorts have taken all necessary measures to eliminate potential threats. Additionally, it is also important that the government make it a mandatory requirement for resort operators to have their own security personnel. In this regard, only resorts that have gotten approval from the government could open for business.

8. Enhance and Strengthen Coordination between Relevant Agencies

In ensuring the security of Sabah's eastern seaboard, the involvements and coordination between various agencies including

¹⁵⁸ Lt. Col. Dr Zulkarnain bin Haron, former Assistant Director, Non-Traditional Military Affair, MIDAS Interview Questionnaire.

¹⁵⁹ The Star, "Some resort operators not cooperating with us, says ESSCOM", November 5, 2015, <http://www.thestar.com.my/news/nation/2015/11/05/some-resort-operators-not-cooperating-with-us-says-esscom/> (accessed November 5, 2015).

¹⁶⁰ Shahrman Lockman, Senior Analyst, ISIS Malaysia. Interview Questionnaire, Received May 25, 2015.

the RMP, MAF, MMEA, Marine Operations Force, Malaysian Customs Department, Immigration Department of Malaysia and the Ministry of Domestic Trade, Co-Operatives and Consumerism amongst others, are being performed with considerable success. One such cooperation could be seen through the establishment of ESSCOM that comprises of multi-security agencies including RMP, MAF, MMEA as well as civil officers.

This approach is important and in-line with the National Blue Ocean Strategy (NBOS) which champions the idea of cooperation and training between relevant agencies in the effort to address shortage of personnel as well as operating costs. Furthermore, it would also enable the nation's security forces to cover more sea and land areas to ensure a more effective surveillance and protection of Sabah's waters and land.

However, in executing this cooperation, conflict of interests may arise due to overlapping jurisdictions. Therefore, a clear distinction of each agency's job scope must be ensured while avoiding any overlapping jurisdictions and areas of cooperation. In addition, and equally as important is to develop in the hearts of security officials the sentiment of shared responsibility and common goal to protect the country from any threat or security breach.

To further increase the security of Sabah's land and waters, it would also be beneficial for the government to enhance the participation of voluntary corps such as the People's Volunteer Corps or RELA, for the purpose of patrolling and maintaining peace and security of the areas. New voluntary corps, comprising of local communities could also be established to help secure respective local areas. In this regard, these voluntary corps could help address the issue of shortage of security personnel and cover more bases and areas. Nonetheless, it is also important to train and equip these corps with the necessary skills to ensure their effectiveness.

Although security officials are the front-liners to securing the country, it is also important to include local communities in securing the areas that they live in. This is due to the fact that while the citizens or society form the basic component of a nation,

they too play an integral part in the “...whole security networks”.¹⁶¹

9. Building Trust between Authorities and Local Communities

Another important factor in securing the Sabah’s eastern seaboard is to build upon the element of trust between authorities and local communities. This can be done by conducting monthly meetings and talks involving the locals such as cultural shows and other local festivities. Authorities could also participate in programmes or events organised by the locals such as open houses and local cultural shows.

This in turn would help to develop strong and sustainable relations between authorities and local communities by making them feel at ease with the presence of authorities, thus increasing their willingness to provide helpful information and intelligence on possible criminal or terrorist activities. Additionally, continuous engagement between security officials and the local communities can also be one way of instilling patriotic sentiments, another crucial element in the effort to fight against the threats faced by Sabah, especially in the areas under ESSZONE. Furthermore, by building trust and creating friendships between authorities and local communities, the security forces will be able to expand their network of contacts within the local communities for communication and intelligence gathering purposes.

In addition, “the authorities must [also] develop an extensive network of contacts within the local communities, including, or perhaps especially, among those with significant numbers of undocumented migrants”.¹⁶² This would enable the communities to provide valuable data on the human smuggling activities and undocumented travelling from neighbouring countries. Hence, enabling the security forces to halt further migration into the country,¹⁶³ as well as criminal activities.

¹⁶¹ Siti Salmiah, Senior Director of Comprehensive Defense and Security Research Centre (CDSRC) at MIDAS, Questionnaire

¹⁶² Shahrman Lockman, Senior Analyst, ISIS Malaysia. Questionnaire.

¹⁶³ Ibid.

However, it is still necessary and imperative to keep the line between authorities and local villagers or communities well-defined. Failing to do so may lead to possible manipulation or exploitation, by either the local community or the authorities, of the gained trust.

10.Strengthen Bilateral Relations with the Philippines and Indonesia

Another important element in the effort to secure Sabah's eastern seaboard is by strengthening Malaysia's bilateral relations with countries of common security interests, with Indonesia and in particular, with the Philippines, at both political and security levels. This would include joint security operations such as patrolling the affected waters and sea-lanes as well as sharing of information and intelligence on potential security threats from either side. In this regard, the recent call by Indonesia to work at a tri-lateral level with Malaysia and the Philippines to fight against the threat posed by the ASG is both crucial and timely.¹⁶⁴ On a broader sense, it is important to continuously acknowledge the duty of the governments to work closely with one another to address factors that are conducive to the spread of threats of mutual interests such as organised crimes and terrorism. This is because high-level bilateral cooperation is key to an immediate solution to end such criminal activities.¹⁶⁵

Thus, it is imperative that the government greatly enhance and strengthen joint training as well as security operations between Malaysian authorities and the Philippines' and Indonesian authorities. In addition, training institutions in respective countries should also take the lead by conducting joint training activities specifically between these countries, both at theoretical and operational levels.

