
Current cooperation on counter-terrorism: A basis for longer-term bilateral and multilateral arrangements with the Asia–Pacific Region?

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Introduction

The realist theory of international relations considers ‘the core national interest of all states must be survival [and] the promotion of the national interest is an iron law of necessity.’¹ States focused on the notion of national interest prefer acting unilaterally as this protects freedom to manoeuvre thereby avoiding the possible compromises to state sovereignty that can result from multilateral activities.² Asia–Pacific region³ states generally exhibit normal state behaviour, however, they have also joined the United Nations and in Southeast Asia, have recognised the benefits of regional multilateralism through the auspices of the Association of South East Asian Nations (ASEAN). The member states of ASEAN have in common the drive and desire for economic wealth, prosperity and security. In Northeast Asia, the economic strength of states, diversity of political systems and unresolved historic tensions has seen a reluctance to form a northeast regional body. Nevertheless, multilateral progress is being made. The 1990s saw the formation of the ASEAN Regional Forum (ARF) and the institutionalisation of the Asia–Pacific Economic Cooperation (APEC) with the establishment of a Secretariat in Singapore. Although cooperation and dialogue were useful, the prevailing Asian themes of non-interference and consensus remained strong.

The increased threat of terrorism in the region since 2001 has seen an increase in cooperation, both bilaterally and multilaterally. Much of this increased discourse and cooperation has been in the field of counter-terrorism. While most commentators are cautious about where this might lead, this paper concludes that the counter-terrorist cooperation is likely to provide additional impetus for longer-term and more broadly based security cooperation in the Asia–Pacific region. The paper will first define counter-terrorism and review current levels of cooperation. A case study will be analysed where cooperation commenced across a very narrow purview, then expanded with time, familiarity and confidence to encompass broader security cooperation. Current security issues and potential flashpoints in the Asia–Pacific will be reviewed before identifying opportunities for enhanced bilateral and multilateral cooperation to address the threat posed to the region by the proliferation of weapons of mass destruction (WMD). A strict timeframe for ‘long-term’ be it five, ten or 15 years has been avoided, instead preferring to concentrate on ‘enduring’ cooperation.

COUNTER-TERRORISM: AN ELUSIVE TERM

Defining counter-terrorism

To understand counter-terrorism, it is necessary to first define terrorism. This task has, however, proved difficult and although a number of states have identified terrorism as a threat, United Nations

(UN) Member States have not agreed on a definition.⁴ Conversely, scholars have identified over 100 different definitions by analysts, law enforcement agencies and academics.⁵ For the purpose of this study, the extant United States Federal definition is used which defines terrorism as ‘the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.’⁶ Accordingly, counter-terrorism refers to offensive measures taken to respond to terrorist acts including the gathering of information and threat analysis in support of these measures. The term ‘anti-terrorism’, which also has no agreed definition, is often used interchangeably with counter-terrorism however accepted practice by military and law enforcement bodies restricts the use of this label to passive measures rather than the more offensive counter-terrorist actions.

At the recent Royal United Services Institute Triennial International Seminar (Canberra, October 2003), terrorism and proliferation of Weapons of Mass Destruction (WMD) dominated presentations and discussion. The Australian Minister for Defence described terrorism as ‘the greatest threat we face ... in immediate terms’.⁷ This emphasis was echoed by his Indonesian counterpart. Southeast Asia is home to a variety of groups willing to resort to violence to further their cause. The Bali bombing, the arrest of 15 terrorists in Singapore in December 2001 and another 21 in August 2002 supports a view that Southeast Asia is at least a prime area for focus, if not the ‘Second Front’ viewed by some.⁸ What has become clear is that terrorism is a problem that requires the harness of the full suite of national power, not just military. The response must be a multi-disciplinary, multi-level and multilateral approach that transcends traditional state boundaries.

COUNTER-TERRORISM: CURRENT COOPERATION

The Bali bombing in 2002, the rise of Jemah Islamiyah (JI) and the presence of two large Muslim countries have meant the prime focus of counter-terrorism in the Asia-Pacific has been in the Southeast sub-region. Nevertheless, other countries in the Asia-Pacific region continue to watch developments closely, through bilateral relationships, and multilateral institutions.

Regional level

The most inclusive degree of counter-terrorist cooperation within the Asia-Pacific region occurs through the framework of the ASEAN Regional Forum (ARF). The ARF has a membership of 23 countries including the European Union, India, the US, Australia and New Zealand. While the principle of consensus decision-making tends to constrain its potential, the ARF has achieved progress in the areas of financial control and the sharing of intelligence.

