CHAPTER 2
REGIONAL TERRORIST NETWORKS IN SOUTHEASIA

2.1 Overview

Following the decisive events of 11 September 2001 in New York and Washington, D. C. and especially since the deadly bomb attacks in Bali on 12 October 2002, Southeast Asia, especially the Malay Archipelago, has come into focus as the so-called "second front" in the war against international terrorism.

Subsequent events after 11 September brought home the fact that those very events had great resonance within the region. The existence of an Al Qaeda-affiliated network in Southeast Asia was dramatically highlighted by the arrest in Singapore[1] since January 2002 of 32 members of the extremist Jemaah Islamiyah (JI) group, which also operates a secret network of cells in Malaysia, Indonesia and the Philippines, and had planned to attack US and local targets in Singapore.[2]

However, the threat of terrorism to Southeast Asia emanating from radical Islam predated the events of 11 September 2001. An emerging concern in recent years has been that of religion-inspired militant terrorism, particularly extreme Islamic groups. These groups have attempted to overthrow the central governments in Kuala Lumpur and Jakarta and replace it with an Islamic state ruled by the *sharia*. These militant groups have forged, or are the process of forging, transnational links within the region and also with international Islamic terrorist groups.[3]

In addition, there also exists an Islamic separatist or guerilla group within the region which envision separate Islamic states, and which have been actively

[1] BBC News Online, **"Singapore details terror network"**, 10 January 2003, http://news.bbc.co.uk/2/hi/asia-pacific/2645001.stm.

[2] Bradley Graham, **"Afghan tape helped lead to Singapore terror cell,"** *Washington Post Online*, 12 January 2002, http://www.washingtonpost.com/ac2/wpdyn?pagename=article&node=contentId=A34200-2002Jan11&notFound=true.

[3] Tan, 113.

engaged in long-running insurgencies against the central governments of Indonesia, the Philippines and Thailand.[4]

2.2 Al Qaeda Link in Southeast Asia[5]

According to *Dana R. Dillon*[6] who identified the bond of Southeast Asian terrorist group as from the origin at first, there were *little or no connections* between Southeast Asia terrorist organizations because the roots of these groups are varied. The Indonesia founders of Jemaah Islamiyah (JI) were inspired by anti-government rebellions in the 1950s. The Free Aceh Movement (GAM) began its insurgency against Indonesian government in 1976. Both Abu Sayyaf Group (ASG) and Moro Islamic Liberation Front (MILF) originated from Moro groups that fought in Philippines during the period of Spanish colonialism. The Pattani United Liberation Organization (PULO) map out its history to Pattani, an independent Malay kingdom that Thailand conquered and occupied in the 17th century.

However, many senior members of today's Southeast Asia terrorist groups were introduced and formed an alliance during Afghan war against Soviet occupation. Solidarity of militants formed during battles against Soviet Union, then many militants returned back to their Southeast Asia home and inspired by the success of their struggle, and importantly motivated to bring 'jihad' home. These radical leaders maintained their relations through communicative channels with strong back up such as Al Qaeda and freely trained members of their militants groups in Afghanistan until the U.S. occupation in 2001. Their cooperation across national boundaries creates an economy of scale for logistics, training and safe havens. For instance, JI and GAM have trained with the MILF in camps in the southern Philippines; GAM smuggles weapons with the Thai terrorist group's PULO, and many terrorists use regional connections to move from country to country.

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[4] Andrew Tan**, "The Threat of Terrorism in Southeast Asia: Threat and Responses,"** paper presented at the 10th Anniversary Conference of the Council of Asian Liberals and Democrats (CALD), Bangkok, Thailand, 10 December 2003.

[5] Bin Jantan, 47-49.

[6] Dana R. Dillon, **"Southeast Asia and the Brotherhood of Terrorism,"** *Heritage Lectures* No. 860, Delivered on 19 November 2004.

Carlyle A. Thayer provided a clearer explanation of the relations of terrorism in Southeast Asia by dividing into three distinct perspectives; (a) international, (b) regional and (c) country specific. The first perspective has been inspecting through global dimension. *Rohan Gunaratna* is the most prominent of the global terrorist analyst. He argues that Al Qaeda is the key factor to understanding terrorism in Southeast Asia. Osama bin Laden was able to convert Islamic resistance to the Soviet occupation of Afghanistan into a global jihad against the US and its allies and supporters and furthermore, able to forge personal ties with the top leaders of the ASG, JI and MILF. Through these personal ties, Al Qaeda was capable to develop regionally linked network of terrorists comprised of Southeast Asian graduates of religious schools in Pakistan and paramilitary training camps in Afghanistan. Gunaratna is the most widely portraying JI as "Al Qaeda's instrument" and "Al Qaeda's Asian Arm".[7] In addition, key Al Qaeda operatives were sent to Southeast Asia to provide financing and training. According to international terrorism experts, after the demise of Taliban regime in Afghanistan, Al Qaeda operatives were detached globally. Many reported fled to Southeast Asia, which then become the second front in the global war on terrorism.[8]

The second perspective to study of international terrorism is intertwined with regional security analysts. Prior to the Bali bombings, due to *Carlyle Thayer* studies found out that "regional security analysts focused on 'old terrorism', which is political violence committed by local insurgents and ethno-nationalist separatists".[9] By and large these regional groups have adopted the Al Qaeda-centric paradigm used by international experts as their framework to analyze. One of the prominent researchers on this topic is Zachary Abuza who agrees that "Al Qaeda 'establish' JI as

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[7] Kit Collier, **"Terrorism: Evolving Regional Alliance and State Failure in Mindanao,"** *Southeast Asian Affairs* (2006): 27.

[8] Carlyle A. Thayer, **"Al-Qaeda and Political Terrorism in Southeast Asia,"** in *Terrorism and Violence in Southeast Asia*, ed. Paul J. Smith (New York: M.E. Sharpe, 2005), 82.

[9] Carlyle Thayer**, "New Terrorism in Southeast Asia,"** in *Violence in Between: Conflict & Security in archipelagic Southeast Asia*, ed. Damien Kingsbury (Singapore: ISEAS Publications, 2005), 55.

'a regional arm of its own'".[10] Regional security specialists invariably concluded that any international linkage between Al Qaeda and a local militant Islamic group was evidence that the latter had become an "Al Qaeda franchise or affiliate."[11] Vivid example is *Hambali*, key Al Qaeda figure as the central actors fostering regional linkage between the Abu Sayaaf, JI and MILF. Regional terrorism specialists also have produced organizational charts to illustrate the pattern of subordination to Al Qaeda leadership and direction. They correctly identified the emergence of a regional network centered on JI. JI established a five-member Regional Advisory Council or *shura* to oversee JI cells in Malaysia, Singapore, Indonesia, the Philippines and elsewhere in the region.[12] The most eminent chart of regional terrorist bond was covered by Singapore government reported in 'the White Paper in 2003' was JI which is thought to work in much the same networked manner as Al Qaeda comprising: (1) a central command (*qiyadah maraziyah*, which part of a wider governing council, the *majelis qiyadah*; a hardcore of dedicated jihadists (numbers of whom vary greatly by source); and (3) a wider associate base drawn both from established insurgent militant organizations as well as loosely based radical groups scattered across the region. JI organized into **specific territorial cells** – known as ***mantiqis*** – that cover following areas:

- ***Mantiqis1 or M1***: M1 is based in Malaysia and covers Singapore, Malaysia (except Sabah), and Southern Thailand;
- ***Mantiqis2 or M2***: M2 is based in Solo, Central Java, and covers the whole of Indonesia (except Sulawesi and Kalimantan);
- ***Mantiqis3 or M3***: M3 is based in Camp Abu Bakar, Mindanao, Philippines, and cover Borneo, including Brunei, the east Malaysian states of Salawak and Sabah as well as Sulawesi and Kalimantan in Indonesia, and the Southern Philippines;

[10] Collier, 27.
[11] Thayer**,** 55.
[12] Ibid., 56.

- ***Mantiqis4 or M4***: M4 covers Irian Jaya, Australia and Papua New Guinea[13]

In short, from the above information and organizational structure of JI it represents the emergence of a regional terrorist network that situated in Indonesia, Malaysia, the Philippines, Thailand and Singapore. As Al Qaeda and its associate group JI have divided their responsibilities, personnel, infrastructure, and areas of operation into territorial organization called *mantiqis* with maintaining a low numerical strength, operating in the religious milieu, refraining from acquiring weapons until immediately before targeting, and strictly conforming to operational security, JI terrorist cells operated below the intelligence radar screen of Southeast Asian governments and the public for nearly a decade until their detection in Singapore in December 2001.[14]

The third perspective, which is aim on country specific studies throughout historical, political, cultural, religious values, and society's components. As a multidisciplinary framework of individual country studies facilitate to analyze the emergence and development of militant and terrorist groups, including the demonstration to uncover local militant/terrorist group and Al Qaeda.[15]

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[13] Peter Chalk, **"Militant Islamic Extremism in Southeast Asia,"** in *Terrorism and Violence in Southeast Asia: Transnational Challenges to States and Regional Stability*, ed. Paul J. Smith (New York: M.E. Sharpe, 2005), 28.

[14] Rohan Gunaratna, **"Understanding Al-Qaeda and Its Network,"** in *Terrorism and Violence in Southeast Asia*, ed. Paul J. Smith (New York: M.E. Sharpe, 2005), 70.

[15] Suzaina Kadir, **"Mapping Muslim politics in Southeast Asia after September 11,"** *The Pacific Review* 17, No. 2 (June 2004): 217.

2.2.1 The Rise of Al Qaeda in Southeast Asia

Since the early-to-mid 1990s the Al Qaeda terrorist network has made significant inroads into the region. Al Qaeda's Southeast Asian operatives — who have been primarily of Middle Eastern origin — appear to have performed three primary tasks. *First*, they set up local cells, predominantly headed by Arab members of Al Qaeda that served as regional offices supporting the network's global operations. These cells have exploited the region's generally lax border controls to hold meetings in Southeast Asia to plan attacks against Western targets, host operatives transiting through Southeast Asia, and provide safe haven for other operatives fleeing U.S. intelligence services.

Al Qaeda's Manila cell, which was founded in the early 1990s by a brother-in-law of Osama bin Laden, was particularly active in the early-mid-1990s. Under the leadership of Ramzi Yousef, who fled to Manila after coordinating the 1993 bombing of the World Trade Center in New York, the cell plotted to blow up 11 airliners in a two-day period (what was known as the "Bojinka" plan), crash a hijacked airliner into the Central Intelligence Agency's headquarters, and assassinate the Pope during his visit to the Philippines in early 1995. Yousef was assisted in Manila for a time by his uncle, Khalid Sheikh Mohammed, the alleged mastermind of the September 11, 2001 attacks. In the late 1990s, the locus of Al Qaeda's Southeast Asia activity appears to have moved to Malaysia, Singapore, and — most recently — Indonesia.

In 1999 and 2000, Kuala Lumpur and Bangkok were the sites for important strategy meetings among some of the September 11 plotters. Al Qaeda's leadership also has taken advantage of Southeast Asia's generally lax financial controls to use various countries in the region as places to raise, transmit, and launder the network's funds. By 2002, according to one prominent expert on Al Qaeda, roughly one-fifth of Al Qaeda's organizational strength was centered in Southeast Asia.

Second, over time, Al Qaeda Southeast Asian operatives helped create what may be Southeast Asia's first indigenous regional terrorist network, Jemaah Islamiyah

(JI) that has plotted attacks against Western targets.[16] Jemaah Islamiyah is suspected of carrying out the October 12, 2002 bombing in Bali, Indonesia, that killed approximately 200 people, mostly Western tourists. Although JI does not appear to be subordinate to Al Qaeda, the two networks have cooperated extensively.

Third, Al Qaeda's local cells worked to cooperate with indigenous radical Islamic groups by providing them with money and training. Until it was broken up in the mid-1990s, Al Qaeda's Manila cell provided extensive financial assistance to Moro militants such as the Abu Sayyaf Group and the Moro Islamic Liberation Front (MILF). Thousands of militants have been trained in Al Qaeda camps in Afghanistan or in the camps of Filipino, Indonesian, and Malaysian groups that opened their doors to Al Qaeda. Al Qaeda reportedly provided funds and trainers for camps operated by local groups in Indonesia, Malaysia, and the Philippines. Indonesian intelligence officials also accuse Al Qaeda of sending fighters to participate in and foment the Muslim attacks on Christians in the Malukus and on Sulawesi that began in 2000.

Al Qaeda operatives' task was made easier by several factors: the withdrawal of foreign state sponsors, most notably Libya, that had supported some local groups in the 1970s and 1980s; the personal relationships that had been established during the 1980s, when many Southeast Asian radicals had fought as mujahideen in Afghanistan; and the weak central government control, endemic corruption, porous borders, minimal visa requirements, extensive network of Islamic charities, and lax financial controls of some countries, most notably Indonesia and the Philippines. Over time, Al Qaeda's presence in the region has had the effect of professionalizing local groups and forging ties among them — and between them and Al Qaeda — so that they can better cooperate. In many cases, this cooperation has taken the form of *ad hoc* arrangements of convenience, such as helping procure weapons and explosives.

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[16] Sidney Jones, **"The Political Impact of 'War on Terror' in Indonesia,"** Asia Research Center (Murdoch University, Perth, Western Australia), working paper No. 116, November 2004, http://wwwarc.murdoch.edu.au/wp/wp116.pdf.

2.2.2 Why Southeast Asia?

There are several studies of the linkage between Al Qaeda and Southeast Asian terrorist units. But the most significant finding was done by *Zachary Abuza*[17] who identified that Al Qaeda had slowly penetrated the region for more than a decade beginning in 1991, co-opting individuals and groups, establishing independent cells, and finding common cause with local militants for four main reasons.

First, whereas there have long been militant Muslim groups who have been fighting for their own homeland in the southern Philippines, Aceh, and to a degree in southern Thailand and Myanmar, these groups were seen to have completely domestic agendas and little interest in linking-up with international Muslim organizations. Al Qaeda emerged in Southeast Asia at a time when state-sponsorship of terrorism, notably by Libya, was waning. Moreover, Al Qaeda was able to build on its personal relationships with veterans of the Mujaheddin in Afghanistan.[18] The leadership of almost every militant Islamic group in Southeast Asia, from the Kumpulan Mujaheddin Malaysia, Jemaah Islamiyah (JI), the Moro Islamic Liberation Front (MILF), and Laskar Jihad, had fought with the Mujaheddin. By linking their domestic struggles with an international network, the leaders of these groups were able to pool and share resources, conduct joint training, assist each other in weapons and explosives procurement, and engage in money-laundering and financial transfers. By working internationally, domestic-oriented groups were better able to achieve their goals.

Secondly, although the majority of the populations in Southeast Asian societies are secular and tolerant, radical Islam is growing for a variety of reasons. These include economic dispossession, the lack of political freedom, the spread of Wahhabism and Salafi Islam, the failure of secular education, and an increased number of religious students studying in Middle Eastern and South Asian *madrasah*

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[17] Zachary Abuza, **"Tentacles of Terror: Al Qaeda's Southeast Asian Network,"** *Contemporary Southeast Asia* 24, No. 3 (December 2002): 428-429.

[18] Kumar Ramakrishna, **"Terrorism in Southeast Asia: The Ideological and Political Dimensions,"** *Southeast Asian Affairs* (Annual 2004): 55.

(Islamic schools). Although radical Islamists are a distinct minority in Southeast Asia, in many cases they have shaped the agenda, and secular nationalists have not always stood up to them.

Thirdly, Southeast Asian states have been what might be termed "countries of convenience" for terrorists, with tourist-friendly policies and minimal visa requirements, generally lax financial oversights, well established informal remittance systems for overseas workers, porous borders, often weak central government control, endemic government corruption, and a vast supply of illicit arms.

Fourthly, Southeast Asia's multi-ethnic, tolerant, and secular societies have actually attracted Al Qaeda to the region. As states focused on other threats, they had dropped their guard in relation to the potential terrorist risk.[19] Although the Philippines raised the specter of international terrorists operating in the region in the mid-1990s, its cries fell on deaf ears. States saw terrorism as a problem, but not a problem they considered as a direct threat to themselves. One of the reasons analysts were obvious to the emergence of Jemaah Islamiyah and Al Qaeda's presence was that there were a myriad of groups.[20]

2.3 Jemaah Islamiyah (JI) Network in Southeast Asia: a closer look

2.3.1 The Jemaah Islamiyah Network

Historically, the term of Jamaah Islamiah came from a little known organization called *Komando Jihad*. In the Islamic community it means "the group of people who desire to die as martyrs (mati sahid)" and who are committed to following

[19] Zachary Abuza, **"Al Qaeda in Southeast Asia: Exploring the Linkages,"** in *After Bali: The Threat of Terrorism in Southeast Asia*, ed. Kumar Ramakrishna and See Seng Tan (Singapore: World Scientific, 2003), 135.

[20] Zachary Abuza, **"Al-Qaeda Comes to Southeast Asia,"** in *Terrorism and Violence in Southeast Asia: Transnational Challenges to States and Regional Stability*, ed. Paul J. Smith (New York: M.E. Sharpe, 2005), 38-39.

the ideals of Darul Islam to establish the "Islamic state of Indonesia under shariah law."[21] In the weeks after the September 11 terrorist attacks, a pan-Asian terrorist network with extensive links to Al Qaeda was uncovered. The network, known as Jemaah Islamiyah (Islamic Group), has cells in Malaysia, Singapore, Indonesia, the Philippines, Australia, Thailand, and Pakistan. To achieve its goal of creating an Islamic state in Southeast Asia (centered in Indonesia), Jemaah Islamiyah (JI) leaders have formed alliances with other militant Islamist groups to share resources for training, arms procurement, financial assistance, and to promote cooperation in carrying out attacks. Specifically, there is considerable evidence that JI has engaged in joint operations and training with the Filipino separatist group, the Moro Islamic Liberation Front (MILF).

