

SECURING SABAH: ISSUES, CHALLENGES AND RESPONSES

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ABSTRACT

In February 2013, an armed militant group calling themselves the 'Royal Security Forces of the Sultanate of Sulu and North Borneo' breached the far eastern borders of Sabah, Malaysia, and landed in the district of Lahad Datu to assert what they allegedly claimed as their unresolved territorial rights in North Borneo. Infamously known as the 'Lahad Datu Intrusion', the incident not only shocked the whole nation, but also serves as a timely wake-up call for the state of Sabah, specifically, and Malaysia, in general, to review its security preparedness in the face of potential and real threats, from within and externally. This chapter examines the various security concerns, both real and perceived, which Sabah encounters today. From maritime-territorial/border intrusions to illegal immigration, it scrutinizes Sabah's current security environment, which is shaped by as much traditional security issues as non-traditional 'human security' challenges. Particular emphasis is given to the issues and challenges faced by both state and federal security apparatuses, as well as the nature and severity of their responses in the pursuit of defending and securing Sabah.

Keywords: *territorial rights, security preparedness, security environment, security apparatuses, responses*

INTRODUCTION

The state of Sabah, and Malaysia as a whole, has been blessed with relative peace and stability since the end of the Malaysia-Indonesia *konfrontasi* (confrontation), which was triggered by the controversial inception of the Malaysian federation back in September 1963. Although marred by the perennial problem of illegal immigration and the occasional piracy incidents and border breaches by transnational criminal elements involved in sporadic 'kidnap-for-ransom' and smuggling activities, the North Bornean state has had over the decades and under the guarantee of the federal authorities, enjoyed a largely sanguine security environment. However, Sabah's affable sense of security and confidence came to a dramatic

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halt following a rare 'foreign' intrusion in February 2013, which saw an armed militant group calling themselves the 'Royal Security Forces of the Sultanate of Sulu and North Borneo' breaching the state's far eastern borders to assert what they allegedly claimed to be their unresolved territorial rights in North Borneo. Notoriously known as the 'Lahad Datu Intrusion', their ensuing month-long bloody standoff with the Malaysian security forces ultimately ended with the militant group suffering heavy casualties, while several Malaysian security personnel and civilians also perished in the line of fire. Since then, the Sabahans have suffered from a heightened sense of insecurity, which has been further exacerbated by the proliferation of a series of highly visible/publicized 'kidnap-for-ransom' incidents in the state's eastern seaboard involving the abduction of Malaysian nationals and foreign tourists by disparate transnational criminal groups. More inexplicable was the fact that these abductions have persisted, despite the presence of the Eastern Sabah Security Command (ESSCOM), established in the aftermath of the Lahad Datu episode to strengthen the security of eastern Sabah. Indeed, the Sulu intrusion and rampant abductions have not only shocked the whole nation, but also served as a timely wake-up call for Sabah, specifically, and Malaysia, in general, to review its security preparedness in the face of potential and real threats, from within and externally.

This chapter examines the various security concerns, both real and perceived, which Sabah encounters today. From maritime-territorial/border intrusions to illegal immigration, it scrutinizes Sabah's current security environment, which is shaped by as much traditional security issues as non-traditional 'human security' challenges. It is noteworthy that while the national security issues of the Malaysian federation are principally oriented towards traditional security, Sabah's concerns appear to be increasingly dominated by non-traditional, human security challenges. This chapter intends to pay particular emphasis on these priority areas of security/insecurity to stress on their ever growing salience in shaping Sabah's present and future security assessment. The chapter is divided into three parts; the first provides a brief overview of Sabah's security outlook and threat perceptions, from both the historical and present vantage points. The second part delves into the various security issues and challenges, while the third deliberates on the nature and severity of their responses in the pursuit of defending and securing Sabah.

SABAH'S SECURITY OUTLOOK: AN OVERVIEW OF THE PAST AND PRESENT

Historians generally agreed that the traditional security concerns of Sabah or North Borneo during the reigns of the Brunei and Sulu sultanates, and subsequently the British North Borneo Chartered Company (BNBCC) were essentially internal-