Terrorist financing. Significant activity has taken place in the ARF Inter-Sessional Group (ISG) on Confidence Building Measures. After the attacks on the World Trade Centre on 11 September 2001, two ISG meetings were scheduled: one in New Delhi in December 2001, and another in Hanoi in April 2002. These workshops focused on wider aspects of terrorism such as the funding of terrorist operations. These workshops prompted (and in some cases leveraged off) bilateral workshops such as the Malaysia-United States Workshop on Financial Measures against Terrorism in Honolulu (March 2002), and a Thailand-Australia Workshop on Prevention of Terrorism held in Bangkok in April 2002.⁹ Such meetings allow best practices and expertise to be shared as well as providing a useful platform for networking. This cooperation led to the significant achievement of the decision at the 9th ARF in Brunei to freeze the financial assets of terrorist groups.

Intelligence sharing. The exchange of information between countries and across regions is critically important because of the transnational nature of organisations such as al-Qaeda and JI. At

the ARF meetings, the member states agreed to share information on terrorist activities, develop more effective counter-terrorism policies, and enhance liaison between law enforcement agencies. An early dividend of this cooperation resulted in Kuwaiti al-Qaeda operative Omar al-Faruq, being turned over to the United States by the Indonesians and the capture of Riduan Isamuddin (a.k.a. Hambali), the JI operations leader, in Thailand.

Sub-regional level

The key multilateral organisation in Southeast Asia is ASEAN. Through this forum, member states have recognised the need for cooperation and coordination of policy in both the military–security and wealth–welfare contexts.

Political declarations. Given the complex security relations within ASEAN, the manner of cooperation within ASEAN has an important political undertone. Declarations are important in presenting a face of solidarity, enhancing confidence building and reinforcing the political will of countries to continue to combat terrorism. The key declaration was the Declaration on Joint Action to Counter Terrorism issued in November 2001 which emphasised the need to strengthen cooperation at all levels—bilateral, regional and international to combat terrorism in a comprehensive manner. This ASEAN position was reiterated at the 9th ARF (ASEAN Regional Forum) meeting in Brunei in July 2002 and at the 8th ASEAN Summit in Phnom Penh in November 2002, after the Bali bombing. However, commentators are divided about how successful ASEAN has been in multilateral cooperation in combating terrorism. Some see ASEAN ‘revitalised’ as a result of the response whereas others see the age-old issues of perceived national interest, mutual suspicion, and a lack of coordination stymieing effectiveness.¹⁰ Outside the formalities of ASEAN, there has been some effective cooperation bilaterally and via informal groups, best exhibited by the Agreement on Information Exchange and Establishment of Communications Procedures between Indonesia, Malaysia and the Philippines in May 2002. Combating terrorism remains the key challenge to be grasped in a multilateral sense for the Asia–Pacific, particularly the Southeast Asian states.

Operations/multilateral exercises. Beneath the political level, there has been effective practical cooperation. Australian Federal Police operated closely with Indonesian police to investigate the perpetrators of the 2002 Bali bombings. The Philippines initiated an anti-terrorist pact with Indonesia and Malaysia as soon as the United States began organising its global anti-terrorist coalition. A three-power agreement, signed on 7 May 2002 in Kuala Lumpur, binds the three states to carry out joint exercises to fight terrorism and other crimes, share airline passenger lists, set up telephone hotlines and control their borders. Other states such as Cambodia and Thailand have since joined the agreement thereby broadening the original cooperation framework.

Capacity building. The ASEAN Ministerial Meeting on Transnational Crime (AMMTC) has been a major influence in attempting to increase member states capability and capacity to fight terrorism. Since 9/11, the AMMTC held a special Meeting on Terrorism in May 2002 where it updated terrorist work plans, emphasising capacity building. Malaysia offered training on intelligence procurement and a workshop on psychological operations and psychological warfare in relation to terrorism. Singapore has offered logistics support for training on bomb/explosives detection, post-blast investigation, airport security and passport/document security and inspection in relation to terrorism. Other initiatives also exist outside the ASEAN framework such as the development between Malaysia and the US of a regional counter-terrorism centre in Malaysia. Similarly Australia and Indonesia have cooperated to form the Indonesian Regional Law Enforcement Cooperation Centre (ICLEC) that has a regional capacity-building and operational mandate.¹¹

ASEAN and others. There are other ASEAN agreements with dialogue partners. An ASEAN–US Joint Declaration for Cooperation to Combat International Terrorism was signed in July 2002. Of note, ASEAN and China signed a joint declaration on non-traditional security after the ASEAN–US agreement. While it goes beyond terrorism, it remains largely symbolic, but provides a potential springboard for the future.