Some reports indicate that JI camps may continue to operate in MILF territory in Mindanao. Within Indonesia, the network has created and/or trained local radical groups that have been involved in sectarian conflict in the country's outer islands. In October 2002, shortly after the attack in Bali, the United States designated JI as a foreign terrorist organization. Thereafter, the United Nations Security Council added the network to its own list of terrorist groups, a move requiring all U.N. members to freeze the organization's assets, deny it access to funding, and prevent its members from entering or traveling through their territories. Since December 2001, over 250 suspected and admitted JI members, including a number of key leaders have been arrested. Many of these arrests have been due to more extensive intelligence sharing among national police forces. The Bali bombing spurred Indonesian officials to reverse their previous reluctance to take on the Jemaah Islamiyah network.

2.3.2 Jemaah Islamiyah's Relationship to Al Qaeda

There has been considerable debate over the relationship between Jemaah Islamiyah and Al Qaeda. Although many analysts at first assumed that JI is Al

[21] Asep Chaerudin, **"Countering Transnational Terrorism in Southeast Asia with Respect to Terrorism in Indonesia and the Philippines,**" (Master Degree diss., Naval Postgraduate School, Monterey, California, December 2003), 31.

Qaeda's Southeast Asian affiliate, recent reporting — including leaks from interrogations of captured JI and Al Qaeda operatives — have shown that the two groups are discrete organizations with differing, though often overlapping, agendas. Whereas Al Qaeda's focus is global and definitively targets Westerners and Western institutions, Jemaah Islamiyah is focused on radicalizing Muslim Southeast Asia (starting with Indonesia) and some JI leaders are said to feel that attacking Western targets — as Osama bin Laden has urged — will undermine this goal. That said, the two networks have developed a highly symbiotic relationship. There is some overlap in membership. They have shared training camps in Pakistan, Afghanistan, and Mindanao. Al Qaeda has provided JI with considerable financial support.[22] They shared personnel, such as when JI sent an operative with scientific expertise to Afghanistan to try to develop an anthrax program for Al Qaeda. The two networks have jointly planned operations — including the September 11 attacks — and reportedly have conducted attacks in Southeast Asia jointly. Often, these operations took the form of Al Qaeda's providing funding and technical expertise, while JI procured local materials (such as bomb-making materials) and located operatives. Riduan Isamuddin (also known as Hambali), appears to have been a critical coordinator in these joint operations, and his arrest in 2003 may have curtailed JI-Al Qaeda cooperation. Finally, terrorist attacks in 2003 and 2004 in Morocco, Turkey, and Spain may indicate that Al Qaeda's anti-Western ideology simply is inspiring individuals and local groups — such as JI and its affiliates — to undertake terrorist acts.

2.4 Individual ASEAN states' terrorist setback

2.4.1 Cambodia

Cambodia has not historically been a hotbed of Muslim jihadist activity given its rather small Muslim population of about 500,000 out of a total population of

[22] Zachary Abuza, **"Funding Terrorism in Southeast Asia: The Financial Network o f Al Qaeda and Jemaah Islamiya,"** *Contemporary Southeast Asia* 23, No. 2 (August 2003): 169-199.

approximately 12 million. Islam in Cambodia has been rather benign in form, intermixed with Hindu and Buddhist influence. Cambodian Muslim youths go to Kelantan in Malaysia and to Pakistan to study Islamic teachings, and Thai authorities have noticed an increase in the number of Cambodian Muslims entering Thailand on their way to the South. Recently, life sentences were handed out by the Cambodian court against three Islamists on charges of plotting attacks against the British Embassy in Phnom Penh.[23] While Cambodia, given its small Muslim population, will not be subject to Taliban-like control by a group of jihadists, it is appropriate to consider the country as 'the wild West'. With poor governance and lax border control the country could become a place where radical teaching, covert training, planning and recruitment occur.[24] The community could easily become a safe haven for regional and international terrorists. However, In 2003, Cambodian officials arrested four men — one Cambodian Muslim, two Thai Muslims, and an Egyptian — for belonging to Jemaah Islamiyah (JI), a Southeast Asian Islamic militant group with ties to Al-Qaeda, and plotting to carry out terrorist attacks in Cambodia. The three non-Cambodians were teachers at a Saudi-funded Islamic school that Cambodian authorities subsequently shut down. In 2004, the Cambodian government, in cooperation with the United States, destroyed 233 Soviet surface-to-air missiles to prevent them from falling into the hands of terrorists in Southeast Asia. Weapons reportedly are still plentiful in Cambodia and have been smuggled out to insurgent groups in Sri Lanka and the Philippines.[25] In 2005, Cambodian officials consulted with Australian and British legal experts in the drafting of a new counterterrorism law.[26]

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[23] BBC News Online**, "Cambodian court convicts Hambali,"** 29 December, 2004, http://news.bbc.co.uk/2/hi/asia-pacific/4132931.stm.

[24] Verghese Mathews, "**Weeding out Terrorist Camps in Cambodia,"** *The Straits Time Review* (27 October, 2004), http://www.iseas.edu.sg/viewpoint/vm27oct04.pdf.

[25] Thomas Lum**, "Cambodia: Background & U.S. Relations,"** CRS Report for Congress RL32986, http://www.us-asean.org/Cambodia/Cambodia-report-jan07.pdf.

[26] The Royal Embassy of Cambodia to Australia and New Zealand, **"Cambodia in Focus,"** No. 37 (July 2006), http://www.embassyofcambodia.org.nz/July06/July5.htm.

2.4.2 Philippines[27]

The insurgency in the Philippines is a domestic phenomenon with deep historical roots and an unsuccessful integration of the Muslim population into the Christian dominated state. The conflict in Mindanao is largely due to the imposition of the mainstream culture/religion on the minorities and due to uneven government policies. There is also a sense of perceived repression from the Central Government. The Bangsamoros feel that their rights as a minority in the country are not fully recognized and they have been deprived from political participation and economic advancement. The Moro Islamic Liberation Front (MILF),[28] Abu Sayyaf Group (ASG),[29] and the Rajah Suleiman Movement (RSM) are three major actors in the Philippines.

Currently, organizational distinctions have blurred within these groups, and new alliances have come into being. The MILF and ASG, for instance, have had a relationship of convenience in which one group taps into the resources of the other and vice versa. The key leaders of ASG and RSM are also related by kinship apart from ideology. The ASG has been recognized widely as a bandit group. However, the group also comprised of leaders who were more ideologically attuned. The leader of ASG Khadaffy Janjalani had a hard time in making the group more ideologically oriented due to the presence of leaders who were driven by financial motives, such as Commander Robot alias Galib Andang. With Galib Andang and several other leaders either arrested or dead, the present leadership is trying to reinvent the group into a jihadi organization.

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[27] Paul A. Rodell, **"The Philippines and the Challenges of International Terrorism,"** in *Terrorism and Violence in Southeast Asia: Transnational Challenges to States and Regional Stability*, ed. Paul J. Smith (New York: M.E. Sharpe, 2005), 122-142.

[28] Andrew T H Tan, *A Political and Economic Dictionary of South-East Asia* (London: Europa Publications, 2004), 187.

[29] Eusaquito P. Manalo, **"The Philippine Response to Terrorism: The Abu Sayyaf Group,"** (Master Degree diss., Naval Postgraduate School, Monterey, California, December 2004), 1-92.

Christians are not the direct targets of ASG violence. But since a majority of the Filipinos are Christians, it is inevitable that they become victims of the ASG attacks. The threats from ASG should not be underestimated, as the group is more capable than is widely perceived. It is also enhancing its capabilities to launch new types of attacks.

Even with factionalism within the group, the MILF leadership remains strong and in control. The group controls a large territory with hard-line commanders in charge. However, with the gradual decline of resources and war fatigue among the community, the dividend from peace would appear to be more attractive for the group and its supporters. MILF's links with other groups appear to be at the level of its field commanders. There is continuing cooperation at the training and operational levels among the JI structured factions in Indonesia and the ASG, MILF and the RSM in the Philippines. There are tensions, however, as the agenda of different groups become more difficult to fit together. RSM, a relatively new actor, now helps these groups to expand their theatre of operations beyond Southern Philippines. This was evident from the Valentine Day attacks in Manila. RSM has an advantage over other groups because its members are familiar with the environment in Luzon and can blend into the surroundings without much difficulty.

In addition, the New Peoples Army (NPA) significantly undermines governance in a large part of the country. The NPA has a presence in most of the Philippines. It is believed that the Philippines government's priority now is to reach a peaceful settlement with the MILF so that they can commit resources to fight the NPA. In the Philippines, the main problem is that the government has not been able to put in place robust counter-terrorism mechanism. There is no budgetary allocation by the government for intelligence and law enforcement even though a multi-agency Anti-Terrorism Task Force has been set up to fight against terrorism. There is also little cooperation among different government agencies.

2.4.3 Indonesia[30]

Jemaah Islamiyah (JI) is the most dangerous group after Al-Qaeda, its role model. The group is heavily influenced by Al Qaeda's ideology and modus operandi. JI emerged out of the Darul Islam Movement due to disagreement among leaders about the political objectives to pursue.[31] After bombings in Bali and Jakarta there was dissatisfaction among the group members about pursuing Al Qaeda's global jihad agenda. However, there is no agreement yet to return to the old Darul Islam struggle, i.e., establishment of Islamic law in Indonesia. JI now functions in a decentralized manner with a significant degree of fluidity in its membership. This horizontal structure provides JI with ample opportunities to tap into a vast network of jihadists, or other Islamist militant groups, that operate on the same ideological premise. The radical Islamists have become increasingly ideologically driven and group affiliations have become less significant. With its broader agenda JI has tried to win over groups with local agendas, into the umbrella of radical global Islamist movements. This is often done through the provision of financial and technical assistance. Cooperation of local groups with JI has often led to the former to conduct more deadly attacks on targets. Structured and unstructured factions of the JI are also working with the MILF and the ASG in the Philippines. This relationship is largely tactical rather than long-term and ideological. Indonesian radical Muslims have responded to the war in Iraq by organizing protests and openly voicing their opinion against the US and its allies.

Abu Bakar Ba'asyir's release in June 2006 would have a symbolic impact on the radicals in the region and especially on the JI members. He has significant influence and control over the political faction of JI. His release would be exploited by Islamist groups and could embolden the jihadists in Indonesia. However, Ba'asyir's influence over terrorist operations is very limited even prior to his arrest. With the formation of Tandzim Qaedatul Jihad by Noordin Mohd Top, Ba'asyir's

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[30] Anthony L. Smith, **"Terrorism and the Political Landscape in Indonesia: The Fragile Post-Bali Consensus,"** in *Terrorism and Violence in Southeast Asia: Transnational Challenges to States and Regional Stability,* ed. Paul J. Smith (New York: M.E. Sharpe, 2005), 98-121.

[31] Tan, *A Political and Economic Dictionary of South-East Asia*, 84.

influence over operations would continue to be limited. In the long run, there is a high possibility that the political faction of JI, also commonly referred to as the JI mainstream, would pose the greater danger. Although the JI mainstream places a high emphasis on proselytization, they also provide military training to their members and most of its senior figures are Afghan veterans. Over time, their consolidated strength would be greater than the decentralized and ad hoc factions such as the one formed by Noordin Top. The failure of the Indonesian government to ensure that an adequate punishment is meted out to Ba'asyir, has once again, proved the weaknesses in its legal system when dealing with terrorists who kill innocent civilians. JI poses a greater danger to the region as compared to other groups like in the Philippines and Southern Thailand. This is mainly because of the resilience of its ideology. Individuals such as Imam Samudra and Noordin Mohd Top distort and manipulate certain concepts of the Islamic teachings to win new recruits. This compounded with historical events such as the persecution of Darul Islam figures and the sense of injustice and repression as a result of the policies of the central government has become the rallying point for committing violent acts.

2.4.4 Singapore

Singapore's recognition of the threat of global terrorism predated the events of 11 September 2001. Singapore's security perceptions are clearly expressed in Singapore's Defense White Paper published in 2000, entitled "'Defending Singapore in the 21st Century,' reaffirming its 'total defense' concept first introduced in 1984 which requires every element of Singaporean society to play its part." The concept encompasses not only military defense, but also civil, economic, psychological, and social defense. They are manifested in Singapore's rationing exercises, crisis shelters, and public education encouraging national unity.[32] Significantly, whilst it reiterated the importance of traditional realist tools of military deterrence and diplomacy, it also acknowledged the emergence of non-traditional security threats such as terrorism,

[32] Felix K. Chang, **"In Defense of Singapore,"** *Orbis* (Winter 2003): 113-114, http://www.fpri.org/ orbis/4701/chang.defensesingapore.pdf.

cyber-warfare and the proliferation of weapons of mass destruction (WMD).[33] It envisaged that the Singapore Armed Forces would have to develop a broader range of capabilities and work with others to meet some of the new security challenges that have arisen in the globalized era. Following the events of 11 September 2001, the Singapore government thus came out strongly to support the US in its declaration of war against international terrorism.[34]

Following the attacks, Southeast Asia, especially the Malay Archipelago, has come into focus as the so-called 'second front' in the war against international terrorism. Subsequent events, however, brought home the fact that the international war against terrorism, indeed, the very events of 11 September 2001, had great resonance within the region. Singapore was directly involved in that it was a prime al Qaeda target. The existence of an al Qaeda-affiliated network in the region was dramatically highlighted by the arrest in Singapore since January 2002 of 37 members of the extremist Jemaah Islamiyah (JI) regional terrorist network. In Singapore, the smashing of the JI stemmed from ongoing investigations into local militant activity and also the recovery of a videotape from an al Qaeda house destroyed by US bombing in Afghanistan in December 2001. The tape revealed that the group planned to attack American military personnel at a local subway station, US naval vessels at Singapore's Changi Naval Base, US commercial interests, Western (specifically, USA, UK and Australia) and Israeli embassies, and Singaporean military facilities. Twenty-one tonnes of ammonium nitrate were to be used for several massive truck bombs to carry out the attacks. The planned attacks were to be coordinated by two senior al Qaeda operatives, Fathur Rohman al-Ghozi (an Indonesian), and Jabarah Mohammed Mansour (a Canadian citizen of Kuwaiti origin), both of whom were subsequently arrested. 4 tonnes of ammonium nitrate were also recovered in Johor, Malaysia in early 2003, relieving initial fears that they had been successfully

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[33] Tanya Ogilvie-White, **"Non-proliferation and Counterterrorism Cooperation in Southeast Asia: Meeting Global Obligations through Regional Security Architectures?,"** *Contemporary Southeast Asia* 28, No. 1 (2006): 1-26.

[34] Ministry of Home Affairs, Singapore, **"2003 White Paper - The Jemaah Islamiyah Arrests and The Threat of Terrorism in Singapore,"** 9 January 2003, http://www.mha.gov.sg/wp/complete.zip.

smuggled into Singapore. The Singapore authorities are confident that the local JI logistical network has been severely disrupted, with the arrest thus far of 37 of the up to 60 operatives, with the rest on the run, probably having already fled Singapore. Had the planned attacks succeeded, they would collectively have constituted the largest terrorist attack since 11 September 2001. They would also have caused many American and local casualties as well as made an immense political, psychological and economic impact on Singapore that would reverberate throughout the region and internationally. They would have seriously affected business confidence in Singapore, home to several thousand foreign multinational corporations. Worse, they would have damaged communal relations; given the fact that 15 percent of the population consists of Malay Muslims.

The abortive bomb plots demonstrated that Singapore is a prime target of radical Islamists due to its close identification with the USA on political, security and economic issues, the presence of a US naval logistics facility that has supported US naval and military operations in the Indian Ocean, Persian Gulf and Afghanistan, and the fact that Singapore is home to many US multinationals operating in the region. The JI terrorist threat is clearly a serious one. As revealed in the Singapore Government's White Paper entitled "The Jemaah Islamiyah Arrests and the Threat of Terrorism" issued in January 2003,[35] the JI, or Al Jama'ah Al-Islamiyyah (Islamic Group) is an extensive regional terrorist network with well-trained operatives in Malaysia, Philippines, Indonesia, Singapore and Australia.

2.4.5 Thailand

The internal southern part of Thailand conflict is primarily been ethno-nationalist movement in character,[36] as *Joseph Chinyong Liow* asserted with "they appear to be taking on a more explicit religious dimension as a result of a range of

[35] Ibid.

[36] Imtiyaz Yusuf, **"Faces of Islam in Southern Thailand,"** *East-West Center Washington Working Paper* No. 7 (March 2007): 18-20, http://washington.eastwestcenter.org /Publica tions/yusuf.pdf.

factors".[37] The regional separatism of Southern Thailand is pursuing a statehood base on a sense of ethnicity of a group and was refer to as ethno-nationalism conflict. It identifies with the possible causes as ethno-nationalist separatism, which consists of causal factors of emotional resentment, the justified resistance of victims, propaganda orchestrated for political gain, the power of a dominant ethnic group, economic motivations and preservation of a threatened culture.[38] The conflict in Southern Thailand remains rooted not only in the political ideology of Malay-Muslim nationalism and separatism but also in the state's misguided policies to deal with the violence.[39]

Since 1902, the Thais have attempted to forcibly assimilate the Malay Muslims in the South into the Thai political structure. Successive Thai governments have sought to build a strong and unified state without any regard for the culture, language and religion of the local community. The language barrier, income disparity,[40] and the discrimination have only heightened the feeling of alienation in the face of overreaction by the government and insensitivity to minority issues.[41]

According to *Michael Vatikiotis* who identified the latest outbreak of violence, which dates back to 2001, appears to have been fuelled at the grassroots level by the Thai government's imprudent handling of local security, cultural, and political issues. There are three commonly cited causes for growing popular discontent. *First,* there was the nationwide war against drugs launched by Thaksin Shinawatra in 2002. Many of the more than 2,200 alleged drug dealers found dead

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[37] Joseph Chinyoung Liow, **"Muslim Resistance in Southern Thailand & Southern Philippines: Religious, Ideology and Politics,"** *East-West Center Washington Policy Studies* No. 24 (2006): 10, http://www.eastwestcenter.org/stored/pdfs/PS024.pdf.