oriented, manifested primarily in the form of periodic, small-scale revolts by disgruntled local chieftains who renegaded against their foreign suzerainties, as well as civil conflicts stemming from kinship rivalry and domestic power struggles. Piracy and slave-raiding were the other security menace, rampantly partaken by the same chieftains and warlords, and largely considered as a *de facto* livelihood of the seafaring communities in the maritime region of the Sulu and Celebes seas. British North Borneo also succumbed to Japanese occupation during the Pacific War, which ended in Imperial Japan's surrender, and the subsequent return and transfer of the state administration from the BNBOC to the victorious British Empire. Similar to British Malaya during the outbreak of the communist insurgency, security threats emanated from the communist struggle in Borneo to try position Sarawak as well as North Borneo within the communist 'sphere-of influence'. Indeed, the formation of Malaysia was derived primarily from the Western bloc's Cold War security calculus in the shape of forging a newly independent, pro-West nation-state in restive Southeast Asia comprising the two Bornean states and peninsular Malaya, to counter-balance the Chinese-led regional communist expansionism. The guarantee of security was thus a key component of the Malaysia Agreement (1963), with the federal government assuming the role as provider of security to Sabah. The birth of Malaysia, nevertheless, resulted in the aforementioned *Konfrontasi* policy by Sukarno's Indonesia who waged an undeclared war against the newly-minted Malaysian federation by launching intermittent and limited-scale military campaigns that lasted until 1966. To be sure, the *Konfrontasi* did not threaten Sabah directly, but the formation of Malaysia courted controversy from the Philippines, who like Indonesia, refused to recognize the new federation due to Manila's claim of territorial sovereignty over North Borneo/Sabah. Although the Filipino government did not pursue the military option, it remonstrated by severing diplomatic ties with Kuala Lumpur in 1963. Despite having their diplomatic relations fully restored in the spirit of regional solidarity under the Association of Southeast Asian Nations (ASEAN), Manila's cordial relationship with Kuala Lumpur overshadows the fact that Philippine's claim over Sabah remains unresolved (Lai 2015a: 392). The thorny issue has unceremoniously returned to torment Malaysia, not only in the guise of the Lahad Datu intrusion, but also the consequent revitalization of the Filipino claim under the present Aquino administration.

Sabah's other security concerns in the 1970s and 1980s came from a spill-over of the political upheaval in the restive Southern Philippine region, which was facing a protracted civil conflict stemming from the secessionist movement orchestrated by the Moro National Liberation Front (MNLF). The political strife led to population displacement and a massive refugees outflow from Mindanao, Tawi-Tawi and other outer islands, triggering an unprecedented human security crisis that saw the Malaysian government, with the approval of the Sabah state authorities, opening

Sabah's far-eastern border to accommodate the influx of Filipino refugees, in the name of humanitarian intervention. Observers commonly perceive the huge inflow of southern Filipinos to Sabah during this period as the watershed of the state's extraordinary problem with illegal immigration, which has lasted till this very day.

The Cold War's demise has seen 'old' issues persevering, while 'new' security challenges have emerged. Although Southeast Asia remains relatively peaceful, Malaysia's national security planners have been envisaging potential threats from the likes of unresolved maritime-territorial disputes, radical Islamic militant movements, and global terrorism spawned by non-state extremist groups. Likewise, trans-border human security challenges, from illegal immigration and human trafficking to piracy, smuggling, and environmental degradation have become salient, requiring Malaysia to be adept to managing these traditional and non-traditional security concerns. It is inevitable that Sabah is implicated in all these national security challenges, in view of its geographical proximity to some of Southeast Asia's potential maritime-territorial flashpoints as well as restive neighbourhood, such as the Malaysia-Indonesia-Philippines 'tri-border' area, where security is a premium. With Sabah under its security umbrella, the federal government of Malaysia has a non-negotiable obligation to enhance the security of the state in the context of a fluid and unpredictable international environment.

SABAH'S SECURITY CONCERNS AND CHALLENGES

The fuzzy global security situation of the twenty-first century has been persistently shaped by as much traditional security issues as non-traditional threats. As such, Malaysia has pragmatically recalibrated its national strategic thinking by adopting the concept of comprehensive security that emphasizes on managing security threats in the two dimensions, both of which are constituent to Sabah, and shall be examined in the following sections.

Malaysia's national security outlook has continued to be dictated primarily by conventional security concerns, despite the emerging salience of non-traditional security challenges. In particular, safeguarding territorial sovereignty and securing maritime interests in Malaysia's Exclusive Economic Zones (EEZ) are two priority areas, given its geographical designation as a littoral state with far-reaching maritime boundaries (Lai 2015a). Predictably, Malaysia is riddled by a number of extant maritime-territorial disputes vis-à-vis neighbor states, due to unresolved land/maritime boundaries, which have led to overlapping sovereignty claims. They include Manila's latent historical claim over Sabah, the Celebes Sea/Ambalat

maritime conflict vis-à-vis Indonesia, and the multilateral dispute in the South China Sea over parts of the Spratly archipelago (Lai 2015a). It is not coincidental that Sabah is directly implicated in most if not all of these disputes due to its geographical proximity to the contested areas, not to mention, the state's very own contested sovereignty, which has yet to be resolved to date.

As cited earlier, the Philippines' territorial claim over Sabah has proven to be a proverbial thorn-in-the-flesh, when it comes to safeguarding the state's sovereignty under the Malaysian federation. Although shelved for the purpose of facilitating good-neighbourly relations, Manila's failure to formally renounce the claim since the late 1960s has inadvertently provided an avenue for its recent resurrection, albeit instigated by non-state actors in the guise of the Sulu militants, who purportedly launched the armed intrusion, in the name of the Philippines. Unsurprisingly, the incident became a highly visible 'nationalist' issue that saw Filipinos sympathizing with their national brethren's cause to re-assert Philippines' territorial claim (Lai 2015a: 394). To Malaysians and Sabahans, the ill-fated episode revealed two major security concerns. Firstly, it has glaringly exposed limitations of the national security apparatus, in terms of outlay, outreach, and level of preparedness, especially when it comes to managing a national or state-level security crisis. Secondly, the incident has demonstrated Sabah's vulnerability to potential 'Filipino' intrusions in the future, so long as its sovereignty status remains unresolved.