Summary. A series of cooperative arrangements against terrorism in the Asia–Pacific region have produced significant results, the most prominent being the disabling of the JI network in the aftermath of the Bali bombing in 2002 and the suppression of al-Qaeda operatives in Southeast Asia. Individual states have also taken longer-term measures to address the deeper social and economic issues. Clearly, the current success in counter-terrorism lies principally in the formation and maintenance of an effective network of cooperation that is multi-disciplinary, multi-level and multilateral. This collaboration is centred on political unity, legal cooperation, intelligence cooperation, joint operational responses and common financial controls. A detailed summary of counter-terrorism cooperation in the Asia–Pacific is provided at Annex 1.

COOPERATION EXAMPLES—THE EUROPEAN UNION

There are a number of examples in the history of international relations where single-issue bilateral or multilateral cooperation has resulted in expanded and longer-term arrangements. A contemporary example is the ongoing collaboration in Europe that has resulted in the European Union (EU). The EU has witnessed some of the most significant and far-reaching instances of regional cooperation in the 20th century. The process by which the EU came into being at Maastricht in 1992¹² with the signing of the Treaty on European Union has been a slow process. It has taken gradual steps of single-issue cooperation to build the levels of trust and confidence that has allowed the EU to evolve into its current form.

The initial step was the creation of the European Coal and Steel Community in 1951. Cooperation was strengthened by the focus on economic matters at the Treaty of Rome in 1957, at which point the European Economic Community (EEC) was formed. Importantly, the processes and experiences of establishing the Coal and Steel Community provided the role model for the Rome institution and expansion of the cooperative concept. The Customs Union, which impacts on a wide range of economic activities, was achieved in 1968 followed by enlargement of the group in 1973.¹³ The early 1980s saw advanced cooperation in the political arena with the European Parliament producing a Draft Treaty for European Union. The Treaty on European Union (or Maastricht Treaty) is seen as the most important step since inception in the 1950s. It effectively fuses together the economic, monetary and political strands into the present European Union.

Issues of security and foreign policy have been major challenges to comprehensive integration. The Maastricht Treaty requires member states to ‘inform and consult one another [on] any matter of foreign and security policy’,¹⁴ with a unanimous vote being required to establish a joint action. While EU member states have decided at this point to retain state sovereignty regarding foreign policy and security matters, significant security cooperation occurs on a regular basis, made possible by the practised protocols and relationships developed over 50 years.

The gradual development of the EU from a narrow single issue agreement to a comprehensive economic and security arrangement, suggests that with time and goodwill it is possible for Asia–Pacific states to expand current cooperation to encompass more expansive state relations and interdependence.

SECURITY ISSUES AND FLASHPOINTS IN THE ASIA-PACIFIC

Since the end of the Cold War, states and scholars have begun to take a broader view of security to encompass the major role of non-state actors in the broader security mosaic.¹⁵ Australia has recognised this trend in the last two formal ‘statements’ on security matters: the Defence White Paper of 2000 and the Defence Update of 2003.¹⁶ The White Paper recognised ‘Australia faces many security concerns other than those involving military force.’¹⁷ The military and non-military security concerns identified in these documents assist in forming the basis for review.

In analysing the Asia–Pacific region, Taylor believes the region can be characterised by: economic dynamism and emphasis on economic development; growing military strength, albeit at a moderate pace; continuing, and in some cases strengthening, sense of nationalism; weak regional security institutions; incomplete reconciliation of World War II adversaries and contested boundaries (especially maritime boundaries and ownership of island groups).¹⁸ Common security concerns for the region include the stand off on the Korean Peninsula and the threat of WMD proliferation, the rising threat of terrorism, illegal immigration, piracy, organised crime and border/EEZ management.

Weapons of Mass Destruction

The issue that incorporates the themes of a number of these security issues is the proliferation of WMD. Failed or failing states can become targets for terrorists or organised crime syndicates who seek to either obtain the materials for WMD or bases for operations. Uncontrolled movement of people across borders that are not effectively policed can easily mask the movement of WMD materials. Additionally, this is an issue that is likely to confront states and regions for a considerable time to come, making WMD a suitable topic for considering opportunities for enduring cooperation.