[38] **"Regional Separatist Movements: Implications for Malaysia's National Security,"** p. 24, http://mapt.mod.gov.my/CYBERLIBSDATA/MEDIAS/ARTICLE/815.pdf.

[39] Joseph Chinyong Liow, **"International Jihad and Muslim Radicalism in Thailand? Toward an Alternative Interpretation,"** *Asia Policy* No. 2 (July 2006): 89-108, http://www.nbr.org/publications/asia_policy/AP2/AP2_Liow.pdf .

[40] Srisompob Jitpiromsri and Panyasak Sobhonvasu, **"Unpacking Thailand's Southern Conflict: The Poverty of Structural Explanations,"** *Critical Asian Studies* 38, No. 1 (March 2006): 95-117.

[41] Wattana Sugunnasil, **"Islam, Radicalism, and Violence in Southern Thailand: Berjihad di Patani and the 28 April 2004 Attacks,"** *Critical Asian Studies* 38, No. 1 (March 2006): 119-144.

were from the South. Thai police have consistently denied conducting these killings. *Second*, the structure of security in the region was changed, dismantling a long-established Southern Security Command (SOPB), and replacing military-led management with the use of police. This resulted in a disruption of well-established contacts between local communities and security authorities. *Thirdly*, there were policy pronouncements such as promising scholarships funded by local lotteries that opposition politicians from the South say offended local Muslims.[42]

Furthermore, the problem is provoked by the following factors: firstly, Thai Government's heavy handed response with extrajudicial killings, large scale mass arrests and holding innocent individuals without charge. Followed by the failure to re-establish trust with the Muslim community by adopting fair and transparent policies such as inquiry into police or military excesses and wrong doings, etc. Moreover, deployment of officers with little cultural training and religious sensitivities. Lastly, malfunction to create mechanisms to allow political grievances to be addressed.[43]

The Thai insurgency has also received assistance, directly and indirectly from external elements by way of training, indoctrination and resources. The situation could change dramatically if the so-called plight of the Thai Muslims were to be picked up by Al Qaeda and international jihadists, making Southern Thai conflict a rallying point for overall global jihad and a destination for foreign jihadi fighters.

The insurgent groups in Southern Thailand may not be expected to bring the Thai Government down through terror attacks, but rather to ultimately prevail in achieving a change in Bangkok's policy in respect of the three Southern provinces. Major actors in Southern Thailand include: National Revolutionary Front (BRN, Barisan Revolusi Nasional), Pattani United Liberation Organization (PULO), New PULO, Pattani Islam Mujahideen Movement (GMIP, Gerakan Mujahideen Islam

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[42] Michael Vatikiotis, **"Resolving Internal Conflicts in Southeast Asia: Domestic Challenges and Regional Perspectives,"** *Contemporary Southeast Asia* 28, No. 1 (2006): 27-47.

[43] Aurel Croissant, **"Unrest in Southern Thailand: Contours, Causes, and Consequences Since 2001,"** *Contemporary Southeast Asia* 27, No. 1 (2005): 21-43.

Pattani), Bersatu and Pusaka. However, the group that is most active in Southern Thailand now appears to be BRN Coordinate, one of the factions within Barisan Revolusi Nasional. Among the groups, there is lack of clear leadership. Membership across the groups often overlaps.

Thailand is not an international jihadist hub at present, especially with the denying the presence of terrorists within its borders as of Prime Minister Thaksin has repeatedly claimed, "We are not a target" and "everywhere is safe in Thailand."[44] The conflict is still very much localized and there is no concrete evidence of the Indonesian Jemaah Islamiyah (JI) or other outside groups participating in the conflict. Nevertheless, the nationalist-separatist struggle in Southern Thailand is rapidly transforming into a politico-religious conflict. Insurgent ideologues are increasingly politicizing and mobilizing the target audience, using religion rather than nationalism. The character of the insurgent campaign is changing from guerrilla warfare into urban terrorism. In the past, the insurgents targeted military, police, and government officials. Today, the targets are mostly civilians and civilian infrastructure. The military lack good training in urban operations. The security agencies have also failed to establish intelligence dominance in the South.

[44] Dana R. Dillon, **"The Shape of Anti-Terrorist Coalitions in Southeast Asia,"** *Heritage Lectures* Number 773, Delivered on 13 December 2002.

2.5 Maritime Terrorism

Southeast Asia straddles some of the most critical maritime trade routes in the world such as the Straits of Malacca and Singapore Strait, the Sunda Strait and the Lombok Strait. Asia owns 40 percent of all cargo ships, is home to some of the largest container ports, and over 25 percent of the world's cargo and 50 percent of the world oil goes through Straits of Malacca. Tankers carrying oil from the Middle East to countries such as China and Japan, which rely on imported oil, are just some of the vessels passing through the straits each day. The Straits of Malacca are 600 miles long and provide the main corridor between the Indian Ocean and the South China Sea.[45] Any maritime attack there would have a profound impact on the global economy. The International Maritime Bureau (IMB) reported that more than 80 percent of the world's pirate attacks take place in Southeast Asia water annually.[46]

Therefore, security environment in Southeast Asia is being challenged from several directions. The region is plagued with piracy, and has also witnessed maritime terrorism-related activities such as drug smuggling, gun running and illegal migration. Some of these have the potential to disrupt and destroy maritime enterprise. Efforts have been made by regional countries to address these problems and there has been an encouraging response to their efforts to combat disorder at sea. Nevertheless, concerns with threat of maritime terrorism in the region remain high primarily due to the rise of Islamic fundamentalism in the region, presence of Al Qaeda – linked groups like Jemaah Islamiyah (JI).[47] The group has shown an interest in attacking shipping in the Straits of Malacca and U.S. naval vessels visiting Singapore.[48]

As there is a noticeable link between threats of terrorism with the increasing incidents of sea robbery attacks on maritime shipping in the Straits. That

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[45] Joshua H. Ho, **"The Security of Sea Lanes in Southeast Asia,"** *Asian Survey* 46, No. 4 (July/August 2006): 559.

[46] Zachary Abuza, **"Terrorism in Southeast Asia: Keeping Al-Queda at Bay"**, *Terrorism Monitor* 2, No. 9 (May 2004): 4.

[47] Vijay Sakhuja, **"Maritime Terrorism and Piracy: Security Challenges in Southeast Asia"**, SSPC Paper Number 3 (September 2005): 1.

[48] Ho, 564.

makes such essential point to concern over the terrorist network in Southeast Asia is the maritime locale which is now represents the 'ground zero' of asymmetric threats such as terrorism, piracy and organized crime with the emergence of low intensity maritime operations (LIMO) capabilities of asymmetric non-state actors.

Southeast Asia has since in the late 1980s also become one of the global 'hot spots' of pirate attack on commercial vessels and fishing boats. Modern day pirate are increasingly prepared to use violence to further their arms, with the number of pirates armed with automatic weapons on the rise and injuries to the crew, assaults, and killings occurring regularly in pirate attacks in the region. A further worry is the latest increase in hostage taking some crewmembers and vessels for ransom. While the vast majority of pirate attacks in Southeast Asia today are simple 'hit and run robberies', committed by what can best be described as 'common sea-robbers', some attack re conducted by organized pirate gangs – or syndicates – who predominantly attack medium-sized vessels, including cargo ships, bulk carriers and tankers. In cases a vessel and its crew is held hostage for a limited time, or the entire vessel is hijacked by pirates and is then turned into a "phantom ship".[49]

Since the 9/11 event sea piracy also has been linked to the threat of maritime terrorist attacks, and indeed the conflation of 'piracy' and 'terrorism' become common in the mass media and in government policy and statements. However, the motivations of the terrorist and that of the pirates are fundamentally different. Terrorist have political motivation that are fuelled by ideology, ethno-nationalist demands, or religious fundamentalism. Where as pirates primarily seek financial gain for their activities due to local socio-economic problems.[50] While the

[49] Carolin Liss, **"The Privatisation of Maritime Security-Maritime Security in Southeast Asia: Between a rock and a hard place?",** Asia Research Center (Murdoch University, Perth, Western Australian), working paper No. 141 (February 2007).

[50] Adam J. Young and Mark J. Valencia, **"Conflation of Piracy and Terrorism in Southeast Asia: Rectitude and Utility,"** *Contemporary Southeast Asia* 25, No.2 (August 2003): 274-275.

origins and causes of these two phenomena are different, this does not imply that an overlap between these two activities can or will not occur.[51]

Separatist groups and terrorists also pose a threat to vessels, ports and offshore energy installations in Southeast Asia. Volatile political environments in which separatists and terrorists operate can pose a threat to maritime security in two different ways. First, the disruption of the local economy by armed conflict can increase the crime rate and may result in a rising number of pirate attacks on vessels at sea or in ports and can also cause problems, in form of local unrest, for companies in the energy or mining sector operating in the area. Second, separatists or terrorists can target maritime facilities directly. Such as in the Indonesia province of Aceh on the northern tip of Sumatra, where offshore energy installations are located, the Free Aceh Movement (Gerakan Aceh Merdeka, GAM) has been involved in a struggle for independence for several decades and has reportedly conducted maritime attacks and has launched offensives against foreign companies operating in the area, including Exxon Mobil and their supply vessels. Indeed, in 2001 the attacks against Exxon Mobil employees in Aceh were so severe that the company was forced to close its operations for four months. In the southern Philippines, the Moro Islamic Liberation Front (MILF) and the Abu Sayyaf[52] are active and have been involved in maritime attacks, including the bombing of the Super Ferry 14 in February 2004 by Abu Sayyaf members in which more than 100 people lost their lives. Other radical group such as the Indonesian terrorist group Jemaah Islamiyah (JI) may have the potential to conduct attacks on maritime targets throughout Southeast Asia.[53]

Furthermore, The Intelligence Community has identified some fifteen cargo ships around the world believed to be owned or controlled by Al Qaeda.[54] However, these vessels, owned by a myriad of shall companies, are constantly renamed and re-

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[51] Joshua H. Ho, **"The Security of Sea Lanes in Southeast Asia: The Singapore View,"** *Military Technology* 29, No. 5 (May 2005): 15.

[52] Rommel C. Banlaoi, **"Maritime Terrorism in Southeast Asia: the Abu Sayyaf Threat,"** *Naval War College Review* 58, No. 4 (Autumn 2005): 63-80.

[53] Liss, 3-4.

[54] Abuza, 5.

registered. Used to move men, materiel and generated revenue through legitimate cargo forwarding and illegitimate practices such as drugs, people and gun smuggling, these vessels may well be used as weapons in a terrorist attack. For instance, Cambodia has emerged as the flag of convenience registry of choice, with several cargo vessels believed to have belong to Al Qaeda in the past registered there. In 2002 the So San which was intercepted by Spanish forces while trying to covertly deliver North Korean missiles to Yemen also registered under Cambodian authority.[55]

The reaction from ASEAN can be seen through the ASEAN work program adopted in Kuala Lumpur in 2002 in included an agreement to cooperate in eliminating piracy in the region. The program seeks to increase information sharing about piracy through several mechanisms involving ASEAN. It requests the member states to disseminate laws, regulations, agreements, and conventions; cooperate with U.N. agencies and the International Maritime Bureau (IMB) and International Maritime Organization (IMO); study piracy trends in the region. The work program also proposes training efforts and encourages ASEAN to seek technical and financial assistance from dialogue partners, relevant to U.N. bodies, and other special organizations. The Bali concord II, adopted at the ASEAN Summit in Bali in October 2003, declared that maritime issues and concerns are transboundary in nature and therefore shall be addressed regionally in a holistic, integrated, and comprehensive manner. The Plan of Action of proposed ASEAN Security Community also added recommendation to cooperate mutually and to coordinate border patrols to combat terrorism.[56]

[55] Ibid., 6.
[56] Ho, 569.

CHAPTER 3
ASEAN COOPERATION ON COUNTERTERRORISM

3.1 Intra-ASEAN Cooperation

3.1.1 ASEAN Declaration on Joint Action to Counter Terrorism

Prior the grave event of September 11, ASEAN did not highlight terrorism as a topic of special importance. Indeed, there is no specific mention of terrorism either in the joint communiqué of the ASEAN Ministerial Meetings before 9/11. Instead, ASEAN includes terrorism under the topic of transnational crime, along with narcotics trafficking, arms smuggling, money laundering, and piracy.[57] While Amitav Acharya opposed that "the agenda of regional cooperation in Southeast Asia since September 11 reflects the growing recognition of this challenge. But caught in a moment of weakness caused by intra-mural bickering, the burdens of membership expansion and the lingering effects of the Asian economic crisis, Southeast Asian regional institutions have not been able to offer a strong response to the emerging transnational challenge."[58]

But the 11 September 2001 attacks in New York and Washington not just shocked the United States but the entire world. Governments in the region rallied in support of the U.S. and also in expressing their condemnation of the attacks. 9/11 incident also made ASEAN realized and acknowledged that terrorism is non-traditional security issue and transnational concerns. As ASEAN *recognized* that 'terrorism is a global threat and that the disturbing acts of terrorism and transnational crimes, which continue to threaten world peace and stability, must be tackled by the international community. Towards this end, ASEAN called for the need to undertake

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[57] Chow, 3.

[58] Amitav Acharya, **"Asian Security After September 11: A View from Southeast Asia,"** paper presented at the Asia Pacific Foundation of Canada's Roundtable on the Foreign Policy Dialogue and Canada-Asia Relations, Canada, November 2003, http://www.asiapacificresearch.ca/caprn/discussion/ amitav_mar03.pdf.

concerted efforts and concrete initiatives at all levels'.[59] Moreover, September 11, 2001 became a driving force for ASEAN to gather and response to the attacks of terrorism. Shortly, ASEAN responded to 9/11 incident through official declarations at Summit level, firstly by strongly condemning the terrorist attacks, and pledging to work very closely with its member states, the United Nations and other external powers. The vivid evidence was founded from the ***2001 ASEAN Declaration on Joint Action to Counter Terrorism*** at the Seventh ASEAN Summit in Bandar Seri Begawan, Brunei, 2001.[60] With their overwhelmingly 'condemn in the strongest terms the horrifying terrorist attacks on 11 September 2001 and consider such acts as an attack against humanity'.[61] The grand outcome from the 7th ASEAN Summit in Brunei, 2001 the member states which indicated the ways to follow-up on the implementation to advance ASEAN's efforts to fight terrorism by undertaking the following additional practical measures:

(1) Review and strengthen our national mechanisms to combat terrorism;

(2) Call for the early signing/ratification of or accession to all relevant anti-terrorist conventions including the International Convention for the Suppression of the Financing of Terrorism;

(3) Deepen cooperation among our front-line law enforcement agencies in combating terrorism and sharing "best practices";

(4) Study relevant international conventions on terrorism with the view to integrating them with ASEAN mechanisms on combating international terrorism;

(5) Enhance information/intelligence exchange to facilitate the flow of information, in particular, on terrorists and terrorist organizations, their movement and funding, and any other information needed to protect lives, property and the security of all modes of travel;

(6) Strengthen existing cooperation and coordination between the AMMTC and other relevant ASEAN bodies in countering, preventing and suppressing all forms

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[59] ASEAN Secretariat, **"Joint Communiqué of the 35th ASEAN Ministerial Meeting,"** Bandar Seri Begawan, Brunei on 29-30 July 2002, http://www.aseansec.org/4070.htm.

[60] K. S. Nathan, **"Counter-Terror Cooperation in a Complex Security Environment,"** in *After Bali: The Threat of Terrorism in Southeast Asia*, ed. Kumar Ramakrishna and See Seng Tan (Singapore: World Scientific Publishing, 2003), 224.