It is worth noting that since the failed Sulu intrusion, there has been a gradual rejuvenation of Manila's dormant claims over Sabah. The latest controversy saw President Benigno Aquino III asserting in a recent interview that the Philippines would never relinquish its claim over North Borneo, and that there are factors Manila has to consider before making its moves to press for the claim (*Daily Express* 2015c). There was even the audacious suggestion regarding the possibility of the Republic downgrading its claims on Sabah in what would be deemed as a trade-off for Malaysia's cooperation to counter-balance China's assertiveness in the South China Sea. To be sure, Manila's renewed assertion of sovereignty over Sabah could be possibly interpreted as the Aquino administration's deliberate priming of a 'nationalist' issue to bolster domestic popular support in preparation for the forthcoming presidential elections. Yet, such 'two-level' gaming by Manila could be counterproductive as it has not only fuelled bilateral tension vis-à-vis Putrajaya, but also potentially decreases the Filipino government's ability to manoeuvre domestically and opt for moderate-conciliatory measures, when dealing with Malaysia over such a highly-charged nationalist issue. For certain, it has already reignited the anxiety of Sabahans regarding the potential security challenges this festering sovereignty dispute may pose in the future.

Close to its south-eastern shores lies another potential flashpoint that could bring security ramifications for Sabah. The nationalist-fueled bilateral dispute over the hydrocarbon-rich, deep-sea blocks located in the Celebes Sea/Ambalat is a major irritant in Malaysia-Indonesia relations, in so far as it has all the necessary ingredients to trigger a limited maritime armed conflict between the two neighbors. The dispute has thus far witnessed two volatile episodes in 2005 and 2009, respectively. Both incidents involved alleged incursions followed by provocative manoeuvres and face-offs between vessels of the Royal Malaysian Navy (RMN) based in Semporna, Sabah, and Tentera Nasional Indonesia-Angkatan Laut (TNI-AL) in the disputed waters, which almost led to the first armed conflict between the two kin-states since *Konfrontasi* (Lai 2015a; Lai 2015b). The explosive nature of the maritime dispute suggests the necessity for Malaysia to strive for a mutually beneficial diplomatic resolution vis-à-vis Indonesia, while simultaneously reinforcing its naval capabilities in Sabah's south-eastern seaboard to effectively defend Malaysia's maritime interests in the Celebes Sea.

Another maritime-territorial concern that implicates Sabah is the Spratly archipelago, which Malaysia claims in part, vis-à-vis five other claimant-states, namely China, Vietnam, Philippines, Brunei and Taiwan. This group of South China Sea islands/reefs/atolls and its surrounding waters are currently “the epicenter of competing maritime-territorial, geo-economic and geo-strategic interests” as well as “a potential turf/hotspot for great power politics, due to its abundant natural resources (i.e. fisheries and hydrocarbon deposits), and strategic location, straddling along the world's busiest sea lines of communication (SLOC)” (Lai 2015a: 395). The Spratly is claimed *en masse* by China and Vietnam, while the Philippines and Malaysia officially lay claims over fifty-three and twelve geographical features, respectively. The ones claimed by Malaysia are located in the southern part of the archipelago, in waters off northern Sabah, which are asserted based on the principle of continental shelf extension from Sabah's land mass. At present, Malaysia is effectively occupying five of the twelve features, namely the Swallow (*TerumbuLayang-Layang*), Ardasier (*TerumbuUbi*), Mariveles (*TerumbuMantanani*) and Erica (*TerumbuSiput*) reefs, as well as the Investigator Shoal (*TerumbuPeninjau*) (see Emmers 2010: 69; Kuik 2013: 23).

The Spratly dispute has seen claimant-states employing a variety of strategies including the use of force on multiple occasions to assert their respective claims. China, for instance, has been criticized over the decades for adopting ‘gunboat diplomacy’ in pursuit of its ‘creeping invasion’ of the archipelago, such as in the Fiery Cross Reef and Mischief Reef incidents in 1988 and 1994-5, respectively, and again in the mid-2012 Chinese-Filipino standoff at the Scarborough Shoal. The Chinese have been gradually strengthening their military presence and power-projection capabilities in the South China Sea, building naval bases and

augmenting the PLAN South China Sea Fleet, which included the commissioning of China's maiden aircraft carrier, *Liaoning*, and a colossal submarine fleet to assert Chinese sovereignty over the troubled waters (Lai 2015a: 396). Besides building and flexing its military muscle, Beijing has equally employed other assertive strategies, ranging from unilateral declaration of maritime boundaries to land reclamation of previously uninhabitable features, purportedly to provide a legal basis to its sovereignty claims. China's 1992 Territorial Waters Law is a case in point, which not only reaffirms Chinese sovereignty over the Paracel and Spratly, but also 'legalizes' China's claim to more than eighty percent of the South China Sea via the infamous 'nine-dash-line' boundary (Emmers 2010: 71). Likewise, ASEAN states have been spooked by China's blatant and highly contentious land reclamation of a number of Spratly features, which the Chinese have transformed into habitable 'islands' that can reinforce China's legal claims under the UNCLOS principle of 'effective occupation', while simultaneously serve as the PLAN's forward bases of deployment.