ASIA–PACIFIC COOPERATION—WMD PROLIFERATION

The importance of eliminating the proliferation of WMD is a key security concern of most nations. While the term weapons of mass destruction is increasingly becoming ambiguous, international documents such as the ‘Guidelines for Sensitive Missile-Relevant Transfers of the Missile Technology Control Regime (MTCR)’ refer to WMD as ‘nuclear, chemical, and biological weapons.’ However, recent United States laws, official statements, and documents define WMD as including additional types of weapons, such as radiological weapons or conventional weapons causing mass casualties.¹⁹ For the purpose of this paper, WMD will be limited to nuclear, biological, chemical and radiological weapons.

Ministers attending the Asian Senior-level Talks on Non-Proliferation (ASTOP)²⁰ in Tokyo on 13th November 2003 shared the view that the prevention of proliferation of WMD, their delivery systems and related materials and technology is vitally important to international peace and security.²¹ Similarly, the 2003 G8 Summit²² recognised that combined with the ‘spread of international terrorism, [WMD proliferation] is the pre-eminent threat to international security’.²³ On 28 April 2004, the United Nations Security Council (UNSC) unanimously adopted Resolution 1540 concerning the non-proliferation of WMD. The resolution has a historic value; it is the first UNSC decision that qualifies the proliferation of WMD as a threat to international peace and security. The resolution binds all member states to adopt and enforce appropriate effective laws which prohibit any non-state actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.

With the exception of North Korea's ambiguous nuclear weapon status, within the Asia-Pacific region the threat of WMD proliferation principally concerns the acquisition of WMD capabilities by non-state actors. The 2003 Australian Defence Update states 'we know that [terrorists] intend to inflict mass casualties and we know they are making every effort to acquire WMD capability'.²⁴ Australia recognises that 'a critical strategic and security dimension for Australia is that militant extremists in Southeast Asia are prepared to take up the al-Qaeda cause'.²⁵ Combined with the knowledge that al-Qaeda aims to obtain and use NBC and radiological weapons to cause mass casualties, presents strategic scenarios for which Australia and the region must prepare. Some analysts believe that WMD are becoming terrorists' weapons of choice rather than weapons of last resort.²⁶ Pakistan's chief nuclear scientist, Abdul Qadeer Khan and senior scientist Sultan Bashiruddin Mahmood have confessed to sharing nuclear technology with Iran, Libya, and North Korea.²⁷ There are significant risks that these states may make WMD capabilities available to terrorists. The Australian Foreign Minister has stated that, 'if left unchecked, [Khan's] program would have posed a major regional threat. It has also revealed substantial chemical weapons activities, including significant quantities of chemical agent and agent-ready bombs'.²⁸

Current Asia-Pacific WMD counter-proliferation cooperation

Generally, Asia-Pacific nations have been slow to meaningfully address WMD proliferation. While there have been a number of pro-active statements in top-level forums, comprehensive ground level cooperative activity is low. In 1994 the Council for Security Cooperation in the Asia-Pacific (CSCAP) task force on Confidence and Security Building Measures developed specific proposals relating to nuclear issues including nuclear safety and proliferation. In 1995 the task force expanded debate to include measures to prevent proliferation of NBC weapons in the region.²⁹ The United Nations maintains an Asia and Pacific Regional Centre for Peace and Disarmament, headquartered in Kathmandu that has a mandate for providing, on request, support for the initiatives and other activities mutually agreed upon by the Member States of the Asia-Pacific for the implementation of measures for peace and disarmament. However, Ball's analysis indicates that 'for many years the ASEAN Regional Forum (ARF) agenda offered few non-proliferation and arms control measures'. The 1995 ASEAN Regional Concept Paper's Annexes include two non-proliferation measures: the South East Asian Nuclear Weapon Free Zone (SEANWFZ) and a regional or sub-regional arrangement agreeing not to acquire or deploy ballistic missiles. 'The entry into force of SEANWFZ in March 1997 was a major achievement, but it is essentially symbolic—none of the ASEAN countries is a prospective proliferant and the current nuclear weapons states will accede to the Protocol only because it does not interfere with their nuclear-related operations in peacetime (e.g. Passage of nuclear-armed vessels through the Zone) or their use of nuclear weapons in case of war in the region'.³⁰ Despite Southeast Asian nations' treaty commitment to a nuclear weapons free zone, the interdiction of nuclear centrifuges bound for Libya, manufactured by a Malaysian company, reveals that the region is not immune to nuclear proliferation concerns.³¹