[61] ASEAN Secretariat, **"2001 ASEAN Declaration on Joint Action to Counter Terrorism,"** http://www.aseansec.org/5620.htm2001.

of terrorists acts. Particular attention would be paid to finding ways to combat terrorist organizations, support infrastructure and funding and bringing the perpetrators to justice;

(7) Develop regional capacity building programs to enhance existing capabilities of ASEAN member countries to investigate, detect, monitor and report on terrorist acts;

(8) Discuss and explore practical ideas and initiatives to increase ASEAN's role in and involvement with the international community including extra-regional partners within existing frameworks such as the ASEAN Plus Three (ASEAN+3), the ASEAN Dialogue Partners and the ASEAN Regional Forum (ARF), to make the fight against terrorism a truly regional and global endeavor;

Lastly (9) strengthen cooperation at bilateral, regional and international levels in combating terrorism in a comprehensive manner and affirm that at the international level the United Nations should play a major role in this regard.[62]

Moreover, from the 2001 ASEAN Declaration on Joint Action to Counter Terrorism, it also revealed that the organization strongly 'believed terrorism to be a direct challenge to the attainment of peace, progress and prosperity of ASEAN'.[63] Besides there are also specific measures outlined in the 2001 ASEAN Declaration on Joint Action to Counter Terrorism which have been integrated in the 'terrorism component' of the Work Program to implement the ASEAN Plan of Action to Combat Transnational Crime[64] adopted in May 2002. The Work Program is based along with six strategic thrust namely; information exchange; cooperation in legal matters; cooperation in law enforcement matters; institutional capacity building; training; and extra-regional cooperation. Furthermore, ASEAN also carried out training programs and projects in counter terrorism in 2003, including on psychological operation/psychological warfare courses for law enforcement authorities and on intelligence procuring. Designed courses on bomb/explosive

[62] Ibid.
[63] Ibid.
[64] ASEAN Secretariat, **"ASEAN Plan of Action to Combat Transnational Crime,"** http://www.aseansec.org/16134.htm.

detection, post-blast investigation, airport security and passport/document security and inspection are also included.[65]

Interconnected with 'the commitment to counter, prevent and suppress all forms of terrorist acts in accordance with the Charter of the United Nations and other international law, especially taking into account the importance of all relevant UN resolutions', member of ASEAN also attempted to implement the United Nations Security Council (UNSC) Resolution 1373, which was unanimously adopted on 28 September 2001. UNSC Resolution 1373 obliges all UN member states to: (a) prevent and suppress the financing of terrorist acts, (b) criminalize the willful provision or collection by their nationals of terrorist-relate funds, (c) freeze without delay terrorist-related funds and other financial assets, economic resources or property that could be used for the commission of terror, and (d) prohibit their nationals from making available funds, resources and facilities for the benefit of potential terrorists.[66]

Interrelated to the 2001 ASEAN Declaration on Joint Action to Counter Terrorism initiated in Brunei, the Eighth ASEAN Summit in Phnom Penh in November 2002 also instigated ***Declaration on Terrorism*** to 'condemn the heinous terrorist attacks in Bali, Indonesia, and in the Philippine cities of Zamboanga and Quezon.' The very interesting point in this declaration was the establishment of the Regional Counter-terrorism Center in the same month in Kuala Lumpur, Malaysia.[67] In May 2002 Indonesia, Malaysia and the Philippines signed the 'agreement on information exchange and establishment of communication procedures' to cooperate among them to combat transnational crime which also included terrorism. The trilateral agreement on information exchange and establishment of communication procedures focused on eleven fields of cooperation namely; terrorism, money

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[65] ASEAN Secretariat, **"ASEAN Efforts to Counter Terrorism, a paper prepared for the UN Counter Terrorism Committee,"** http://www.aseansec.org/14397.htm.

[66] K. S. Nathan, **"Counter-Terror Cooperation in a Complex Security Environment,"** 244, and United Nations Office on Drugs and Crime (UNODC), United Nations Security Council (UNSC) Resolution 1373, http://www.unodc.org/images/resolution%201373.pdf.

[67] ASEAN Secretariat, **"Declaration on Terrorism by the Eighth ASEAN Summit,"** Phnom Penh, 3 November 2003, http://www.aseansec.org/13156.htm.

laundering, smuggling, hijacking, intrusion, illegal entry, drug trafficking, theft of marine resources, marine pollution and illicit trafficking in arms. Specifically, this agreement also providing the elucidation of ***'terrorism'*** as

"any act of violence or threat thereof perpetrated to carry out within the respective territories of the Parties or in the border area of any of the Parties an individual or collective criminal plan with the aim of territorizing people or threatening to harm them or imperiling their lives, honour, freedoms, security or rights or exposing the environment or any facility or public or private property to hazards or occupying or seizing them, or endangering a national resources, or international facilities, or threatening the stability, territorial integrity, political unity or sovereignty of Independent states."[68]

Later on Cambodia, Thailand and Brunei have also acceded to the agreement.[69]

In May 2002, the Annual Conference of ASEAN Chiefs of Police committed to developing capacity-building initiatives to ensure that each ASEAN member has the capacity to effectively monitor, share information on and combat all forms of terrorist activities. ASEAN also organized Special ASEAN Ministerial Meeting on Terrorism in Kuala Lumpur, 20-21 May 2002 which carried out with the Joint Communiqué that commit to follow-up by entrusting the Senior Officials to execute the Work Program on Terrorism to implement the ASEAN Plan of Action to Combat Transnational Crime approved on 17th May 2002 in Kuala Lumpur and to review its progress at subsequent meetings of the ASEAN Ministers responsible for transnational crime issues. The Work Program includes, among others, programs on:

- exchange of information,
- compilation and dissemination of relevant laws and regulations of ASEAN Member Countries,
- compilation and dissemination of bilateral and multilateral agreements and information on relevant international treaties where feasible,

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[68] ASEAN Secretariat, **"Agreement on Information Exchange and Establishment of Communication Procedures between Republic of the Philippines, Republic of Indonesia and Malaysia,"** http://www.aseansec.org/17346.pdf.

[69] Jose T. Almonte, **"Enhancing State Capacity and Legitimacy in the Counter-Terror War,"** in *After Bali: The Threat of Terrorism in Southeast Asia*, Kumar Ramakrishna and See Seng Tan (Singapore: World Scientific Publishing, 2003), 228.

- development of multilateral or bilateral legal arrangements to facilitate apprehension, investigation, prosecution, extradition, inquiry and seizure in order to enhance mutual legal and administrative assistance among ASEAN Member Countries where feasible,
- enhancement of cooperation and coordination in law enforcement and intelligence sharing, and
- development of regional training programs;[70]

Later in January 2003 ASEAN police and law enforcement officials agreed that each ASEAN member country shall establish an anti-terrorism task force to strengthen cooperation on counter-terrorism and to collaborate with the affected ASEAN member country following a terrorist attack.[71] ASEAN also has joint declarations with the U.S., Japan, China, India, and Australia on cooperation to combat international terrorism and using the ASEAN Regional Forum (ARF) and ASEAN Plus Three (ASEAN+3)[72] forums to address the threats of terrorism and transnational crimes.

At the end of the 36th ASEAN Ministerial Meeting in Phnom Penh in June 2003, it came out with the Joint Communiqué that focuses on ASEAN's determination to cooperate closely with the international community in combating international terrorism. Besides with the attentive of results from the International Conference on Anti-Terrorism and Tourism Recovery in Manila in November 2002, the Regional Conference on Combating Money-Laundering and Terrorist Financing in Bali in December 2002, and the Inter-sessional Meeting on Counter-Terrorism and Transnational Crime of the ASEAN Regional Forum in Karambunai in March 2003.[73]

A clear detail from the Joint Communiqué of the 38th ASEAN Ministerial Meeting in Vientiane in July 2005 which expressed efforts to enhance capacity to counter- terrorism such as the conclusion of the Treaty on Mutual Legal Assistance in

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[70] ASEAN Secretariat, **"Joint Communiqué of the Special ASEAN Ministerial Meeting on Terrorism"**, Kuala Lumpur, 20-21 May 2002, http://www.aseansec.org.5618. htm.

[71] Borgu, 52.

[72] ASEAN Secretariat, **"Joint Communiqué of the First ASEAN Plus Three Ministerial Meeting on Transnational Crime (AMMTC+3),"** Bangkok, Thailand, 10 January 2004, http://www.aseansec .org/15645.htm.

[73] ASEAN Secretariat, **"Joint Communiqué of the 36th ASEAN Ministerial Meeting,"** Phnom Penh, Cambodia, 16-17 June 2003, http://www.aseansec.org/14880.htm.

Criminal Matters in November on 29 November 2004 in Kuala Lumpur. There are also existing networks on counterterrorism between regional centers, such as the International Law Enforcement Academy (ILEA) in Bangkok, the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT) in Kuala Lumpur and the Jakarta Centre for Law Enforcement Cooperation (JCLEC) in Semarang, Indonesia.[74]

In July 2006 in Kuala Lumpur, Malaysia, the 39th ASEAN Ministerial Meeting was held. The Joint Communiqué of that meeting noted the successful conclusion of the Treaty on Mutual Legal Assistance in Criminal Matters (MLAT) by all ASEAN Member Countries, which would improve the effectiveness of cooperation in combating transnational crime and terrorism through mutual legal assistance in criminal matters, and expressed hope that the Treaty would be ratified by all ASEAN Member Countries.[75]

3.1.2 Cooperation on Maritime Security

Given the geographic feature of Southeast Asia, many security concerns are today of a transnational nature, with criminals, separatists and terrorists traveling between and operating in more than one country. The level of cooperation between governments and law enforcement agencies in Southeast Asia to secure shipping and maritime installations therefore also plays a role. During the Cold War, the divide between communist and non-communist countries in Southeast Asia hampered cooperation. After the Cold War, co-operation slowly increased between nations in the region, with former communist states such as Laos and Vietnam becoming increasingly integrated in Southeast Asian security initiatives. Also, with the removal of the 'communist threat', more attention was paid to transnational non-traditional security issues, and cooperation in the region consequently increasingly focused on these 'new' security threats. Given its importance, the security of the Malacca Straits has been of international concern and the straits have been at the core of maritime

[74] ASEAN Secretariat, **"Joint Communiqué of the 38th ASEAN Ministerial Meeting,"** in Vientiane, Lao PDR, 26 July 2005, http://www.aseansec.org/18781.htm.

[75] ASEAN Secretariat, **"Joint Communiqué of the 39th ASEAN Ministerial Meeting,"** in Kuala Lumpur, Malaysia, 25 July 2006, http://www.aseansec.org/18782.htm.

security cooperation between countries from within and outside Southeast Asia. In Southeast Asia, a range of multilateral and bilateral agreements and other cooperative efforts to enhance maritime security have been implemented and discussed since 1992.

ASEAN played a leading role in these efforts, with ASEAN leaders pledging in October 2003 to increase cooperation in order to create a 'security community' to combat piracy, terrorism and other transnational crimes in the region. ASEAN efforts to increase security have, however, been limited by ASEAN's policy of non-interference in domestic affairs. Other multilateral agreements have also been implemented amidst difficulties. One example is the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP),[76] an initiative initially introduced by Japan,[77] which promotes the sharing of information related to piracy and the establishment of an Information Sharing Centre. The agreement aims at enhancing cooperation between 16 countries, including the ASEAN members, China, South Korea, Japan, Bangladesh, India, and Sri Lanka. Even though 14 countries have so far signed and ratified the agreement (or are in the process of ratifying it) Malaysia and Indonesia, two important countries in regard to maritime security in Southeast Asia, are not yet among them.

Furthermore, the agreement does not "oblige members to any specific action other than sharing information that they deem pertinent to imminent pirate attacks". Emphasis has also been placed on bilateral cooperation and agreements between Southeast Asian nations. Bilateral efforts to combat maritime crime include a series of bilateral agreements between Singapore, Indonesia, and Malaysia to conduct joint exercises at sea and to coordinate naval patrols in the Malacca Straits. However, initiatives such as the coordinated patrols have been criticized as consisting of little more than an exchange of schedules. In 2004, a trilateral agreement between

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[76] ReCAAP Information Sharing Center, **"Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia,"** (ReCAAP Agreement), http://www.recaap.org/publish/ recaap/about/agreement.html.

[77] Nazery Khalid, **"Security in the Straits of Malacca,"** *Japan Focus: an Asia-Pacific e-journal* (1 June 2006), http://japanfocus.org/products/details/2042.

Singapore, Malaysia and Indonesia was reached to conduct coordinated patrols (named MALSINDO) in the Malacca Straits.[78] India and Thailand have both expressed interest in joining the patrols, an offer which has so far not been taken up. However, two years later combined coordinated air patrols over the Malacca Straits, named Eye in the Sky (EiS),[79] and were introduced. The three littoral states together with Thailand agreed that initially each state should conduct up to two air patrols a week. In April 2006, the MALSINDO and EiS initiatives were brought together under the umbrella of the Malacca Straits Patrol Network.[80] Yet, despite initial success, these coordinated air and sea patrols have so far failed to significantly reduce criminal activity in the straits.

Indeed, particularly the EiS program has been widely criticized for the low number of actual flights taking place and the limited resources available to respond to incidents spotted from the surveillance planes. The level and the nature of cooperation between the countries concerned is one important factor determining the outcome of the sea and air patrols. Concerns over national sovereignty, and the question of allowing law enforcement agencies from neighboring countries access to national waters, has so far prevented closer cooperation in the region. While the surveillance planes are allowed to fly for up to three nautical miles into the territorial waters of the participating states, the naval patrols remain coordinated, rather than joined patrols, meaning that 'hot-pursuit' into, or patrolling of waters of neighboring countries, is not permitted. Countries from outside Southeast Asia, such as Japan, China, India, Australia and the USA have also expressed interested in playing a role in securing the Malacca Straits and other Southeast Asian shipping lanes and have offered assistance

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[78] Calorin Liss, **"The Privatization of Maritime Security: Maritime Security in Southeast Asia: Between a rock and a hard place?,"** (paper presented at the British International Studies Association Conference, University of Cork, Ireland, 18-20 December 2006), http://www.bisa.ac.uk/2006/pps/liss.pdf.

[79] Mohd Naris Yusoff, **"Eye-in-The-Sky Over the Malacca Straits from September 13,"** *Bernama News Online*, 8 September 2005, http://www.bernama.com.my/ bernama/v3/news _lite.php?id=154485.

[80] Rajeev Sawhney, **"Redefining the limits of the Straits: A Composite Malacca Straits Security System,"** *IDSS Commentaries*, Number 37/2006, 18 May 2006, http://www.ntu.edu.sg/rsis/publication s/Perspective/IDSS0372006.pdf.

to complement indigenous security efforts. Yet, their active involvement in securing the region's waters has mostly been met with skepticism. For example, despite ambitions from these countries to actively contribute to the security of the Malacca Straits, Indonesia and Malaysia have so-far rejected the idea of foreign military forces patrolling or being stationed in their country's waters.

Sensitivities about sovereignty are often cited as the main reason behind this refusal. Other factors include fear that military cooperation may expose domestic inadequacies, increased importance of offshore economic resources, and overlapping claims of ownership of islands or sea areas which are located in strategic places or are believed to be resource rich. Additionally, rivalry between external countries such as the US and China or China and India have had an impact on the level of cooperation. All these factors have so far prevented Southeast Asian countries from cooperating more closely together and with nations from outside the region. This limited cooperation between countries has a direct impacting on maritime security in the region, as criminals or terrorists, for example, can operate across borders with greater ease.

In summary, the limited resources of some local law enforcement agencies in Southeast Asia combined with corruption, and other problems within some law enforcement agencies in the region, as well as limited cooperation between states, opened the door for a rising number of private companies offering maritime security services in maritime Southeast Asia.[81] It is important that a comprehensive and multidimensional approach is taken to combat the scourge of piracy and terrorism, and to understand the dynamics and the complexities of both issues. This would help towards responding with effective preemptive and reactive measures to address their root causes and to ensure security in the Straits. The transnational, fluid nature of

[81] Carolin Liss, **"The Privatisation of Maritime Security – Maritime Security in Southeast Asia: Between a rock and a hard place?,"** Asia Research Center (Murdoch University, Perth, Western Australia), working paper No. 141, February 2007.

piracy and terrorism demands a comprehensive and sustained multinational effort in countering their threats.[82]

3.2 External Support and Assistance with Major Powers

3.2.1 ASEAN Regional Forum (ARF)

The ASEAN Regional Forum (ARF) represents a new framework which based on the neoliberal institutional principles,[83] designed to bring into a new security in the region. As a major venue of multilateral security dialogues for carrying out ASEAN's objectives of regional harmony and stability,[84] ARF adopted two main objectives: *first,* to foster constructive dialogue and consultation on political and security issues of common interest and concern, *second,* to contribute to efforts towards confidence building and preventive diplomacy in the Asia Pacific region.[85]

The ASEAN Regional Forum (ARF) was established in 1994. It draws together 26 countries which have a bearing on the security of the Asia-Pacific region. It comprises the 10 ASEAN member states (Brunei, Burma, Cambodia, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand and Vietnam); the 10 ASEAN dialogue partners (Australia, Canada, China, the EU, India, Japan, New Zealand, South Korea, Russia and the United States), one ASEAN observer (Papua New Guinea); as well as the North Korea, Mongolia and Pakistan. East Timor was

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[82] Nazery Khalid, **"Terrorist or Pirate?,"** *Maritime Institute of Malaysia/Institut Maritim Malaysia*, 1-6, http://www.mima.gov.my/mima/htmls/papers/pdf/nazery/nk-terrorist%20or%20pirate.pdf.

[83] Yukiko Nishikawa, **"The 'ASEAN Way' and Asian Regional Security,"** *Politics & Policy* 35, No. 1 (2007): 44.

[84] Amitav Acharya, **"Realism, Institutionalism, and the Asian Economic Crisis,"** *Modern Asia Series* (Spring 1999), http://www.fas.harvard.edu/~asiactr/Archive%20Files/Acharya%20MAS%20APR%201999.pdf.

[85] ASEAN Secretarial, **"ASEAN: Overview,"** http://www.aseansec.org/328.htm.

admitted to the ARF in 2005. And lastly, Bangladesh was included as the 26th participant during the 13th ARF Meeting in 2006.[86]

In a region with little history of security cooperation, the ASEAN Regional Forum is the principal forum for security dialogue in Asia. The ARF complements the various bilateral alliances and dialogues which underpin the region's security architecture. The ARF is premised on the idea - drawn from the ASEAN experience - that a process of dialogue can produce qualitative improvements in political relationships. It provides a setting in which members can discuss current regional security issues and develop cooperative measures to enhance peace and security in the region. The ARF functions as an arena in which members are exposed to continuing mutual contact. They are supposed to steadily cooperate and demonstrate their good intentions.[87]

At the 9th Ministerial Meeting of the ASEAN Regional Forum (ARF) in Bandar Seri Begawan on 30 July 2002, the ARF Statement on Measures against Terrorist Financing was adopted. The ARF participating states and organization (the EU) agreed on concrete steps that included: freezing terrorist assets, implementation of international standards, cooperation on exchange of information and outreach, and technical assistance. The 9th ARF also agreed to establish the inter-sessional meeting on counter-terrorism and transnational crimes (ISM-CT/TC), which was co-chaired in the 2002-2003 year by Malaysia and the U.S.A.[88]

At the 10th ARF Ministerial Meeting in Phnom Penh in June 2003, the ARF Ministers issued the ARF Statement of Cooperative Counter-Terrorist Action on

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[86] Ministry of Foreign Affairs, Singapore, **"Foreign Policy: International Initiatives/ Organisations Association of Southeaast Asian Nations (ASEAN),"** http://www.app.mfa. gov.sg/2006/idx_fp.asp? web_id=9.