To be sure, Malaysia has neither received the brunt of China's military assertions, nor has it been compelled by the Chinese to forcefully defend its Spratly outposts, possibly an outcome of the 'special relationship' that both countries share. Nevertheless, Malaysia is increasingly sharing the concerns of other ASEAN-states regarding the deteriorating security ambience in the South China Sea. In fact, Putrajaya has cause for concern, since Beijing's renewed assertion of its 'nine-dash-line' boundary has ultimately led to the Chinese 'breaking tradition' with Malaysia, when they made their first-ever military assertions, albeit in the form of naval exercises off a Malaysian-claimed feature known as James Shoal in 2013, and again, in 2014. Hence, while Malaysia continues its pragmatic policy of engaging China, and opting for diplomatic means to manage the South China Sea imbroglio, it has also sought to 'hedge' against the uncertainties of future Chinese strategic behaviour by acquiescing to a revitalized American military presence via the 'US 'pivot' to Asia' initiative (see Kuik 2013) and maintaining military links with other regional powers, especially the FPDA member-states. Malaysia has similarly embarked on military modernization as part of its 'hedging strategy', which includes procuring submarines and other naval assets for forward deployment at RMN bases in Sabah (i.e. Sepanggar)to safeguard the nation's maritime-territorial integrity and interests in the South China Sea, specifically, and the eastern maritime region designated by the RMN as 'Naval Region II', generally.

Closely intertwined with and subsumed under Malaysia's maritime-territorial interests is the safeguarding of Sabah's extensive coastline and maritime border. Malaysia's continental shelf off Sabah covers the South China Sea and Sulu Sea to the north, and Celebes Sea to the east. Meanwhile, territorial seas and EEZs

border Indonesia to the east, the Philippines to the north-east, and Vietnam to the north. Most of the maritime border was established unilaterally by Malaysia via its *Peta Baru 1979*, and has yet to be delimited through agreements, and thus, subjected to disputes, such as those discussed earlier. Sabah also has a total of 1,743 kilometers of coastline (see Official Website of DID Sabah), spanning from east to west, making it extremely porous and vulnerable to security breaches/intrusions. Sabah's maritime zones are strategically as they are economically salient to Malaysia's national security and well-being. From fisheries to hydrocarbon reserves, the EEZs off Sabah are a substantial source for its food, energy and economic security. Meanwhile, the South China Sea and Celebes Sea are vital SLOCs for Malaysia and other trading nations. Securing and enhancing the safety of the EEZs is therefore a key national security agenda.

Among Sabah's most pressing maritime security challenge is the rise of piracy. Apart from the notorious Straits of Malacca, piracy and maritime terrorism have occurred sporadically in Sabah's eastern maritime border, most emphatically in the form of abduction or better known as 'kidnap-for-ransom' cases. Among the infamous incidents include the April 2000 abduction of twenty-one victims from a diving resort in Sipadan Island by the Abu Sayyaf Group (ASG), and another case a year later, at Pandanan Island, by its splinter group. In November 2012, two cousins were abducted from a plantation in Lahad Datu, and held at ransom by their ASG abductors in nearby Jolo Island. These daring kidnap-for-ransom activities continued unabated in the months that followed, despite the establishment of the ESSCOM, and promises of enhanced security measures along the 1,400 kilometre-long coastline of Eastern Sabah. Between 2013 and 2014, several cases have taken place at multiple locations along Sabah's east coast, involving local entrepreneurs and their workers, as well as foreign tourists including the fatal shooting of a Taiwanese in Pom-Pom Island off the coast of Semporna (*Borneo Post* 2015).

Indeed, the abductions became so rampant, they recurred every month between April and July 2014, to the embarrassment of the ESSCOM, and the Sabahans' chagrin (*DailyExpress* 2015b). Further compounding to this predicament was the ironic fact that even Malaysian security personnel stationed to protect Sabah's outer islands were not spared from such ordeals. An obvious case was the brazen attack by ASG on a marine police outpost and the abduction of a marine police constable at a Mabul Island resort in July 2014, which also saw his partner killed in a shootout with the marauding ASG gunmen. The abducted officer was eventually freed after protracted negotiations by the government to secure his release (*FreeMalaysiaToday* 2015). Incidentally, the latest kidnap-for-ransom incident occurred at the time of writing, when two victims were forcefully taken by Filipino gunmen at a popular seafood restaurant in Sandakan on 15

May 2015. The bold abduction shocked the nation after a hiatus of almost nine months following the successful restructuring of the ESSCOM, which greatly improved its efficiency and operability. Indeed, the Sandakan episode has once more undermined the ESSCOM's public image and confidence-building effort, after its somewhat faltering start. It also has had Sabahans feeling vulnerable all over again in so far as the incident occurred hardly three kilometres from the high-profile ESSCOM presence in the east coast. More worryingly has been the fact that it was the first such attack on the Sabah mainland, since previous incidents had occurred mainly at remote islands off Semporna and Lahad Datu (*The Star* 2015d).