International collaborative strategies to eliminate the proliferation of WMD principally employ diplomacy, arms control, multilateral agreements, threat reduction assistance, and export controls. There are a number of key international WMD proliferation control multilateral agreements. Details on these regimes are provided at Annex 2. The principal regimes include:

1. Nuclear Non-proliferation Treaty (NPT).
2. Chemical Weapons Convention (CWC).

3. Biological Weapons Convention (BWC).
4. Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies.
5. Australia Group. A regime for export controls over materials and equipment that can be used to produce chemical and biological weapons.
6. Nuclear Suppliers Group (NSG) and the Non-proliferation Treaty (NPT) Exporters (Zangger) Committee. Proscribes export controls over nuclear materials, equipment, and technology, both nuclear-specific and dual-use.
7. Proliferation Security Initiative. A regime to impede and stop shipments of WMD, delivery systems, and related materials flowing to and from states and non-state actors of proliferation concern.

The extent to which Asia–Pacific nations have ratified the agreements is shown in Table 1. This data highlights the absence of broad-based multilateral WMD-related cooperation within the Asia–Pacific region.

The first senior-level dialogue among the Asian countries dedicated specifically to the discussion of the non-proliferation of WMD, the Asian Senior-level Talks on Non-Proliferation (ASTOP), occurred in Tokyo on 13 November 2003. The meeting reviewed the Political Declaration on Prevention of Proliferation of WMD and Their Means of Delivery adopted by the ASEM Foreign Ministers in July 2003,³² the Joint Declaration on the Promotion of Tripartite Cooperation³³ among Japan, the People’s Republic of China and the Republic of Korea, and the APEC Leaders’ Declaration adopted in October 2003,³⁴ all of which stress the importance of continuing efforts on disarmament and prevention of proliferation of WMD, their delivery systems and related materials and technology, in accordance with relevant international conventions. Importantly, the meeting participants emphasised the importance of regional cooperation in the Asian region and reinforced the importance of regional nations ‘comprehensively and non-discriminately adhering to the relevant counter proliferation international conventions’.³⁵

Table 1. Ratification of WMD Control Arrangements by Asia–Pacific Nations

Agreement	ASEAN Nations	China	Sth Korea	Japan	Australia	US
NPT	Y	Y	Y	Y	Y	Y
CWC	Y	Y	Y	Y	Y	Y
BWC	Y	Y	Y	Y	Y	Y
Wassenaar Arrangement	None	N	Y	Y	Y	Y
Australia Group	None	N	Y	Y	Y	Y
Nuclear Suppliers Group	None	N	Y	Y	Y	Y
PSI	Singapore only	N	N	Y	Y	Y

The ASTOP participants discussed the need to further develop the national authorities, legislation and capabilities in order to strengthen the non-proliferation mechanisms of weapons of mass destruction and their delivery systems. The participants discussed the need to strengthen export control systems in Asian countries, and to further promote dialogues and cooperation on non-proliferation. The participants recognised the requirement for increased cooperation between relevant national authorities, particularly with respect to sharing of information, experiences, best practices and expertise. The meeting acknowledged that some participating states may require technical assistance in implementing necessary measures to strengthen non-proliferation mechanisms, and called on participants to provide such assistance. Table 2 provides an assessment on Asia–Pacific WMD cooperation across the criteria used for categorising counter-terrorism cooperation.

Future Asia–Pacific WMD cooperation

Initiatives to address WMD proliferation concerns are increasingly reinforcing the importance of multilateral approaches. The G8 nations have declared that WMD proliferation ‘requires a multifaceted solution. We need to tackle it individually and collectively—working together and with other partners, including through relevant international institutions, in particular those of the United Nations system’.³⁶ Similarly the European Union has announced ‘a multilateralist approach to security, including disarmament and non-proliferation, provides the best way to maintain international order and hence our commitment to uphold, implement and strengthen the multilateral disarmament and non-proliferation treaties and agreements’.³⁷ These statements recognise that nations cannot work in isolation to counter WMD proliferation.