[87] Dominik Heller, **"The Relevance of the ASEAN Regional Forum (ARF) for Regional Security in the Asia-Pacific,"** *Contemporary Southeast Asia* 27, No. 1 (2005): 141.

[88] ASEAN Regional Forum, **"Chairman' Statement of the Ninth Meeting of the ASEAN Regional Forum (ARF),"** Bandar Seri Begawan, Brunei, 31 July 2002, https://www.aseanregionalforum.org/PublicLibrary/ARFChairmansStatementsandReports/ChairmansStatementofthe9thMeetingoftheASE/tabid/88/Default.aspx.

Border Security.[89] They committed themselves to enhance their efforts in a more comprehensive manner, particularly in addressing counter-terrorism aspects of border security in the movement of people and goods.

The ARF's second Inter-sessional Meeting on Counter-Terrorism and Transnational Crime (ISM on CT-TC) was convened in Manila, on 30-31 March 2004. The Meeting recommended to Strengthening Transport Security against International Terrorism, and to take concrete and cooperative measures in safeguarding the means of transportation from terrorist threats.[90]

At the 11th Meeting of ARF in July 2004 in Jakarta, the Ministers noted the important work being done by the ISM on CT-TC and agreed to extend its mandate for one more year, while maintaining the current format.[91]

The Twelfth ASEAN Regional Forum in Vientiane on 29 July 2005[92] the meeting expressed its strong condemnation of the London terrorist attacks. The meeting adopted a statement on Information Sharing and Intelligence Exchange and Document Integrity and Security in Enhancing Cooperation to Combat Terrorism and Other Transnational Crimes which the adoption of the statement was seen as a clear expression of the ARF's resolve on this important issue.[93]

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[89] ASEAN Regional Forum, **"Chairman's Statement of the Tenth Meeting of ASEAN Regional Forum (ARF),"** Phnom Penh, 18 June 2003, https://www.aseansregional forum.org/PublicLibrary/ARFChairmansStatementsandReports/ChairmansStatementofthe10t hMeetingoftheAS/tabid/76/Default.aspx.

[90] ASEAN Regional Forum, **"Co-Chairs' Summary Report of the Second ASEAN Regional Forum Intersessional Meeting on Counter-Terrorism and Transnational Crime,"** Manila, Philippines, 30-31 March 2004, https://www.aseanregional forum.org/Link Click.aspx?link=72&tabid=66&mid=405.

[91] ASEAN Regional Forum, **"Chairman's Statement of the Eleventh Meeting of the ASEAN Regional Forum (ARF),"** Jakarta, Indonesia, 2 July 2004, https://www.asean regionalforum.org/Link Click.aspx?link=67&tabid=66&mid=405.

[92] ASEAN Regional Forum, **"Chairman's Statement of the Twelfth Meeting of the ASEAN Regional Forum (ARF),"** Vientiane, Lao PDR, 29 July 2005, https://www. aseanregionalforum.org/LinkClick.aspx?fileticket=rqGMaCEOCgM%3d&tabid=66&mid=40 3.

[93] ASEAN Secretariat, **"Chairman's Statement of the Twelfth Meeting of the ASEAN Regional Forum (ARF),"** Vientiane, 29 July 2005, http://www.aseansec.org/17642 .htm.

The result of the 13th ASEAN Regional Forum in Kuala Lumpur, Malaysia was strongly condemned the terrorist attacks in Mumbai on 11 July 2006. The meeting also reaffirmed that terrorism, irrespective of its origins, motivations or objectives, constitutes a threat to all peoples and countries, and the common interest of the international community in ensuring peace, stability, security and economic prosperity.[94]

3.2.2 ASEAN-U.S.

By August 2001, the US government was expressing concern over the allegedly high level of Al Qaeda-related activity in Indonesia, and warning that terrorists could target US interest there. In Southeast Asia, counter-terrorism moved to the top of U.S. foreign policy priorities after September 11. Southeast Asia is threatened not only by Al Qaeda but also by regional terrorist organizations such as the Jemaah Islamiyah. After 11 September 2001, Southeast Asian governments already concerned over Islamic terrorism and maintaining close economic, political and security ties to the West were predisposed to heed US calls for cooperation against Osama bin Laden's terrorist network. From Washington's viewpoint, evidence that hijackers in the US attacks had held meeting in Malaysia as well as tentative evidence of link between bin Laden and local terrorists, indicated the potential importance of Southeast Asia in the burgeoning US-led struggle against Al Qaeda and its allies as the region emerged as the significant 'second front' in the conflict.[95] It later became clear that before 11 September, US intelligence agencies had anticipated that Al Qaeda would mount its next major attack in Southeast Asia. With the murder of 202 people in the October 2002 bombing in Bali in Indonesia, Southeast Asia suffered the worst terrorist attack since September 11. The Bush Administration was most concerned that members of Al Qaeda would make their way from Afghanistan to Southeast Asia. Southeast Asia countries as well as the United States have been forced to readjust their views, and acknowledge the extent and sophistication of indigenous terrorist organizations and networks. Moreover, "*these networks are not*

[94] ASEAN Secretariat, **"Chairman's Statement of the Thirteenth ASEAN Regional Forum (ARF),"** Kuala Lumpur, 28 July 2006, http://www.aseansec.org/18599.htm.

[95] *Strategic Survey* 102, No. 1 (May 2002): 298.

composed of the wretched of the earth, but often of educated and well-off recruits, but with deep links that connect Southeast Asian terrorists with their counterparts inside and outside the region".[96]

Amitav Acharya and See Seng Tan asserted on American role in cooperation on counterterrorism as first has to do with *America's post-9/11 policy towards the region*.[97] US policy makers regard Southeast Asia as the 'second front' in the global war on terror.[98] America's main response to this problem has been to enhance security cooperation with ASEAN, including joint training operations with Philippines armed forces and an agreement providing for intelligence sharing and other measures with ASEAN as a whole.[99] Since 9/11, Washington has pressed ASEAN and other Asia-Pacific institutions to develop collective counter-terrorist response. So far, the war on terrorism has served as a modest spur for closer multilateral cooperation.[100] Cooperation in the war against terrorism has given a fillip to regional multilateral cooperation, and increased U.S. engagement with these efforts.[101] However, not every Southeast Asian country was given new United States attention on war on terrorism. Since the US State Department identified only Malaysia, the Philippines and Indonesia as 'potential Al-Qaeda's hubs', Cambodia, Laos, Myanmar and Vietnam were not offered military equipment, training and economic assistance.[102]

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[96] David Garcia, **"U.S. Security Policy and Counter-Terrorism in Southeast Asia,"** *UNISCI Discussion Papers* (May 2004): 5.

[97] Amitav Acharya and See Seng Tan, **"Betwixt balance and community: America, ASEAN, and the security of Southeast Asia,"** *International Relations of the Asia-Pacific* 6, No. 1 (2006): 49.

[98] John Gershman, **"Is Southeast Asia the second front?,"** *Foreign Affairs* 81, No. 4 (July/August 2002): 60-74.

[99] Tan and Ramakrishna, 99.

[100] David Capie, **"Between a hegemon and a hard place: the 'war on terror' and Southeast Asian – US relations,"** *The Pacific Review* 17, No. 2 (June 2004): 238.

[101] Satu P. Limaye, "Minding the Gaps: The Bush Administration and U.S.-Southeast Asia Relations," Contemporary Southeast Asia 26, No. 1 (2004): 82.

[102] David Camroux and Nuria Okfen**, "Introduction: 9/11 and US-Asian Relations: towards a new 'New World Order'?",** *The Pacific Review 17*, No. 2 (June 2004): 169.

ASEAN and the United States signed a Joint Declaration for Cooperation to Combat International Terrorism in August 2002 in Brunei Darussalam during the 35th AMM/PMC. One of the objectives of the cooperation is to prevent, disrupt and combat international terrorism through the exchange and flow of information, intelligence and capacity-building assistance. Both Parties focus on specific scope and areas of cooperation as follow:

(a). Continue and improve intelligence and terrorist financing information sharing on counter-terrorism measures, including the development of more effective counter-terrorism policies and legal, regulatory and administrative counter-terrorism regimes.

(b). Enhance liaison relationships amongst their law enforcement agencies to engender practical counter-terrorism regimes.

(c). Strengthen capacity-building efforts through training and education; consultations between officials, analysts and field operators; and seminars, conferences and joint operations as appropriate.

(d). Provide assistance on transportation, border and immigration control challenges, including document and identity fraud to stem effectively the flow of terrorist-related material, money and people.

(e). Comply with United Nations Security Council Resolutions 1373, 1267, 1390 and other United Nations resolutions or declarations on international terrorism.

(f). Explore on a mutual basis additional areas of cooperation.[103]

On that occasion, an ASEAN Cooperation Plan (ACP) was adopted, aiming at enhancing the ASEAN-US relations. The three areas covered are: support for ASEAN integration, cooperation on transnational issues including terrorism, and strengthen the ASEAN Secretariat, in Jakarta, Indonesia.

The first ASEAN-US consultation on the ACP was held in Viet Nam in June 2003. An ASEAN-US Work Plan on Counter-Terrorism was endorsed in principle. The Work Plan focus on several areas of cooperation: information sharing; enhance liaison relationships; capacity building through training and education; transportation, border, and immigration control; and to develop the legal, financial

[103] ASEAN Secretariat, **"ASEAN-United States of America Joint Declaration for Cooperation to Combat International Terrorism,"** Bandar Seri Begawan, Brunet, 1 August 2002, http://www.aseansec.org/7424.htm.

regulatory, financial intelligence, law enforcement, and prosecutorial capabilities and institutions to effectively combat terrorism financing.

Under the ASEAN-US work plan, the Preparatory Senior Officials Meeting on Transnational Crime (SOMTC) for the 4th AMMTC held in January 2004 in Bangkok endorsed a US inception workshop for Disaster Management project. The workshop was implemented in May 2004 in Thailand.

Besides, many ASEAN Member Countries are closely cooperating with the United States on the Container Security Initiative (CSI). It is designed to prevent the smuggling of terrorists or weapons in ocean-going cargo containers into the USA. The Customs-Trade Partnership against Terrorism (C-TPAT) ensures that all cargoes to the US are effectively scrutinized and documented. The 24-hour Automated Manifest System (AMS) rule requires carriers to file manifest information 24 hours in advance of departure or loading.[104]

3.2.3 ASEAN-European Union (EU)

The European Union (EU) is a longstanding dialogue Partner of ASEAN. Cooperation between the EU and ASEAN is based on a Cooperation Agreement (1980) between the EC and member countries of ASEAN: Brunei, Indonesia, Malaysia, Philippines, Singapore, Thailand and Vietnam. Protocols for the accession of Laos and Cambodia to the Agreement were signed in July 2000 but the EU has indicated that it cannot agree to negotiate an extension of this agreement to Burma/Myanmar as long as the situation as regards democracy and human rights in that country does not improve significantly. Burma/Myanmar, therefore cannot participate in EC-ASEAN co-operation actions. In September 2001, the European Commission's presented its Communication "Europe and Asia: A Strategic Framework for Enhanced Partnerships", which identified ASEAN as a key economic and political partner of the EC and emphasized its importance as a locomotive for

[104] ASEAN Secretariat, **"ASEAN's Effort in Combating Terrorism and Transnational Crime,"** by H.E. Ong Keng Yong, Secretary-General of ASEAN, 16 November 2004, Honolulu, Hawaii, http://www.aseansec.org/16564.htm.

overall relations between Europe and Asia. The Commission Communication 'A New Partnership with South East Asia', presented in July 2003, reaffirms the importance of the EC-ASEAN partnership.[105]

ASEAN also expanded their cooperation with the European Union (EU), as ASEAN signed the ***ASEAN-EU Joint Declaration on Cooperation to Combat Terrorism*** at the 14th ASEAN-EU Ministerial Meeting in Brussels, Belgium,[106] during 27-28 of January 2003. The very interesting point of the content of the Joint Declaration was that both parties firmly expressed and stressed the *leading role of the United Nation (UN) in the fight against terrorism* with reaffirming strong commitment to the universal implementation of all the UN anti-terrorism resolutions and conventions and remain fully committed to supporting the work of the UN Counter Terrorism Committee and other pertinent UN bodies. Moreover, in the same path of both sides' acknowledgement, they consent that the fight against terrorism must be conducted in accordance with international obligations, the UN Charter and general norms of international law, including respect for human rights and humanitarian law. Through the highly appreciated forefront role of the UN, the Joint Declaration also spell out the specific areas;

- Universal implementation of all existing United Nations Security Council Resolutions related to terrorism, in particular resolution 1373 (2001), 1377 (2001) and 1390 (2002);
- Universal implementation of all existing United Nations Conventions and Protocols against terrorism and encouraging the States to comply with them and to take effective measures to prevent and combat terrorism, and in particular to prevent and combat the financing of terrorism.
- Early conclusion and adoption of the Comprehensive Convention on International Terrorism and the International Convention for the Suppression of Acts of Nuclear Terrorism.
- Early entry into force of the United Nations Convention against Trans-national Organized Crime and its protocols.

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[105] European Commission, "**EU Relations with ASEAN: EU and the Association of Southeast Asian Nation (ASEAN),"** http://ec.europa.eu/external_relations/asean/intro /index.htm.

[106] ASEAN Secretariat, **"ASEAN-EU Joint Declaration on Cooperation to Combat Terrorism,"** at the Fourteenth ASEAN-EU Ministerial Meeting in Brussels, Belgium, 27-28 January 2003, http://www.aseansec.org/14030.htm.

- Exchange of information on measures in the fight against terrorism, including on the development of more effective policies and legal, regulatory and administrative frameworks for the fight against terrorism.
- Strengthening links between Law Enforcement agencies of EU and ASEAN member states, as well as with EUROPOL and ASEANAPOL, to promote practical co-operation on counter terrorism and organized crime.
- Co-operation to build capacity to assist ASEAN members to implement UNSCR 1373, and to address the impact of terrorist activities.

As a follow-up to the Declaration, in June 2003, an ASEAN-EU Consultation was held in Ha Noi. During the Consultation, both ASEAN and the EU stressed the desire for a regional approach and agreed to focus their cooperative efforts particularly in the following areas: technical assistance and capacity building in regional counter-terrorism operations and systems; border security, including travel document security and combating trafficking in persons particularly in women and children; immigration border control including customs procedures; cooperation among law enforcement agencies; programs/projects on anti-money laundering and suppression of terrorist financing; new techniques/technologies to combat money laundering; adoption of international anti-money laundering standards and exchange of best practices; development of Financial Intelligence Units (FIUs), exchange of experts and bank regulators; funding for computer equipment and software for FIUs; and training for bankers specifically in reporting of suspicious transactions. To implement the above cooperation, the European Commission agreed to undertake an assessment mission under the Rapid Reaction Mechanism (RRM) to the region, including the ASEAN Secretariat and other relevant regional institutions. ASEAN and EU will jointly organize the assessment mission, based upon an agreed Terms of Reference.[107] From the point of view of European security interests, Southeast Asian Islamic terrorism poses a main challenge in the tourist areas in Southeast Thailand, Southwest Philippines and in Indonesia, as well as in the heavily navigated sea lines of communication, especially in the Malacca Strait. Also the risk of one or several of the Southeast Asian terrorist groups acquiring weapons of mass destruction could be a contingency that would deeply threaten European security interests in the region.

[107] S. Pushpanathan, Assistant Director, ASEAN Secretariat, **"ASEAN Efforts to Combat Terrorism,"** presented at 2nd APEC Counter-Terrorism Task Force Meeting, 20 August 2003, Thailand, http://www.aseansec.org/15060.htm.

Measures to build up the image of the West among the Muslims of Malaysia, Indonesia, the Philippines and Thailand should be made an important diplomatic target of Europe.[108]

3.2.4 ASEAN-China

ASEAN and China do not have the Joint Declaration on the terrorism issue as a single topic. Instead of the by the end of the Sixth ASEAN-China Summit in Phnom Penh on 4 November 2002, the ASEAN Leaders and the Prime Minister of China issued the ***Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues***.[109] As of the 'terrorism' has been included as one of the priorities for the ASEAN-China cooperation on non-traditional security concerns.

Both sides 'deeply concerned over the increasingly serious nature of non-traditional security issues such as trafficking in illegal drugs, people-smuggling including trafficking in women and children, sea piracy, terrorism, arms-smuggling, money-laundering, international economic crime and cyber crime, which have become important factors of uncertainty affecting regional and international security and are posing new challenges to regional and international peace and stability' and had prioritize and form of cooperation based up on the above issues. Attach on the basis of deepening the existing multilateral and bilateral cooperation, by means of a) to strengthen information exchange, b) to strengthen personnel exchange and training and enhance capacity-building, c) to strengthen practical cooperation on non-traditional security issues, d) to strengthen joint research on non-traditional security issues, and e) to explore other areas and modalities of cooperation.

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[108] Timo Kivimäki, **"Security in Southeast Asia,"** in *The Security Situation in Asia: Changing Regional Security?*, ed. Timo Kivimäki, and Jørgen Delman (Copenhagen: Danish Ministry of Foreign Affairs, 2005), 97-114.