To be sure, the vulnerability of Sabah's east coast to the scourge of piracy and abduction had been exposed much earlier than the recent spate of incidents would suggest. In fact, as early as 1979, gunmen hijacked the *SalehaBaru* ferry off Semporna, and held its passengers at ransom for months (*The Star* 2014a). Meanwhile, Lahad Datu was jolted by a 'pirate attack' in September 1985, when heavily armed gunmen from neighboring islands raided the local police station and robbed several business enterprises, resulting in civilian casualties (Barraclough 1986: 203). Like the recent Sulu armed intrusion, the frequency and audacity of such trans-border asymmetrical threats clearly expose the limitations in Malaysia's maritime surveillance and deterrent capabilities, especially in Sabah's far eastern border.

The Al-Qaeda-linked ASG's involvement in most of these abductions reveals yet another national security concern, namely the proliferation of Islamist extremism and global terrorism, which has compelled Malaysia to recalibrate its security perceptions to include viewing seriously the potential threat posed by radical Islamic movements, such as Kumpulan Mujahideen Malaysia (KMM), Jemaah Islamiyah (JI), and lately, the Islamic State (IS). Although Malaysia has never directly experienced the menace of terrorism, the involvement of Malaysian citizens in several high-profile terror attacks in the region is indicative of the peril posed by these transnationally connected, local militant groups, whose trans-border activities/movements must be diligently monitored and curtailed through effective joint counter-terrorism measures with neighbor-states (Lai 2015: 397). In fact, a senior Malaysian police officer involved in counter-terrorism recently revealed that it was not a matter of whether, but rather when a terrorist attack would take place in Malaysia, suggesting the clear and present danger of such a security threat within Malaysian shores (*Malay Mail Online*2015).

In Sabah's case, the trans-border traits of terrorism is largely manifested in the Malaysia-Indonesia-Philippines 'tri-border' area, making it an unwilling *de facto* frontline state in confronting what is seen as a hub of terrorist and related criminal

activities in Southeast Asia (Rabasa and Chalk 2012). Counter-terrorism experts often alleged that JI operatives and recruits periodically transit via Sandakan, Sabah, on their way to terror training camps in the Southern Philippines from Indonesia during the early 2000s. These allegations were proven by the periodic arrest of militants off Sabah's coast, who were ostensibly *en route* to terrorist safe havens located in the ungoverned maritime space of the 'tri-border' area. Indeed, Rabasa and Chalk (2012: 8) attest that the 'tri-border' area continues to serve as "a key logistical corridor" for JI and its various splinter groups, not mentioning, being "systematically exploited by the ASG to conduct acts of maritime terrorism, kidnappings, piracy, and other criminal activity". Similarly, the secessionist-oriented Moro Islamic Liberation Front (MILF) has exploited Sabah's porous borders—often referred to as the militants' "back door" to the Philippines to channel weapons, personnel, and battle-related materiel to the group's bases (Rabasa and Chalk 2012: 14).

The Malaysian authorities have responded by remaining vigilant against terrorist activities and infiltration in the tri-border area. Their preoccupation is logical, since the demographic makeup and proximity of Sabah to southern Philippines makes the tri-border "a suitable rear area for militants, who can blend into and develop support networks undetected among [Sabah's] large migrant population" (Rabasa and Chalk 2012: 5). Furthermore, the menace of ASG and MILF in this restive region is evident, especially with the former's recent declaration of allegiance with the IS, and the potential repercussions from the latter in the event of a failed Malaysian-brokered Mindanao 'peace deal' to seek a resolution to the Southern Philippines dilemma. Strengthening Sabah's coastal defence and surveillance under the ESSCOM setup is therefore vital, while trilateral/multilateral maritime security cooperation has to be intensified in the tri-border area, to effectively deal with the scourge of terrorism and other related trans-border security threats.

Illegal immigration is another 'human security' concern related to the Southern Philippines dilemma, which has plagued Sabah over the decades. Indeed, it is considered a top priority issue that not only correlates to and intertwined with, but also has direct implications on the virility of the other previously highlighted 'Filipino'-related security concerns. It is a given that Sabah's porous border and geographical proximity, as well as its political stability and relatively vibrant economy, makes the state a default destination for movement of illegal migrants, and to a lesser extent, victims of human trafficking from southern Philippines and Indonesia. According to the 2010 national census, Sabah's total population was approximately 3.2 million, of which 700,000 were foreigners, including an estimated 250,000 who were deemed as illegal immigrants. This statistics become even more striking when compared with previous censuses, which revealed a

mind-boggling population boom of almost 400 percent, from a mere 651,304 people in 1970, to approximately 2.5 million in 2000, before reaching the staggering 2010 figure (*Free Malaysia Today* 2012). According to critics, such an extraordinary demographic growth has been ostensibly the outcome of both legal and illegal immigration and naturalization from other parts of Malaysia, Indonesia, and especially from the Muslim-populated southern Philippines. Perhaps most controversial has been the accusation of state-sponsored systematic effort to give citizenship to Indonesians and southern Filipinos in order to strategically alter the demographic composition of Sabah for political purposes (see Mutalib M.D 2006). That said, the influx of foreigners in Sabah was also due to ‘push’ factors, namely the consequence of the civil conflict in Southern Philippines, which spawned an influx of Filipino Moro refugees to the shores of Sabah during the 1970s up to the 1990s.