The unprecedented counter-terrorism cooperation within Asia–Pacific is forging new ground, replacing mistrust and suspicion between nations with genuine collaboration that spans political, legal, intelligence, financial and operational issues. The cooperation achieved in counter-terrorism, particularly intelligence sharing and police partnership, provides a foundation from which regional WMD proliferation concerns can be more effectively addressed. The NATO WMD Initiative,³⁸ US Proliferation Security Initiative (PSI)³⁹ and European Union Strategy Against the Proliferation of WMD⁴⁰ provide examples of regional cooperative strategies.

The analytical framework used to assess the Asia–Pacific counter-terrorism cooperative framework, provides an appropriate template for presenting a regional WMD strategy. A comprehensive regional cooperative WMD approach should encompass political initiatives, intelligence cooperation, legal cooperation and combined operational response measures.

Political initiatives. A firmly unified approach by regional governments is necessary to provide the resolve, momentum and where necessary the direction to address WMD proliferation issues and

Table 2. Assessment of Asia–Pacific WMD Cooperation

	Political Cooperation	Legal / Law Cooperation	Intelligence Cooperation	Operational Measures
Bilateral	Limited	Limited	Poor	Limited
Multilateral	Limited but improving	Limited	Limited	V. Limited

overcome intransigence. To improve understanding of the proliferation issue and focus appropriate political and governmental attention on WMD risks, the region should establish an Asia–Pacific WMD Proliferation Control Centre. This Centre would develop strategies to enable governments to strengthen the existing system of non-proliferation by pursuing universalisation of multilateral agreements on disarmament and non-proliferation, and coordinate ongoing regional work to address the risks posed by WMD proliferation. The Centre should comprise a multidisciplinary mixture of political, defence, intelligence, and military experts, who would contribute to the development of a common understanding of political and defence risks and promote more active and regular inter-government engagement. Working with governments, the Centre should develop a balanced information strategy to raise public awareness of WMD proliferation issues and aid governments to demonstrate strong regional support for arms control, disarmament and non-proliferation efforts that enhance overall security in the Asia–Pacific. This strategy must also foster dialogue with industry in the region to improve WMD proliferation control across public and private industries. To reinforce the non-proliferation initiatives, governments must concurrently strengthen regional cooperative NBC threat reduction programs that support disarmament, control and security of sensitive materials, facilities and expertise.

Intelligence cooperation. An improved understanding on the nature and evolution of the WMD threat is fundamental to provide informed dialogue on WMD issues and permit the development of a stronger common understanding of emerging concerns. This foundation can only be achieved through the effective and open sharing of information and intelligence. The WMD Proliferation Control Centre should maintain information in a classified WMD collection that will serve as a common resource for regional decision-making bodies responsible for WMD proliferation control issues. The Centre would also develop and share analyses of key proliferation actors and networks, their financing sources, and other support structures.

Legal cooperation. Programs to implement WMD proliferation controls are complicated by the dual use nature of many of the technologies and materials that offer a legitimate guise under which proliferation is conducted. Consequently, states need to develop export control policies and practices that support export control regimes. These policies need to include criminal sanctions for the illegal export, brokering and smuggling of WMD-related material. The WMD Proliferation Control Centre would manage a program of assistance to states to provide technical knowledge in the field of export control. Where deterrence fails, the Proliferation Security Initiative (PSI) provides a mechanism to ensure compliance with export control regimes. Asia–Pacific states should join this initiative and establish a legal basis for PSI cooperation that provides expeditious procedures for the boarding of vessels flying their flag. National legislation must also be provided to control the development of pathogenic micro-organisms and toxins that could be exploited as biological weapons. States should consider creating an Asia–Pacific Centre for Disease Control to improve responses to natural and man-made toxins.

Operational response cooperation. Asia–Pacific states need to develop processes for coordinating national and collective preparations to respond to WMD use against civilians. This should incorporate the exchange of information on national capabilities for protecting civilian populations against WMD attacks, the establishment of regional and national civil emergency response training/exercises and the introduction of NBCR seminars to develop collective knowledge and ability to address WMD issues collaboratively. The WMD Proliferation Control Centre could serve as a foundation for a coherent regional contribution to national civil authorities. Proliferation control responses should also train and equip state customs officers and border officials to prevent, identify, deter and investigate incidents involving the trafficking of NBC weapons and related materials.