[109] ASEAN Secretariat, **"Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues,"** at the Sixth ASEAN-China Summit, Phnom Penh, 4 November, 2002, http://www.aseansec.org/13185.htm.

As a follow up to the Declaration, ASEAN – China Consultation was held in Ha Noi in June 2003. The Consultation agreed on a number of measures for cooperation, namely: to identify priority and potential areas for joint actions and to enhance communication; to adopt ASEAN-China long-term and mid-term cooperation plans in the field of non-traditional security issues; and to establish ad-hoc working groups to implement concrete cooperative measures. As a means to realize the above cooperation, an ASEAN-China Workshop on Law Enforcement Cooperation against Transnational Crime was convened from 24 to 30 August 2003 in Beijing, China.[110]

3.2.5 ASEAN-Australia

Australia has strong and friendly relations with the member countries of ASEAN, both individually and collectively. These relations are based on mutual respect and shared interests, and cover a wide range of areas, including political, economic and trade ties, security matters, cultural and educational fields, and strong and enduring people-to-people links. The strength of the partnership between Australia and ASEAN, aside from the advantages presented by their geographic proximity, is in part due to the increasing complementarities of the relationship and the dynamism of the economies in the region. It is also due to both partners determination to continually assess the relationship and implement changes to suit the needs of the two sides.

Australia became ASEAN's first Dialogue Partner in 1974, and in 2004 marked the 30th anniversary of Australia's dialogue partnership. To mark the anniversary, an ASEAN-Australia-New Zealand Summit was held in Vientiane on 30 November 2004 and was attended by the Prime Minister, John Howard and ASEAN and New Zealand counterparts.

Australia's relationship with ASEAN in the areas of defense and security is strong and diverse. Counter-terrorism cooperation, in particular, has expanded

[110] S. Pushpanathan, Assistant Director, ASEAN Secretariat, **"ASEAN Efforts to Combat Terrorism,"** http://www.aseansec.org/15060.htm.

significantly since September 11 and the Bali bombings of October 2002. Australia has concluded Memoranda of Understanding (MOU) on counter-terrorism with six ASEAN countries: Brunei, Cambodia, Indonesia, Malaysia, the Philippines, and Thailand. In February 2004, Australia and Indonesia co-hosted a Regional Ministerial Meeting on Counter-Terrorism. Australia is a member of the Five Power Defense Arrangements which also includes Malaysia, Singapore, New Zealand and the United Kingdom. Australia maintains bilateral security dialogues with Thailand, Vietnam, Philippines and Indonesia.[111]

Australia was among the leading Western states' demands to Indonesian government to crack down on the extremist Jemaah Islamiyah (JI) movement, in which Indonesian government officials initially insisted did not exist in Indonesia. Then came the shocking bomb explosions in Bali on the night of 12 October 2002. A total of 202 people were killed and 209 were wounded in the attacks. The bombing is considered the deadliest and ugliest act of terrorism in Indonesia history. The largest group among the killed was from Australia, leading to the day often being called 'Australia's September 11'. The rapid formation of the Joint Investigation and Intelligence Team to investigate the Bali bombings, involving law enforcement officials from Australia and Indonesia, was a signal that there could be good cooperation between the two governments on the issue.[112] The war against terror in Southeast Asia offers Australia the opportunity to add a new layer of substance to its relations with Asian states by offering meaningful counterterrorism assistance in a cooperative manner.[113]

From Australia's Department of Foreign Affairs and Trade, the Australian government is firmly committed to "working with our allies and partners to confront terrorism and to enhance counter-terrorism cooperation in order to provide greater

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[111] Department of Foreign Affairs and Trade, Australian Government, **"Association of Southeast Asian Nations (ASEAN),"** http://www.dfat.gov.au/asean/#def.

[112] Sharif Shuja, **"Terrorism in Southeast Asia: Australia's Security Threat and Response,"** *Contemporary Review* 2288, No. 1683 (Winter 2006): 446-447.

[113] Bruce R. Vaughn, **"Australia's Strategic Identity Post-September 11 in Context: Implications for the War against Terror in Southeast Asia,"** *Contemporary Southeast Asia* 26, No. 1 (2004): 94-115.

security for Australians and Australian interests at home and abroad".[114] In this regards Australian and ASEAN enhance their relations as in November 2004 when the Australian Prime Minister attended an ASEAN-Australia New Zealand Summit in Vientiane, Laos, to celebrate 30 years since Australia's inclusion as an ASEAN dialogue partner. Agreement was also reached in 2004 on an ***ASEAN-Australia Joint Declaration for Cooperation to Combat International Terrorism,*** which will underpin regional cooperation on counter-terrorism and other regional security issues. ASEAN and Australia[115] depict their commitment to seek to implement the principles laid out in this Declaration, in conformity with their obligations under international law and in accordance with their respective domestic laws and their specific circumstances, in any or all of the following areas:

- Enhance cooperation and liaison among their law enforcement and security agencies to strengthen counter-terrorism regimes and engender practical and effective responses to the terrorist threat.
- Continue and improve intelligence and information-sharing, including on terrorist financing, crime related to money laundering, and other counter-terrorism measures including the development of more effective policies and legal, regulatory and administrative counter-terrorism regimes.
- Strengthen capacity-building efforts through training and education; consultations between officials, analysts and field operators; and seminars, conferences and joint exercises as appropriate.
- Provide assistance on transport security and border and immigration control challenges, including document and identity fraud, to stem effectively the flow of terrorist-related material, money and people.
- Implement the measures contained in the ARF's Statement on Cooperative Counter-Terrorism Action on Border Security, the ARF Statement on Cooperation Against Piracy and Other Threats to Maritime Security, and other relevant ARF Statements where appropriate.
- Implement the measures set out in the Co-Chairs' Statement on the Bali Regional Ministerial Meeting on Counter-Terrorism, and contribute to follow-up activities including the two officials' level ad hoc working groups on law enforcement and legal issues among others by exploring best practice on law enforcement and cooperation in the area of legal assistance.
- Comply with all binding United Nations resolutions and declarations on international terrorism, particularly United Nations Security Council

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[114] Department of Foreign Affairs and Trade, Australian Government, http://www.dfat.gov.au/ global issues/terrorism.html.

[115] ASEAN Secretariat, **"ASEAN-Australia Joint Declaration for Cooperation to Combat International Terrorism,"** http://www.aseansec.org/16205.htm.

Resolutions 1267, 1269, 1373, 1390, 1455, 1456, and other United Nations resolutions or declarations on international terrorism where applicable.

- Explore on a mutual basis additional areas of cooperation.[116]

Moreover, as mention above, Australian and New Zealand also signed the Joint Declaration with ASEAN during the ASEAN Summit in Vientiane, Lao PDR on 30 November 2004. Vitally, that the Summit was taking place during the 30th anniversary year of the dialogue partnership between ASEAN and Australia and that 2005 would mark the 30th anniversary year of the dialogue partnership between ASEAN and New Zealand. As of the Joint Declaration also expressed the commitment to work on four main areas of cooperation such as (a) enhancing political and security cooperation; (b) strengthening economic linkages and financial cooperation; (c) consolidating functional and development cooperation; and (d) promoting people-to-people contacts and exchanges.[117]

The important message of political and security cooperation of ASEAN, Australia and New Zealand also stressed in the cooperation to counterterrorism by 'take urgent steps to prevent and combat the menace of transnational crimes such as trafficking in drugs, arms smuggling, human trafficking, particularly in women and children, child sex tourism, cyber crime, international economic crime, sea piracy, money laundering and financing of terrorism, through effective institutional linkages and cooperation programmes'.

3.2.6 ASEAN-India

India's focus on a strengthened and multi-faceted relationship with ASEAN is an outcome of the significant changes in the world's political and economic scenario since the early 1990s and India's own march towards economic

[116] Australian Government, Department of Foreign Affairs and Trade, **"Australia-ASEAN Joint Declaration for Cooperation to Combat International Terrorism,"** http://www.dfat.gov.au/global issues/terrorism/aus-asean_interr.pdf.

[117] ASEAN Secretariat, **"Joint Declaration of the Leaders at the ASEAN-Australia and New Zealand Commemorative Summit,"** in Vientiane, Lao PDR, 30 November 2004, http://www.aseansec.org/16796.htm.

liberalization. India's search for economic space has resulted in *'Look East'* policy.[118] ASEAN's economic, political and strategic importance in the larger Asia-Pacific Region and its potential to become a major partner of India in trade and investment is a significant factor in India's policy paradigms. India and ASEAN have convergence in their security perspectives. Both have vital stakes in peace and stability in the region, including the security of the sea-lanes of the Indian Ocean for smooth flow of raw materials, merchandise and energy supplies. Since 1996, India has been an active participant in the ASEAN Regional Forum (ARF).

The 2nd ASEAN-India Summit was a significant landmark in India-ASEAN relations. At the 2nd ASEAN-India Summit in Bali, on 8 October 2003, India and ASEAN concluded the following three documents: *(i)* The Agreement for Comprehensive Economic Cooperation signed by leaders of the ASEAN and India, (ii) The accession document to the ASEAN Treaty of Amity and Cooperation, signed by the Minister of External Affairs, and (iii) adoption of the ***Joint Declaration on Cooperation in Combating International Terrorism***.[119] The Joint Declaration on Cooperation in Combating International Terrorism envisages cooperation in:

- Continue and improve intelligence and terrorist financing information sharing on counter-terrorism measures, including the development of more effective counter-terrorism policies and legal, regulatory and administrative counter-terrorism regimes.
- Enhance liaison relationships amongst their law enforcement agencies to engender practical counter-terrorism regimes.
- Strengthen capacity-building efforts through training and education; consultations between officials, analysts and field operators; and seminars, conferences and joint operations as appropriate.
- Provide assistance on transportation, border and immigration control challenges, including document and identity fraud to stem effectively the flow of terrorist-related material, money and people.
- Comply with United Nations Security Council Resolutions 1373, 1267, 1390 and other United Nations resolutions or declarations on international terrorism.

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[118] Faizal Yahya, **"India and Southeast Asia: Revisited,"** *Contemporary Southeast Asia* 25, No. 1 (April 2003): 81-83.

[119] ASEAN Secretariat, **"ASEAN-India Joint Declaration for Cooperation to Combat International Terrorism,"** at ASEAN-India Summit, 8 October 2003 in Bali, Indonesia, http://www.aseansec.org/ 15276.htm *and* India Export-Import Portal, **"Association of Southeast Asian Nations (ASEAN) & India**," http://exim.indiamart.com/free-trade-agreement/asean-india.html.

- Explore on a mutual basis additional areas of cooperation.

Furthermore, ASEAN and India signed the ASEAN-India Joint Declaration for Peace Progress and Shared Prosperity which is one of the key documents that set the framework for increased cooperation between ASEAN and India. This Declaration signed during the 3rd ASEAN-India Summit on 13 November 2004 in Vientiane, Lao PDR as a signal to further integration of India into ASEAN-India cooperation. This Declaration also noted "the cooperation in combating the menace of international terrorism and other transnational crimes such as trafficking in drugs, arms smuggling, human trafficking particularly in women and children, cyber crimes, international economic crimes, environmental crimes, sea piracy and money laundering, through effective institutional linkages and programmes of cooperation giving priority to information exchange and capacity building."[120] India's concerns about security and stability in Southeast Asia encompass a range of issues. Terrorism and transnational crime now represent "two prominent sources of non-state violence and instability in the Asia-Pacific region".[121] For India, continuing terrorist violence both in South and Southeast Asia and increasing terrorist-organized crime nexus have significant long-term implications. Another aspect of the situation requiring consideration is the growing transnational nexus of crime and terrorism. Over the past few years it has becoming increasingly obvious that contemporary terrorism is in varying degrees intermingled with other forms of criminal activity. The term *nexus* is used to describe the overlap of terrorist activity with other types of transnational crime, including piracy, kidnapping, human and contraband smuggling, document fraud, money laundering, proliferation of weapons of mass destruction, and narco-trafficking. Some of this overlap is deliberate on the part of the malefactors — narco-trafficking can be a source of funds for terrorists, terrorism can be a defensive tactic

[120] ASEAN Secretariat, "**ASEAN-India Joint Declaration for Peace Progress and Shared Prosperity,"** http://www.aseansec.org/16839.htm.

[121] Acharya, **India and Southeast Asia in the Age of Terror,** 309.

for narco-traffickers, and money laundering and document fraud are tools of the trade for both.[122]

Many of Southeast Asian terrorists have trained in Afghanistan, Pakistan, or in Bangladesh, with groups such as Laskar-e-Toiba (LeT), Harkat-ul-Jihad-al-Islami (HUJI) operating both in Pakistan and Bangladesh. JI was training its next-generation leadership in LeT facilities in Pakistan, as revealed from the arrests in 2003 of Rusman Gunawan, the brother of Hambali, with network of students from Thailand, Indonesia, Malaysia, and Singapore as well as other user states the threats that the terrorist groups could disrupt maritime traffic, especially in the Straits of Malacca.[123] There is also concern that terrorist could team up with pirates or mimic the tactics of piracy to hijack a large ship and use its as floating bomb or sink it in the shallow waters in the Straits with grave consequences. Other areas of concern involve issues of transnational organized crime involving illicit drugs, illegal arms, and human trafficking. Lastly, a related concern is about the transportation and/or use of weapons of mass destruction by both state and non-state actors.

3.2.7 ASEAN-Japan

In recent years, Japan and ASEAN have turned their attention to tackling transnational challenges affecting the region.[124] During his first meeting with ASEAN counterparts in 2001, Prime Minister Junichiro Koizumi urged greater cooperation on global issues such as counter-terrorism, anti-piracy, environmental protection, and preventing the spread of infectious diseases. At the December 2003 ASEAN-Japan Commemorative Summit in Tokyo, the two sides unveiled the Japan-ASEAN Plan of Action, a comprehensive framework to address future relations in the fields of economics and finance, politics and security, as well as exchanges and cultural

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[122] Edward Marks, "**Terrorism in Context: From Tactical to Strategy,"** *Mediterranean Quarterly* 17, No. 4 (Fall 2006): 52-53.

[123] Acharya, **India and Southeast Asia in the Age of Terror,** 311.

[124] David Fouse and Yoichiro Sato, **"Enhancing Basic Governance: Japan's Comprehensive Counterterrorism Assistance to Southeast Asia,"**Asia Pacific Center for Security Studies (February 2006), http://www.apcss.org/Publications/APSSS/JapanCT Cooperation.pdf.

cooperation. In 2004, Japan acceded to the Treaty of Amity and Cooperation in Southeast Asia (TAC), marking a milestone in Japan-ASEAN security relations. In the same year, Japan and ASEAN adopted the ***ASEAN-Japan Joint Declaration for Cooperation to Combat International Terrorism***. In March 2006, Foreign Minister Taro Aso participated in a signing ceremony to establish the Japan-ASEAN Integration Fund (JAIF). The fund, to which Japan has contributed USD 70 million, was established to enhance ASEAN's efforts to address urgent regional issues such as terrorism and avian influenza.[125] Japan's campaign to help Asian and other countries to increase their ability to combat terrorism has been focusing on the six areas of immigration control, aviation security, customs cooperation, export control, police work and law enforcement, and interdiction of terrorist financing.[126]

On the ASEAN-Japan Joint Declaration for Cooperation to Combat International Terrorism at ASEAN-Japan Summit meeting in Vientiane, Lao PDR on 30 November 2004,[127] firstly, ASEAN and Japan recalling the Tokyo Declaration for the Dynamic and Enduring ASEAN-Japan Partnership in the New Millennium signed on 12 December 2003 in Tokyo,[128] in which the parties reaffirmed the spirit of cooperation in the fight against terrorism and the shared recognition of the importance of counterterrorism cooperation. Also, they expressed their commitment to implement the principles laid out in the Joint Declaration for Cooperation to Combat International Terrorism[129], in accordance with their respective domestic laws and their specific circumstances, in any or all of the following activities and to review them at an appropriate existing meeting through;

- Strengthen exchange of information and law enforcement cooperation on the activities of terrorists and terrorist organisations;

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[125] Ministry of Foreign Affairs of Japan, **"ASEAN-Japan Relations,"** (April 2006), http://www.mofa. go.jp/region/asia-paci/asean/relation/overview.html.

[126] Mizukoshi Kideaki, **"Terrorists, Terrorism, and Japan's Counterterrorism Policy,"** *GAIKO Forum* (Summer 2003): 60.

[127] ASEAN Secretariat, **"ASEAN-Japan Joint Declaration for Cooperation to Combat International Terrorism,"** at ASEAN-Japan Summit Meeting in Vientiane, Laos, 13 November 2004, http://www.aseansec.org/16808.htm.

[128] ASEAN Secretariat, **"Tokyo Declaration for the Dynamic and Enduring ASEAN-Japan Partnership in the New Millennium,"** http://www.aseansec.org/15500.htm.

[129] Ministry of Foreign Affairs of Japan, **"Japan's International Counter-terrorism Cooperation,"** http://www.mofa.go.jp/region/asia-paci/asean/pmv0411/joint.html.