Unavoidably, the infestation of illegal immigrants has been blamed for the proliferation of social problems in the state, i.e. rising crime, spread of diseases, and culture/identity clash that threaten public security. They are also seen as a threat to the economic livelihood and wellbeing of the local Sabah population, due to fierce competition for business turfs and scarce economic resources. Perhaps, more worryingly, they are perceived as a source of national security threat in the guise of a ‘fifth column’ that could threaten the nation’s sovereignty. On hindsight, the afore-highlighted Sandakan kidnap-for-ransom incident may not be as brazen and shocking after all, in view of the potential security challenges posed by the town’s changing demography, which is said to be increasingly populated by Suluk migrants originally from Jolo island, earning it the undesirable label by some as the *de facto* capital of Southern Philippines (*The Star* 2015d). Indeed, revelations by the Malaysian police regarding the possibility of “inside help” in the abduction case involving locals with connections to and kinship ties with criminal elements in the Southern Philippines, cannot be discounted, due to the intricacies of the illegal immigration dilemma (*Daily Express* 2015a).

Likewise, the Sulu intrusion could be manifestation of a similar problem caused by the presence of a ‘fifth column’ of Sulu migrants in Sabah, including those holding Malaysian citizenship either through naturalization or illegal methods, such as the alleged ‘Project IC’, whose loyalty and political allegiance may not necessarily lie with Malaysia, but instead have remained with their place/polity of origin. Indeed, such a view is never farfetched, since the Sulu militant group leader that led the fateful incursion, the late Agbimuddin Kiram himself, was allegedly a Malaysian national of Sulu origin, who formerly served as assistant district officer in Kudat, Sabah (*Malaysian Insider* 2013). Another obvious example is the notorious Mukhtadil brothers who masterminded several cross-border kidnapping

incidents in the east coast. The siblings were said to hail from Kampung Bangau-Bangau in Semporna, and had lived and worked in Sabah (*The Star* 2015d). Likewise, the lack of a sense-of-belonging and patriotism to Sabah/Malaysia, and the questionable loyalty of these so-called ‘Sabahans’ and ‘Malaysians’ to ‘king and country’ have been confirmed by then ESSCOM director-general, who shared information regarding the candid responses of some of these dubious Sabah citizens who were prepared to assist their ethnic brethren from across the Sulu Sea to maintain not only their clandestine presence in the state, but possibly help expedite their criminal activities (Gindol 2014).

This inevitably leads us to the controversy surrounding the alleged systematic issuance of genuine Malaysian identity cards to hundreds of thousands of immigrants, apart from those holding fake ones, through the so-called ‘Project IC’, which has been roundly blamed for the illegal immigrant woes in Sabah. The plausible existence of such a clandestine project, whether it was purportedly executed with the knowledge and consent of the authorities or simply the work of corrupt officials, ultimately led to the formation of the Royal Commission of Inquiry (RCI) on Illegal Immigrants on 11 August 2012. The RCI’s terms of reference were to investigate the complexity and the extent of illegal immigration that has besieged Sabah for several decades, and its impact on the state’s wellbeing from the socio-economic and political-security dimensions. After nine months of painstaking investigation involving the hearing of 211 witnesses and the writing of a 368-page report, the RCI found inconclusive evidence suggesting the existence of ‘Project IC’, although approximately half a million foreigners in Sabah were found to have been issued the *MyKad* to date (*The Star* 2015d). The report also concluded there was neither “political motive” nor political parties involved and found to be in collusion with the authorities in the granting of citizenships to illegals, pinning the blame partly on corrupt officials and syndicates (*Malaysian Insider* 2014). The RCI’s revelation on the magnitude of the illegal immigration problem suggests the immense challenges ahead, which the authorities are expected to face in their quest to neutralize the potential security threats posed by the omnipresence and infiltration of these so-called ‘citizens’ in the daily lives of Sabahans and Malaysians.

To be sure, both the Federal and Sabah state authorities have introduced measures to combat the influx of illegal immigrants, from strengthening border surveillance and control, to launching crackdowns like the ‘Ops Nyah’ and the ‘6P’ programme, which offered amnesty and deportation to illegals, while imposing stiffer penalties on perpetrators. Periodic operations of a similar nature and *modus operandi* have continued to date, albeit at higher frequency and greater intensity under the ESSCOM. Indeed, the formation of the RCI-recommended