¹⁶⁴ The Star, 'Tri-nation plan to fight Abu Sayyaf', May 5, 2016, pg. 4, col. 2.

¹⁶⁵ Lt. Col. Dr Zulkarnain bin Haron, Questionnaire.

But for this to be effective, it requires political will of each affected countries to solve the problems of common concern.¹⁶⁶ In the case of the Philippines, where most of the illegal immigrants, criminal groups and terrorists originate from, it is crucial that the Philippine authorities to continue to take the responsibility of securing their side of the border as can be seen during the Lahad Datu Incursion where the Philippine Navy blocked the southern route to Sabah to avoid escalation of the issue.¹⁶⁷ But this may post a challenge particularly to the Philippines since the country “...is distracted on many fronts including the South China Sea and southern Philippines”.¹⁶⁸ Furthermore, according to Shahrman Lockman, it would be very difficult to reach an agreement if the term ‘territorial waters’ was to be used given that the Philippine government continues to claim Sabah as their own .

Hence, given the necessity of joint patrolling of the Sulu Sea, “...an understanding that such activities would not be prejudicial to the territorial and jurisdictional claims of either countries” is essential.¹⁶⁹ This would certainly increase the effectiveness of securing the countries’ shared borders and territorial waters and increase the quality of securing the sea-lanes and the sharing of intelligence between the two countries. Furthermore, as an added benefit, the cooperation could also serve as a platform in minimising bureaucratic processes by taking back their deported citizens.

11. Integrity in Securing Malaysia against External Threat

Finally, the most important factor in securing the areas under ESSZONE against threats posed by external non-state actors on Malaysia and its interests is the integrity of the nation’s authorities and relevant officials. In this instance, the element of integrity

¹⁶⁶ Ibid.

¹⁶⁷ Free Malaysia Today (FMT), “Philippine Navy Blocks Sulu Sea”, <http://www.freemalaysiatoday.com/category/nation/2013/02/22/philippine-navy-blocks-sulu-sea/> (accessed December 14, 2014).

¹⁶⁸ Shahrman Lockman, Senior Analyst, ISIS Malaysia. Interview Questionnaire.

¹⁶⁹ Ibid.

must be strengthened and instilled in all of the officials involved in securing the nation, including those at the lowest rank right up to its leadership. The attitude of 'closing one eye' on illegal activities such as exchange of illegal goods and activities whether at barter trading ports or water villages, must also be tackled.

Equally as important is the political will of the country's leaders in seeing all these through to achieve a common goal of a peaceful and stable Malaysia, particularly in addressing the issue of illegal immigrants, as mentioned in the RCI Report.¹⁷⁰ These efforts would allow for a more effective and concrete approach to securing Sabah's eastern seaboard.

However, apart from these two being among the most important factors in securing ESSZONE, these elements are also the most challenging and difficult to achieve. This is because it involves the need for the change of hearts and minds of individuals involved, their passions as well as beliefs. In essence, the change is needed at the individual level.

¹⁷⁰ The Star, "RCI Report: Political Will Required to Curb Sabah Illegal Immigrant Problem", December 3, 2014, <http://www.thestar.com.my/news/nation/2014/12/03/rci-political-will-required-to-curb-problem/> (accessed November 3, 2015).

CONCLUSION

The Lahad Datu Incursion in 2013 had served as a 'wake-up call' for Malaysia. Many were dumbfounded by the tacit ability of the armed intruders, labelled as terrorists by the government of Malaysia, to pose such a serious threat against a state with better defence capabilities. Various factors were at play and to mention just one would not do justice to the complex nature of such deep-rooted threats and not to mention its catalysts that serves as contributing factors to threats posed by external non-state actors against Sabah's eastern seaboard. This has complicated the challenges to securing Sabah and thus, Malaysia.

Therefore, addressing the threats effectively must be one of the main priorities of the government. But a further study into countering these issues has led to the discovery of other interrelated problems that serves as contributing factors or catalysts in the facilitation of these threats. These include the issues of illegal immigrants, water villages, the Pala'u people and the barter trading system among others.

Hence, constructive and strategic approaches in tackling these catalysts are needed. As such, several recommendations, utilising a varied methods with the emphasis on 'Whole-of-Nation' approach, were proposed in order to address the catalysts, hence, reducing the possibility of these elements acting as facilitators to the threats posed by terrorist and organised crime groups. These includes; developing concerted effort in addressing the issue of illegal immigrants through legalising genuine illegal immigrants

and strong diplomatic ties; restoring and monitoring water villages; providing opportunities through education and vocational training for the Pala'u community to enhance their way of life; strengthening laws and regulations of the barter trading system; increasing awareness of business operators on their responsibility to secure their operations; utilising existing islands as sea bases; enhancing coordination amongst the multiple agencies involve; strengthening bilateral relations between the Philippines and Indonesia to tackle security challenges of common interests; and building trust between the authorities and local communities as well as instil patriotic sentiments amongst them. Above all however, is the integrity of the nation's authorities and officials to ensure that these issues are being dealt with in an appropriate manner with the goal of attaining tangible results in order to fully secure and maintain the peace and stability of Sabah and Malaysia as a whole.

Essentially, the 'Whole-of-Nation' approach is fitting in addressing the security issues in Sabah as it involves all the different layers that form a unified nation which includes relevant authorities from the different uniformed bodies, civil servants, political leaders and through community engagements, the involvement of local communities and their leaders, minorities, targeted groups such as Pala'u, and NGOs. Thus, only through a concerted effort with absolute determination from the various layers of government and society, could eastern Sabah be secured against threats from external non-state actors.

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