- Ensure the early conclusion and implementation of all relevant counter-terrorism conventions and protocols and the full compliance of all the relevant United Nations Resolutions on international terrorism, including Security Council Resolutions 1267, 1269, 1373,1390, 1455, 1456 and 1540 in accordance with article 25 of the United Nations Charter;
- Strengthen necessary measures to counter and prevent the financing of terrorists and terrorist organisations and the use of alternative means of remittance such as illegal money transfer;
- Implement appropriate measures so that terrorists will not use charitable organisations and groups to cover their activities;
- Strengthen immigration controls to prevent the movement of terrorist and provide assistance to address border and immigration control challenges;
- Develop cooperation to enhance national transport security, including aviation security, maritime security and container security as agreed in the framework of ARF, ASEAN+3 and the ASEAN and Japan Transport Ministers Meeting;
- Strengthen capacity-building efforts through training and education; consultations between officials, analysts and field operators; dispatch of experts, seminars, and conferences, and joint projects as appropriate;
- Continue to develop cooperative projects with the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT) in Malaysia and explore cooperation with the International Law Enforcement Academy (ILEA) in Thailand and the Jakarta Center for Law Enforcement Cooperation (JCLEC) in Indonesia;
- Develop multilateral cooperation on fighting against terrorism in the international fora;
- Develop detailed cooperative measures in the areas identified above; and
- Continue to support development projects that aim at reducing poverty and socio-economic disparity and injustices, as well as promoting the elevation of standard of living, in particular of underprivileged groups and people in underdeveloped areas.

CHAPTER 4
OBSTACLES OF ASEAN COOPERATOIN ON COUNTERTERRORISM

4.1 Main Critiques and Overview

Southeast Asian Governments aware and fear further radicalization which means too aggressive action of the anti-terrorist campaign would progressively radicalize more and more of the disparate groupings that make up Southeast Asian Islam. As it has been described by Muslim community in Southeast Asia that the dynamic war to counterterrorism is primarily targeted at them.[130]

Jose T. Almonte further indicated that any lack of official resolve at the outset is likely to worsen the situation. For Government's failure to decrease religious violence before it spreads too widely could encourage agitators and terrorists to even greater effort and lead the country down to slippery slope to communal violence and social chaos.[131]

Looking at the state level in Southeast Asia, the two countries that have been most vulnerable to terrorism, the Philippines and Indonesia, are plagued by weak political institutions, decentralized politics, inadequate resources and endemic corruption.[132] On the other hand, the two countries that have tackled terrorism more effectively – Singapore and Malaysia – are characterized by stronger political institutions.[133] As weak states hospitable to terrorist networks; the anti-terrorist campaign is sharpening the contrast between strong states of Singapore and Malaysia and their relatively weaker neighbors such as Indonesia and the Philippines.

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[130] Leslie Evans, **"War on Terrorism look too much like a War on Islam: Arab Scholar Warns,"** UCLA International Institute, http://www.international.ucla.edu/article.asp?parentid=3010.

[131] Almonte, 228.

[132] Abuza, 172.

[133] Erik M. Kuhonta, **"U.S. Foreign Policy in Southeast Asia: the imperative of institution,"** *Harvard Asia Quarterly* 8, No. 4 (Autumn 2004): 1.

Singapore and Malaysia have come down hard on the networks in their territories. Tough Internal Security Acts have allowed the neighboring states between them to round up close to a hundred terrorist suspects. Singapore has also foiled plots to bomb Western embassies and to attack American warships in the Malacca Straits. Unlike Indonesia, the country is a good place for terrorists to move in as of its long and porous coastline,[134] weak state, economic distress, communal strife and its permissive political and social climate.[135] *Strategic Survey* in May 2002 strongly insisted that "it was Indonesia that posed ASEAN's greatest threat".[136] ASEAN remained powerless and practically irrelevant in the face of Indonesia's continuing large-scale domestic security problems. Domestic structural institutional constraints also conceivably hinder regional cooperation such as weak state legitimacy, bureaucratic competition.[137] These internal difficulties of such ASEAN members also reflect the ability to co-operate and tackle down terrorist's networks within its territory.

It is a well-known fact that relations between ASEAN countries are suffused with constant tension and mutual suspicion. Like Former Thai Prime Minister Thaksin Shinawatra started his blame game on pointing out neighboring states, Malaysia and Indonesia, as the hub and training grounds for the militants in the three Southern provinces. "Thaksin once again resorted to old tricks by accusing Malaysia's northern state of Kelantan of being a breeding ground for the militants behind the spate of killings in Thailand's Muslim South. Thaksin next pointed to Indonesia, suggesting that the world's largest Islamic country – which prides itself on its moderation and democratic aspirations – was the source of inspiration for the Thai Muslim militants. Jakarta shot back and demanded solid proof from the Thai government"[138] The Indonesian government also protested his claims that Thai

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[134] Paul J. Smith, **"Border Security and Transnational Violence in Southeast Asia,"** in *Terrorism and Violence in Southeast Asia: Transnational Challenges to States and Regional Stability*, ed. Paul J. Smith (New York: M.E. Sharpe, 2005), 211-226.

[135] Almonte, 229.

[136] *Strategic Survey* 102:303.

[137] Tan and Ramakrishna, 92.

[138] Supalak Ganjanakhundee, **"Analysis: Thaksin's blame game backfires,"** *The Nation*, 23 December 2004, http://www.nationamultimedia.com/specials/south2years/dec23.php.

Muslims were being indoctrinated in Indonesia, demanding proof.[139] "'I am shocked over such a statement,' retorted Malaysian Premier Abdullah Badawi. 'If Thaksin has such information, he should convey this to Malaysia through diplomatic channels. We question Thaksin's motive for making the statement.'" Malaysian authorities have accused Thaksin of trying to divert attention from his administration's brutal methods in fighting the southern insurgency that his government blames on Muslim separatists. The latest outrage came in October, when 87 Muslim protesters in Tak Bai suffocated to death after they were stuffed into military trucks for six hours."[140] However, Rohan Gunaratna a Singapore-based terrorist analyst argued that "It's very possible terrorists have been trained in Malaysia as there's been training in the Philippines and Indonesia – why should the jungles of Malaysia be considered immune?"[141] He further added that "You *(terrorists)* can train without the knowledge of governments."[142]

The roaring for rejection of critics from ASEAN states was highlighted when Thailand has used the policy of non-interference to push its demand that the Muslim unrest gripping its southern provinces should not be raised at the Tenth ASEAN Summit, held in November 2004, Vientiane, Lao PDR. Thai Prime Minister Thaksin Shinawatra warned that he would walk out of the summit if leaders raised the Tak Bai incident,[143] the deaths of 87 Muslim protesters in the insurgency-hit south, most of them while in military custody which in particular concerns ASEAN members Malaysia and Indonesia, both Muslim-majority nations.[144] A compromise

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[139] Patrick Goodenough, **"Thailand, Neighbors Squabble Over Muslim Violence,"** *CNSNews Online*, 23 December 2004, http://www.cnsnews.com/ViewForeign Bureaus.asp?Page=%5CForeignBureaus%5Carchive%5C200412%5CFOR20041223a.html.

[140] Loannis Gatsiounis, **"The terror factor in Malaysia,"** *Asia Times Online*, 25 December 2004, http://www.atimes.com/atimes/Southeast_Asia/FL25Ae01.html.

[141] Rohan Gunaratna, cited in Loannis Gatsiounis, **"The terror factor in Malaysia,"** *Asia Times Online*, 25 December 2004, http://www.atimes.com/atimes/Southeast _Asia/FL25Ae01.html.

[142] Ibid.

[143] Ukrist Pathmanand, **"Thaksin's Achilles' Heel: The failure of Hawkish approaches in the Thai South,"** *Critical Asian Studies* 38, No. 1 (March 2006): 84.

[144] ASEAN Secretariat, **"ASEAN Summit moves to create single market, inks historic deal with China,"** http://www.aseansec.org/afp/88.htm.

was reached when the topic was discussed at a pre-summit working dinner on the condition that there would be no questions following Thaksin's briefing.[145]

Next, ASEAN failed to agree upon the definition of 'terrorism' during the Special ASEAN Ministerial Meeting on Transnational Crime in May 2002. However, ASEAN's failure to agree on the definition of terrorism has more to do with the innate complexity of the exercise than any lack of commitment to counterterrorism cooperation on the part of its members. Recent studies also intricate the mal-equipped, lack of professionals and well-trained personals of ASEAN to counterterrorism. Although the known tendency of ASEAN states to invoke the sacred cows of national sovereignty and non-interference in each other's internal affairs may have diluted counterterrorism cooperation among them, it evidently has not prevented their steady movement toward cooperation per se.[146] While, Singapore projected that the definition of 'terrorism' should be left to the esteemed bodies like the United Nations.[147] The Organization of Islamic Conference (OIC) which could not come up with definition of 'terrorism' in its own connotation.[148] ASEAN's position was that "'defining terrorism is not crucial, fighting it is'. The Association's deputy secretary-general, *Datuk Mokhtar Selat*, declared that terrorism is 'like you have a car. You don't define what is a car, but how the car moves. The focus is not on definition, the focus is on how we work together.'"[149] Recent study also criticizes over ASEAN coordination which still largely on paper[150] and the cooperation seems to be a more sophisticate diplomatic layout than strategies to tackle down terrorists networks in Southeast Asia. *Justine A. Rosenthal* also points toward that the Southeast Asian

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[145] Don Pathan and Supalak Ganjanakhundee, **"Thaksin's vanishing act: Precious little remains of five years of foreign policy,"** *The Nation*, 12 April 2006.

[146] Tan and Ramakrishna, 93.

[147] Wong Kan Seng, Minister For Home Affairs, Singapore, **"Speech at the Special ASEAN Ministerial Meeting On Terrorism 20 - 21 May 2002 Kuala Lumpur,"** Malaysia, Ministry of Home Affairs, Singapore, http://www.2mha.gov.sg/detailed.jsp?artid=176&type=4&root=0&parent=0&cat=&cat=0&mode=arc.

[148] *Asian Political News*, April 8, 2002, **"OIC leaves it to U.N. to define 'terrorism',"** http://findarticles.com/p/articles/mi_m0WDQ/is_2002_April_8/ai_84640350.

[149] David Martin Jones and Michael Smith, **"The Perils of Hyper-Vigilance: The War on Terrorism and the Surveillance State in South-East Asia,"** *Intelligence and National Security* 1, No. 4 (Winter 2002): 47.

[150] Almonte, 232.

states having preferred to cooperate bilaterally as a means of strengthening their ties with the United States, creating distinct one-on-one relationships, rather than creating regional alliances to fight terror.[151] This lack of internal cooperation creates functional problems for the counterterrorism effort.

To counter the emerging threats of terrorism, Southeast Asian governments with U.S., Australian, European and Japanese support are *slowly but steadily* strengthening their intelligence and military capacities. Element of cooperation and coordination include: harmonizing legislation, rendition, exchange of personnel, sharing information and experience, transfer of expertise, joint training, and combining operations. Given the lack of trust among ASEAN countries, however, the extent of such cooperation has been largely bilateral, and at best trilateral. The trilateral cooperation in this case is the 'Agreement on information exchange and establishment of communication procedures' between the Philippines, Malaysia and Indonesia in this fact seem to heavily focus on 'illicit activities' such as money laundering and human smuggling, wondering in what ways these "fall under the rubric of 'anti-terrorism'".[152]

On other continuum with the recent 'war on terror' led by the U.S. there is a good reason to believe that the clear sense of caution and suspicion felt throughout the region toward the war on terror is partly a reaction to the highly *'militarized approach'* of the U.S. counterterrorism strategy. Indeed, the American response to the war on terror may not be at all adequate in counterbalance the terror threat within Southeast Asia; in fact; it may even miscarrying or backfire. The spark of radical Islamist terrorism can only be extinguished by the adoption of a *'comprehensive approach'* that address a host of real or perceived social, economic, political and ultimately, ideological challenges.[153]

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[151] Justine A. Rosenthal, **"Southeast Asia: Archipelago of Afghanistans?,"** *Orbis* (Summer 2003): 480.

[152] Gunaratna, 7.

[153] Tan and Ramakrishna, 93.

Although many studies critical of current ASEAN counterterrorism efforts demonstrate explanatory potential, they are however not without flaws. Adopting a "top-down", macro-analytical approach to the regional war on terror, some of these efforts apply a universal, "one size fits all" paradigm across geographical and cultural domains. Second, they tend to gloss over or ignore the complex multi-layered contexts within which Southeast Asian governments have had to combat terrorism. Third, and as a direct consequence of the foregoing, these studies funnel analysis toward the alleged deficiencies of regional and national state responses in Southeast Asia at the expense of other equally important dimensions. Yet it is precisely this sort of universalistic logic that drives, the U.S. Government's *National Strategy for Combating Terror* (released on 14 February 2003),[154] which narrowly defines counterterrorism strategy as isolating and localizing terrorist activities, and destroying terrorist networks through intensive and sustained action.

In contrast, a much more appropriate strategy that can be combined to counter terrorism is a "bottom-up" approach that respects contextual nuances within the Southeast Asian region and which calls for a more comprehensive, indirect counterterrorism policy. It is "bottom-up" because it draws from expert views from within (but also from outside) Southeast Asia and it assumes that prescriptions for coping with the terrorist threat within the region must be tailored specifically to regional and national realities and conditions. In short, no singular prescription or paradigm can adequately deal with the complexities of the Southeast Asian situation. Such a nuanced corrective to the parochial and one-dimensional nature of the U.S. approach will likely yield better returns for Southeast Asia and for the West in dealing with the roots of radical Islamist terrorism.

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[154] The White House, **"National Strategy for Combating Terrorism**," 14 February 2003, http://www.whitehouse.gov/news/releases/2003/02/counter_terrorism/ counter_ terrorism_strategy.pdf.

1.2 Domestic impediments to Regional Cooperation

There are two structural-institutional reasons that can be identified to explain the variation of responses from Southeast Asian governments. ***First,*** there is a regional operational context characterized by structural weaknesses at the domestic and regional levels. ***Second,*** there are inter-service and intra-service rivalries that potentially undermine the capacity of a state's intelligence and security organs to perform efficiently. Both factors serve to constrain state efficacy and legitimacy.

Member nations of ASEAN—and, for that matter, of the wider ASEAN Regional Forum (ARF)—face major constraints in their ability to respond swiftly to terrorism in Southeast Asia owing to at least four factors that characterize the regional security environment. First, the Southeast Asian region has porous borders and generally weak immigration controls, with administrative requirements that are readily compromised because of entrenched official corruption. Another analyst shares this viewpoint: "corrupt officials provide terrorists with relatively easy access to key operational services, including arms smuggling, document forgery, illegal trafficking, and money laundering. Until checked by a more determined political agenda that begins with security-sensitive areas of the bureaucracy, private and public sector corruption will undermine counterterrorismist successes."

The consequences of this structural weakness could prove inimical to the best of interstate counterterrorism efforts. Second, longstanding economic and trade links between Southeast Asia and Middle Eastern and South Asian countries, many of which operate outside normal financial channels not readily monitored by governments, have been exploited as a means for facilitating funds transfers from the Middle East and South Asia to radical groups in the region. Third, the region is marked by widespread criminal activity including drug trafficking, which has facilitated the movement of resources by terrorists. Finally, the Southeast Asian

region is awash with large supplies of imported as well as indigenously produced weapons that are easily available to extremist groups.[155]

[155] David Capie, **"Trading the Tools of Terror: Armed Groups and Light Weapons Proliferation in Southeast Asia,"** in *Terrorism and Violence in Southeast Asia: Transnational Challenges to States and Regional Stability*, ed. Paul J. Smith (New York: M. E. Sharpe, 2005), 188- 210.

CHAPTER 5
POLICY RECOMMENDATIONS

In Southeast Asia, insurgency and terrorism overlap and global terrorists often exploit the local grievances and local resentments to spread the ideology of hate and violence. The resilience of the terrorist groups in the region comes from robust networking among the groups. There is however, no single 'all-encompassing' 'big answer' on how to respond to terrorism. As *Rohan Gunaratna* called as there is no ***"magic bullet"*** that will end terrorism in Southeast Asia.[156] A range of policy instruments would be required in an effective strategy against terrorism. These would include tactical counter-terrorism measures such as military force, intelligence, criminal law enforcement, and strategic initiatives at the political, socio-economic and ideological level. Since each of the initiatives also has their drawbacks and limitations, a balance must necessarily be maintained in pursuing each of the approaches.

Governments in Southeast Asia are facing a number of challenges in establishing a common front against terrorism. Countries in the region continue to be sensitive about sovereignty and non-interference norms. Therefore, it is necessary to strengthen cooperation among the states through the ASEAN initiative.

There should be an improved coordination between the law enforcement agencies of the different countries in the region. This involves looking beyond one's borders and exchanging information to understand the dynamics of modern terrorist networks. Usually, information and intelligence sharing can be arranged at a threshold, which does not clash with jurisdictional issues and does not come in conflict with politically sensitive sovereignty and non-interference norms. A common terrorism database would be most useful in the exchange of intelligence and information. The war against terrorism has had its successes, but it is far from over. Al-Qaeda and its affiliate terrorist groups, such as JI and Abu Sayyaf, are still at large and still dangerous. The world's governments have taken actions aimed at severely

[156] Gunaratna, 9.

crippling the terrorists, but much more needs to be done. Improving law enforcement and reforming judicial systems, if fully implemented, can change the face of the war and help lead to the end of terrorism as a major international problem.[157] *Rohan Gunaratna* emphasizes on the government needs to ensure that the best brains are put in the right places and that they have a proper counter terrorism agenda - this means investing in developing counter-terrorism legislation, that means investing in proper counter terrorism training and finally in developing high grade, high quality intelligence.[158] Intelligence is best understood as the collection, analysis and dissemination of information by parties in conflict or competition. What turns the simple pursuit of information into the business of intelligence is its purpose: gaining competitive advantage over adversaries.[159]

However, the success of any counterterrorism strategy is not in terms of the number of terrorists killed or captured alone. Use of force is appropriate to neutralize the immediate threat. But the use of military force alone could create new resentments and new grievances. Its indiscriminate use would give the terrorists reason to validate their actions and in turn increase their pool of recruits, supporters and sympathizers. The ideal counter terrorism policy would be a combination of hard and soft policies.