Permanent Committee on the management of illegal immigrants co-chaired by Home Minister Ahmad Zahid Hamidi and the Chief Minister of Sabah, Musa Aman, underlines the seriousness of both the federal and state governments' commitment to getting rid of the large presence of illegal immigrants in Sabah. For instance, it has been claimed that "daily operations" are now being carried out to "flush out illegals" in Sabah, echoing the Home Minister's revelation of the Sabah security forces' new motto of "an operation every day" to translate the said commitment into tangible actions and measurable outcomes (*The Rakyat Post* 2015). It has also been revealed that as many as 330 operations were carried out by the Immigration Department statewide in 2014, which saw the repatriation of a total of 18,049 illegals, including approximately 14,000 Filipinos. Meanwhile, the ESSCOM conducted 132 integrated operations during the same period, "with 1,334 immigrants having been screened, 560 remanded and 1,987 deported to their countries of origin" (*The Rakyat Post* 2015). The latest statistics saw the ESSCOM rooting out more than 1,800 illegals in the first four months of 2015, during special integrated operations in Sabah's east coast (*The Star* 2015a). Similar 'rooting' operations have been planned for the Kudat district, a gateway to the capital, Kota Kinabalu, which is deemed vulnerable to illegal immigration and cross-border criminal activities (*The Star* 2015b).

NATURE AND SEVERITY IN RESPONSES

The myriad of traditional and non-traditional security concerns elaborated above reveals the stark reality of Sabah's security situation, which requires a concerted effort from both federal and state authorities to sustain the peace, stability and wellbeing of this North Bornean state. Since the federal government is responsible for the provision of national security, the onus is on Putrajaya to establish a comprehensive strategy to secure Sabah, which includes none other than the continual modernization and enhancement of the Malaysian Armed Forces (MAF) and other relevant security/enforcement apparatuses to face the security realities of the state.

As highlighted, Sabah is geographically the frontline state in most of Malaysia's maritime-territorial disputes in the South China Sea and Celebes Sea. The state's very own sovereignty under the Malaysian federation is also contested by the Philippines, while its porous border and location as part of the Malaysia-Indonesia-Philippines 'tri-border' area makes the state exceptionally vulnerable to the scourge of terrorism and trans-border criminal activities. It is therefore crucial for Malaysia's security planners to allocate a sizeable and sustained military budget and presence both within and off the shores of Sabah, to as

much secure its borders as safeguard and advance what are Malaysia's national security interests in the far eastern maritime region. This would mean, among others, strengthening the land, sea, and air defence capabilities of the MAF in Sabah, generally, and the designated ESSZONE, in particular. Likewise, there is a need to foster closer cooperation, coordination and synchronization of efforts to achieve synergy between the MAF and other enforcement agencies, with regard to information and intelligence sharing, conduct of joint/integrated operations, and sharing of common facilities as well as personnel exchange.

Furthermore, regional cooperation between neighbouring littoral states in the form of coordinated bilateral/trilateral/multilateral maritime patrol arrangements and joint military exercises is crucial to enhancing the effectiveness of combating trans-border threats, apart from promoting mutual confidence-building among claimant-states to ameliorate the propensity for conflict over the disputed maritime-territorial areas.

In terms of bolstering the Army, plans are in progress to set up a new infantry division in Sabah, following the Lahad Datu intrusion, which stresses the need for a reorganization of the Army's force structure to adept to the state's emerging security threats. The additional division, once fully operational, is expected to substantially strengthen Sabah's land defence, which has only a single infantry brigade assigned prior to the intrusion (Marhalim2014). Meanwhile, when it comes to securing Malaysia's extensive maritime-territorial interests off the Sabah coast, a significant upgrading of the capabilities of both the RMN in Naval Region II and the Malaysian Maritime Enforcement Agency is urgently required, through the procurement of advanced naval hardware and technologies, as well as improvement on maritime domain awareness (MDA) and standards of military/navy personnel in terms of training, equipment, morale, and welfare. In fact, achieving MDA in the Sabah region has been "one of the biggest challenges" and a priority area for the navy (*Defence IQ* 2014).

There is also a corresponding need to enhance the operational capabilities of the Royal Malaysian Air Force (RMAF) to enable effective aerial coverage, intelligence, and defence over the specified maritime-territorial space, especially when facing imminent challenges posited by the likes of China's creeping assertiveness in the South China Sea and Indonesia's naval presence in the disputed waters of the Celebes Sea. Indeed, despite its shoestring budget, the MAF has striven to enhance its tri-service capabilities by initiating strategic procurement programmes, such as RMN's procurements of French-built Scorpene submarines, Kedah-class Offshore Patrol Vessels (OPV) and Second Generation Patrol Vessel-Littoral Combat Ships (SGPV-LCS) to beef up its maritime capabilities, with the South China Sea and Celebes Sea identified as core operation areas. Likewise, the RMAF's purchase of

EC-725 Eurocopters and Russian-made SU-30MKM Multi-Role Combat Aircrafts (MRCA), as well as the planned acquisition of additional MRCAs as replacement for the ageing MIG-29N fleet suggest similar strategic intentions, with Sabah possibly serving as a focal point in the overall national security calculus.

It is noteworthy that while there has been a general reduction in Malaysia's defence budget over the last few years, the acute awareness regarding the nation's limited asset availability and capability in managing national security crises, i.e. the Lahad Datu intrusion ensures that force modernization would remain a priority area in years to come (Lai 2015a).

Perhaps more importantly to Sabah's immediate security needs has been the establishment of the ESSZONE and the ESSCOM in March 2013, as a direct response to the security threats posed by armed marauders from Southern Philippines, and the complex and intricate web of inter-related asymmetrical security issues spawned by similar non-state actors due to the state's geographical proximity to the tri-border area. Admittedly, the setting up of the ESSCOM was a most welcomed development for Sabahans, who have been suffering from a growing sense of insecurity over the years as a result of the proliferation of security issues discussed earlier. Unfortunately, the ESSCOM was plagued by operational problems during the nascent period of its inception, which undermined its ability to secure Sabah's eastern border, especially from the threat of criminal abductions perpetrated by ASG-linked Sulu armed groups. Despite having a RM660 million budget at its disposal, the ESSCOM's ineffectiveness was apparently due to its unclear function and chain of command, which caused a lack of coordination, command and control of the integrated security forces under its purview. Critics also pinned the blame on the choice of appointment of the inaugural ESSCOM head, whose civilian status and relative inexperience in managing and implementing security operations made him ill-suited for the job (*Borneo Post* 2014). Expectedly, the ESSCOM's false dawn has undermined public confidence, and compromised its reputation in the eyes of Sabahans and Malaysians, alike.

As stated, the ESSCOM's inept responses to a string of kidnapping incidents in Sabah's eastern borders eventually led to its restructuring in July 2014, barely a year into its existence. Indeed, the restructuring, which saw the introduction of two major components – the security and defence management as well as enforcement and public action – and the corresponding appointment of a senior police officer to helm the command, has since, transformed the ESSCOM into a more integrated and effective security apparatus. Barring the latest kidnap-for-ransom incident in Sandakan, the renewed ESSCOM has enjoyed a relatively successful second coming, following integrated operations and the introduction of additional measures such as relocation of water villages, overnight sea curfew and

designated sea routes that foiled a number of attempted intrusions and abductions (*The Star*2014c). Certainly, the ESSCOM's renaissance has been buffeted by the federal government's political will in fulfilling its pledge to bolster its operational capabilities on land, sea and air in the ESSZONE. Among the pledges include the formation of an additional battalion of General Operations Force (GOF), and another Army battalion as precursors to the proposed infantry division in Sabah, as well as deployment of military equipment such as the *Gempita* armoured vehicles (AVs) and military infantry fighting vehicles (MIFVs) for ground operations (*The Sun Daily* 2015).

Meanwhile, additional maritime assets, ranging from a refurbished oil rig and auxiliary ships to serve as sea base platforms, to the deployment of PASKAL rapid reaction force and new Rigid-Hull Fender Boats (RHDBs) equipped with high-end systems (i.e. forward-looking infra-red (FLIR) night vision capabilities), have been allocated to secure the ESSZONE's maritime domain (*Daily Express* 2014; *Malay Mail Online* 2014). They will be supported by advanced aerostats surveillance systems to provide the ESSZONE forces with round-the-clock MDA. Lastly, air defence will be bolstered with the planned acquisition of attack helicopters in the likes of the Apache Longbow or Eurocopter Tigre (*The Star* 2014b), and the transfer of four S-70A Blackhawk helicopters from Brunei to the MAF (*Borneo Bulletin* 2015), as well as the fitting of advanced guns to several Nuri and EC-725 helicopters for service in the ESSZONE. Air logistics will also be improved with the proposed upgrading of the Lahad Datu airport's runway and the relocation of the Hawk fighter jet squadron from Butterworth to Labuan (*New Straits Times* 2014).

It is obvious that the above allocation of military assets to secure Sabah, in general, and the ESSZONE particularly, would not be adequate without extensive community engagement and network-building activities to forge a better understanding and mutual trust as well as greater cooperation between the security agencies and the Sabah public. The ESSCOM's periodic engagements with the maritime community, such as resort operators, local fishery associations, and sea-faring communities living on water villages and off-shore islands reflect the importance of such a holistic and comprehensive strategy, to better serve the end goal of making Sabah safer.

CONCLUSION

It is undeniable that the security outlook of Sabah is less sanguine compared to most states in contemporary Malaysia, due to its geographical location and features, which makes it a fertile ground for spawning a myriad of traditional and non-

traditional security challenges. Although this North Bornean state has generally enjoyed relative peace and stability as part of the Malaysian federation, both old, unresolved and newly emerging security concerns, as well as the state's direct involvement in some of the nation's recent security crises have fomented a general sense of insecurity among its citizenry. From the more immediate asymmetrical threats of foreign armed incursion, kidnapping-for-ransom and illegal immigration, to the traditional inter-state sovereignty disputes over maritime-territorial interests, these security predicaments necessitate a comprehensive review and recalibration of Sabah's security requirements within the national strategic policy to better adept to its changing security environment.

To this end, both the federal and state governments have striven to beef up Sabah's military-security establishments to serve as a credible deterrent and an instrument of force, while simultaneously complementing such 'hard power' options with 'soft power' strategies to effectively manage, if not neutralize the sources of threat to the state. Undoubtedly, securing Sabah is, and will continue to be salient to the national security calculus, in so far as a safer Sabah would have a direct bearing on the nation's future peace, stability and wellbeing.

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