The fight against extremism and terrorism is a "war of ideas or values."[160] The radical ideology must be countered and discredited. It is necessary to isolate the terrorists, diminish the underlying conditions of violence, and employ public diplomacy to counter the propaganda of the radical extremists. This also involves changing the minds and winning the hearts of the wider Muslim community. As if we

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[157] Dana R. Dillon, **"The War on Terrorism in Southeast Asia: Developing Law Enforcement,"** *Backgrounder* No. 1720, by the Heritage, 22 January 2004.

[158] Asha Popatal, **"Declaring JI a terror group is starting point in fight against terror,"** *Channel News Asia Online*, 2 October 2005, http://www.channelnewsasia.com/ stories/singaporelocalnews/view/ 171401/1/.html.

[159] Jennifer Sims, **"Intelligence to counter terror: The importance of all-source fusion,"** *Intelligence and National Security* 22, No. 1 (February 2007): 40.

[160] Alexander Downer, **"The Campaign Against Terror: Wining the Battle of Ideas,"** speech at the Council for Security Cooperation in the Asia Pacific (CSCAP) General Conference, Jakarta, Indonesia, 8 December 2003, http://www.foreignminister.gov.au/ speeches/2003/03208_campaign_against_terror.html.

can get the Muslim communities on our side then the terrorists have no support and are seen by everyone as the bunch of thugs they really are.[161]

The challenge to radical views that supports acts of terrorism is likely to succeed only when it comes from deep within the Islamic tradition. Moderate Muslims therefore have a big role to play in countering the radical jihadist ideologies. The governments need to assist moderate, progressive Muslim leaders and intellectuals to negate the appeal of radical Islam. Inter-faith dialogues would be very helpful in breaking the resilience of the jihadist propaganda.

The governments need to address the grievances in the local context. Lack of legitimacy, control over economy and lack of legitimate means for political expression are the areas that terrorist groups exploit. Enforcing the rule of law and supporting social and economic upliftment would diminish the appeal of extremist views and make it difficult for the terrorist groups to flourish and sustain. At the same time, nonviolent alternatives to resolve local conflicts should be promoted. A secure environment and greater opportunities for people would help the conflicting parties reach political settlements faster.

Lack of effective legislation constrains governments' ability to counter the threats of terrorism. At the political level, this stems from the inability of the national leadership in making a compelling case against terrorism. It is therefore necessary that a broad-based public discourse on the illegitimacy of terrorism as a tactic, regardless of the legitimacy of the cause, be shaped. Governments need to adopt appropriate counter terrorism legal regime incorporating global best practices to interdict terrorists and make their operations difficult.

Given the fact that radicals in certain areas are misusing Islamic educational institutions, it is necessary to ensure that the states provide universal education based on a curriculum that promotes tolerance and respect for other cultures

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[161] Mick Smith, **"Winning the War on Terror?",** *Times Online*, March 28, 2006, http://timesonline. typepad.com/mick_smith/2006/03/winning_the_war.html.

and religions. Religious education has thrived in most of the under-developed regions, where states lack the organic capability to provide minimum levels of education to all its citizens. These states need to be assisted, both financially and technically, to promote inclusive educational system without, however, affecting the religious sensitivities in the concerned states.

The source of recruitment can be nipped through the active engagement and education of the communities. This is important, as terrorists draw sympathizers and supporters from the community, who protect them from the authorities and provide them with safe houses. The gap between research, policy-making, and law enforcement should be bridged and the latter should appreciate the importance of quality research through adequate fieldwork to develop an understanding of the context of the conflicts in the region. Building national resilience by not overreacting after a terrorist attack is very important. A speedy normalization process would defeat the immediate aims of the terrorists of disrupting normal life.

As ASEAN members highly open up their countries to tourists and investment entrepreneurs as to further enhance their economic strengths, nevertheless it can also generate security weaknesses. Following the 9/11 incident all ASEAN nations must ***enhance security measures*** and border security has been intensified to prevent the infiltration of undesirable persons. Strict immigration and security checks are carried out at all sea, air and land checkpoints.

It is widely believed that many terrorist activities are funded through a series of money laundering operations. It is vital that the integrity of banking systems is protected from such abuse. To strengthen the integrity of financial systems against abuse by terrorists and other criminal elements, all ASEAN members must fully support and comply with the Financial Action Task Force on Money Launderings Special Recommendations to Combat Financing of Terrorism. Law enforcement agencies, should direct ASEAN efforts towards practical measures and initiatives to meet the challenges from terrorism.

ASEAN Member Countries can consider designating a special unit within their countries to serve as a principal contact point with other foreign counterparts on counter-terrorism matters. This will facilitate the exchange of information among ASEAN Member Countries in the fight against terrorism. Example, Singapore's JCTC, which comprises the relevant local law enforcement and intelligence agencies working together to share information on terrorism, will play this role. ASEAN Member Countries can leverage on and further strengthen existing frameworks, such as the ASEANAPOL to discuss practical measures and explore avenues for regional co-operation against terrorism.

To ***enhance the capabilities*** of ASEAN Member Countries in the fight against terrorism, there should be training in bomb/explosive detection, post-blast investigation, airport security and passport/document security and inspection or any other areas that would enhance the capabilities of ASEAN Member Countries to counter terrorism.

Every country is potentially vulnerable to terrorist attacks. Although Singapore has crippled the JI cells and its plans in Singapore, the threat of terrorism has not disappeared and is not likely to go away for some time to come. Thailand caught Hambali in Ayutthaya[162] on 12 August 2003, where he was allegedly planning to bomb a meeting of the Asia Pacific Economic Co-operation (APEC) group.[163] Terrorism will continue to pose a serious threat to the security and stability of our region, ASEAN must committed in the fight against terrorism by putting in place practical measures and actively supporting international efforts to eradicate this threat. However, as ASEAN recognizes that given the global reach of terrorism, it is difficult for any individual country to fight terrorism on its own. It is therefore imperative for ASEAN member countries to continue to work together to tackle terrorism as a group,

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[162] According to the Royal Institute of Thailand the correct and full spelling of Ayutthaya is *Phra Nakhon Si Ayutthaya*, The Royal Institute of Thailand, http://www.royin. go.th/upload/ 246/FileUpload/ 417_4191.pdf.

[163] Clinton Fernandes and Damien Kingsbury, **"Terrorism in archipelagic Southeast Asia,"** in *Violence in Between: Conflict & Security in archipelagic Southeast Asia*, ed. Damien Kingsbury (Singapore: ISEAS Publication, 2005), 21.

especially towards more practical and effective cooperation, so as to ensure peace and stability in the region.

It is also critical to extend cooperation between Southeast Asian countries from the security and intelligence domain to the domains of law enforcement and the judiciary. Furthermore, Southeast Asian governments must graduate from 'cooperation' to 'co-ordination' and 'collaboration' in joint and combined action in order to successfully combat terrorism as the responsibility for combating terrorism must rest with governments acting on behalf of their people.[164] For instance, terrorism will persist in the Southern part of Thailand as long as Thai government does not work collaboratively with Malaysia. So, the ***'Cooperative Security Theory: Functionalist Approach'*** is highlighted its strength to utilize in enhancing cooperation on counterterrorism within ASEAN members. As terrorism nowadays becomes increasingly transnational, the counter-terrorism of the future must be as well, with initiative in building common databases, exchange personnel, joint training, combining operations, sharing experience, and transferring expertise.

To reduce the threat of terrorism in Southeast Asia, it is essential to target both the indigenous and the foreign groups that are active in Southeast Asia. Therefore, severing Al Qaeda's ideological and operational links to the region is of paramount importance. Indeed, since 9/11, there have been over 100 attacks worldwide carried out by Al Qaeda and its associates, while a dozen attempted attacks in Southeast Asia have been aborted or disrupted. The Bali, Mindanao and Karachi bombings have also demonstrated that the Islamic terrorist threat has moved beyond Al Qaeda. Its regional associates, such as the Southeast Asian groups, are as lethal as their parent organization. They have learnt and will increasingly use Al Qaeda tactics such as hijacking and crashing aircraft, contact poisons, anti-aircraft weapons, and a range of other techniques to inflict mass fatalities on their enemies.[165]

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[164] Marks, 58.
[165] Gunaratna, 11.

Regional cooperation may not adequate against the growth and rapid adjustment of the 21st century terrorists. Bring in international/global funds and assistances against terrorism should be developed to assist poor countries or group of countries that lack of capacity to fight domestic terrorism. For the problems of terrorism within its terrain ASEAN members must overcome the tendency of objecting everything by pointing to the 'ASEAN Ways' approach by not allowing others to provoke concerns or helping to find ways out. The terrorists are capable to operate globally with multiple-linkages at every inches on earth. Moreover, the transnational issues of terrorism are trans-border reach and needed to have joint-cooperation as to make tackle them down. Sustaining a counter-terrorism campaign requires substantial resources through larger pool of collaboration from the developed nations. As most countries in the developing world are affected by terrorism and lack of both trained manpower and the resources to fight a protracted anti-terrorist campaign. As what *Rohan Gunuratna* said that "whether you are the rich or poor governments of the world, you must develop a *cooperative approach* in fight against terrorism".[166] *Damien Kingsbury* also pointed out that the future of development of ASEAN is likely to be based on the strength and character of the relationships of member states forge with one another and with, more powerful external actors.[167] 'Bottom up' approach that respects contextual degree within Southeast Asian region and which calls for a more comprehensive, indirect counterterrorism policy. It draws from expert views from within (also added with outside) Southeast Asia and it assumes that prescriptions for coping with the terrorist threat within the region must be tailored specifically to regional and national realities and conditions. In short, no particular prescription or paradigm can adequately deal with the complexities of the Southeast Asian situation.[168]

Nevertheless, 11 September 2001 provided the forward motion for the quite dynamic response within the region. These responses, however, have varied from country to country. A critical evaluation of these responses reveals differences in

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[166] Ibid., 8.

[167] Damien Kingsbury, **"Southeast Asia: A Community of Diversity,"** *Politics & Policy* 35, No. 1 (2007): 6-25.

[168] Tan and Ramakrishna, 93.

efficacy and priorities, demonstrating once again the complex nature of terrorism in Southeast Asia. These complexities point to the necessity for a more broad-based strategy that takes into account the presence of fundamental grievance. Indeed, it is important to understand these complexities if an appropriate and viable counter-terrorist strategy are to be devised. As *Andrew Tan* suggested that "the difficulties in addressing the varied fundamental grievances as well as the difficulties encountered in meeting the challenges posed by terrorism mean that the war against terrorism will be long-drawn out, *with containment*, not victory, *being the most realistic outcome*."[169]

The threat posed by the Al-Qaeda and Al-Qaeda-linked international terrorism in the region and elsewhere cannot be eliminated by punitive security measures alone. The strategy must be both preventive as well as punitive, involving comprehensive campaigns that embrace political, socio-economic and conventional security measures. In the preventive sphere, discourse and attention cannot be focused upon the distortion and exploitation of Islamic teachings alone, or on fora for dialogue among faiths and civilizations that are so trendy now. It must also address the political and socio-economic drivers of international terrorism, including the Palestinian issue, Western policies in the Middle East, political oppression and marginalization, and poverty. In the punitive sphere measures must include the enhancement of the intelligence and operational capacity of the security agencies, as well as more forthcoming and effective collaboration among the security agencies within a country and among countries.[170]

The international campaign against terrorism can succeed only if it is sustained on a long term basis and targets terrorist cells and networks wherever they exist and as long as they exist. As *Brahma Chellany* depicted that "terrorism is the

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[169] Tan, **"Southeast Asia as the 'Second Front' in the War against Terrorism: Evaluating Threat and Responses,"** 114.

[170] Mohamed Jawhar Hassan, **"Security Environment in Southeast Asia,"** paper presented at the ASEAN Regional Forum, The First Plenary Meeting of Experts and Eminent Persons, Jeju Island, Republic of Korea, 29-30 June 2006.

cowards' weapon, as it involves sneakiness and obviates facing enemy".[171] The only defense against the sly, murderous terrorists is offense aimed at hounding, disrupting, and smashing their cells, networks, and safe havens. Against covert, unconventional aggression, counteraction must also employ clandestine, unconventional methods in order to strike at the heart of a terrorist group and disrupt its cohesion, credibility, and operational capacity.

Never before there has been a greater need for close international cooperation on intelligence and law enforcement, especially because of the stateless nature of some terrorists. The threat posed by the Al-Qaeda and Al-Qaeda-linked international terrorism in the region and elsewhere cannot be eliminated by punitive security measures alone. The strategy must be both preventive as well as punitive, involving comprehensive campaigns that embrace political, socio-economic and conventional security measures. In the preventive sphere, discourse and attention cannot be focused upon the distortion and exploitation of Islamic teachings alone, or on fora for dialogue among faiths and civilizations that are so trendy now. It must also address the political and socio-economic drivers of international terrorism, including the Palestinian issue, Western policies in the Middle East, political oppression and marginalization, and poverty. In the punitive sphere measures must include the enhancement of the intelligence and operational capacity of the security agencies, as well as more forthcoming and effective collaboration among the security agencies within a country and among countries.

[171] Chellaney, 108-109.

CHAPTER 6
CONCLUSION

From the study of this topic which has explored and explained with more fundamental ways to identify the terrorists in Southeast Asia. The study has provided clearer image on the ASEAN cooperation on counterterrorism after the 9/11 incident in 2001. Another major event that conveyed the state members to thoroughly realize that it happened in their own soil was the Bali incident in 2003. These are main occasions that why cooperation on counterterrorism in Southeast Asia has really becoming a main issue. As prior 9/11 and Bali incident, terrorism topic would go under the transnational crime concern but later on elevate its significant to a mainframe point of concern.

Later on, this research also provided impacts from terrorism which have made major security threat to the region as a whole. By illustrate key terrorist groups in each country and provided how they bond with worldwide terrorist group like Al-Qaeda. Moreover, it also elaborates on how ASEAN response and lift up those concerns with cooperation framework both within internal and further broaden with external support and assistance. Vividly, the cooperation at first stage has seen as the bilateral cooperation with major state like the United States. At the outset, the main reason of conducting bilateral cooperation between some ASEAN members and the US was due to economical support and assistance despite the cooperation on counterterrorism came along closely. However, rock-solid militarized strategies of the US on war on terror seem to be unsuitable to the situation in Southeast Asia as the fact of a divergence of internal differences among ASEAN members. In addition, governments overlook academic observations and researches that have gathered key data and figures and essential in-dept details. Merged with lack of cooperation or refuse to cooperate from local people which have ground details and more up-to-date information. In this case it resulted in difficulties of rapid counter attack or coming up with accurate strategy.

Importantly, the research also discovers the main obstacles of the ineffective cooperation firstly, due to the blaming game among Southeast Asian neighboring countries. By pointing to each other as a hub of terrorist networks or even transit places. As response to others' indictment they would oppose and defense to use the Southeast Asian nations' organization fundamental principal of non-interference and non-intervention that other members could not interfere its internal affairs. It is not a solid answer to the hypothesis of this research that non-intervention and non-interference are the pure answer of the main obstacles of ineffective cooperation of ASEAN cooperation on counterterrorism. As most of the data and information have concluded to the point that it has been use most of the time for political argument. Like Prime Minister Thaksin Shinawatra blamed Malaysia as a hub for recruiting and training terrorists. While, Malaysia pointing Indonesia as a paradise place for terrorists. This blaming game must be stop; a political gain on one side is a severe pain for others. If this kind of political exploitation still going on the true commitment to deal with counterterrorism in Southeast Asia will go to nowhere.

But more significantly is on the second critical obstacle, through lack of experts, outdated tools and equipments in most of member states also generate the far behind advanced and brisk terrorist movements. There are a few countries that could strongly counterterrorism at right away like Singapore and Malaysia which have much more integrated system with all kinds of advanced technology, know-how and well-trained officials. While others still trapped in weak immigration control, corrupted officials, loosen border patrol and obsolete equipments.

The second decisive obstacle of inappropriate counterterrorism-system of ASEAN member states provide much more tangible answers to the research question of whether it is a success or failure. It could be on the failure side due to the fact that terrorist groups still activate and exist in the region. Terrorist groups change their strategy and target all the time, while government officials are far behind them. However, it is also could be a success too. As the 9/11 and Bali incident occurred ASEAN members eagerly gather to launch ASEAN Joint Declaration on Counter International Terrorism. More proper steps and progression to deal with international

terrorism were carried out. Another major change should be more channels to provide and share valuable terrorists' information among ASEAN members. If it could hurt other member country's image then both sides should talk secretly. For instance Prime Minister General Surayud Chulanont blamed the Tom Yum Kung restaurants in Malaysia as a chief financial supporter to the insurgent group in the Deep South of Thailand. He should talk with Prime Minister Abdullah Badawi or let the National Security Council do there work, but not to spread the secret information into public news.

Thirdly, the organization itself, ASEAN, could not do much as it could. The state members aware of the association when it need something but not trying to contribute that much. The secretariat is more like organizer to conduct the meeting instead of pushing the issue and forcefully make the declaration into a more action and active approach. Strong secretariat would be a perfect answer with vigorously commitment of state members to help each other in order to counterterrorism. A representative of each member could be another solution as they could foresee the development of this topic.

Moreover, this research also found out that domestic insurgent groups still have major impact to the regional security concern. And they also coupled with regional terrorist groups and linked into a wider perspective like global-link terrorist network. These convey regional security threat and interrupting public life and economic growth of the region. Impact of terrorism came along into various aspects such as psychological, economical, security and political concerns. So as to have a flourish economic development and stabilize political progress every parts of society must join hand-in-hand to contribute and commit to fight against terrorists.