Implementation of bilateral and multilateral WMD non-proliferation initiatives

The development of a comprehensive, consistent approach to prevent WMD proliferation in the Asia–Pacific is essential and requires a regional multilateral approach. However, differing priorities, resource availability and interstate trust levels may demand a staged implementation process of the proposed cooperative measures. In the short term, a broad-based multilateral approach will be achievable in those areas of common concern that avoid national sensitivities, while harder areas may need, at least initially, to be progressed through sub-regional multilateral and bilateral initiatives. The regional counter-terrorism agreements offer a realistic template for understanding which objectives can be pursued multilaterally and which might start on a sub-region or bilateral basis.

The initial focus of Asia–Pacific multilateral cooperation should be based on the development of a regional WMD Proliferation Control Centre and information exchange practices, the formation of regional assistance for civil emergency WMD responses, develop uniform export control policies, establish a regional Disease Control Centre, enhance border control capabilities and initiate a regional industry non-proliferation dialogue forum. These initiatives will draw on the considerable achievements in creating similar mechanisms on counter-terrorist issues, principally the formation of the Indonesian Regional Law Enforcement Centre, the South East Asian Regional Training Centre to Counter Terrorism, various ARF Confidence Building Measures including the Register of National CT Response Agencies and AMMTC intelligence sharing agreements. Border training activities would complement the initiatives established under the Malaysian–Indonesian–Philippines Anti-Terrorism Pact which includes various smuggling and trafficking responses. The development of export control policies would follow similar work associated with US–ASEAN Joint Declaration on Combating Terrorism and ASEANPOL Conference Outcomes.

Bilateral or sub-regional multilateral programs provide a start point for those initiatives that will require states to develop confidence in the ability to cooperate closely without compromising national sovereignty or fundamental security principles. The Australian bilateral MOUs with Indonesia, Malaysia and India that address increased cooperation in the areas of security, law enforcement, customs, immigration, transport and allow for joint investigations of border control issues and joint action to fight illegal trafficking in weapons and explosives provide a basis from which to expand and address WMD proliferation between individual member states in the Asia–Pacific. The Malaysian–Indonesian–Philippines Anti-Terrorism Pact is another sub-regional agreement that supports more intimate national cooperation. Using this process, nations that have the confidence to work closely together should pursue arrangements for enhancing security of sensitive materials, proliferation interdiction operations, threat reduction programs and enhanced intelligence sharing. Over time these arrangements could be expanded to include more Asia–Pacific countries in growing multilateral networks.

Conclusion

History provides evidence that limited cooperation between nations can with time, trust and common interests, develop into broader cooperation across a range of areas that increase in complexity and into areas of significant national sensitivity. The states of the Asia–Pacific region are working together to combat the rise of terrorism. This has resulted in political dialogue, intelligence sharing and practical cooperation in areas that previously were highly protected from exposure to other regional nations. The threat of WMD proliferation shares many similarities with the threat of terrorism and is developing a frightening, symbiotic convergence. States are recognising that no

nation can make itself safe from WMD proliferation solely by its own actions. There is an increasing appreciation that the only way to address WMD proliferation is through coordinated, cooperative approaches that share expertise and information.

Countering WMD proliferation requires an extension of the cooperation achieved in counter-terrorism initiatives. WMD proliferation will best be controlled through universal political will, intelligence sharing, well aligned export control and policing and prepared emergency response forces. This paper recommends specific cooperative proposals to achieve these outcomes. It suggests how these initiatives might be pursued through bilateral and multilateral agreements that draw on the counter-terrorism achievements. While not addressed in this paper, similar proposals could be made to address other regional security concerns including piracy, illegal immigration and organised crime. It is foreseeable that in the long term, convergence of national interests could provide the basis for a meaningful Asia–Pacific security environment that provides an umbrella, coordinated framework to manage these inter-related security issues.

Counter-terrorism Cooperations Efforts By Functional Lines

Annex 1

Types of Cooperation	Countries Involved	Policy Cooperation/ Dialogue CBMs	Tactical Operations/ Exercises	Legal and Law Enforcement	Financial Arrangement	Intelligence Sharing/ Investigations
Bilateral	Malaysia–Philippines		Malaysia and Philippines – Maritime Exercise ⁴¹			
	Malaysia–Australia	Malaysia and Australia MOU				Cooperate militarily against terrorism
	Japan–US		Japan–US – Ex RIMPAC ⁴²			
	Philippines–US		US–Philippines Ex/Ops Balikatan 03 ⁴³			
	Australia–Indonesia	AUS/ID initiative for Indonesian Regional Law Enforcement Cooperation Centre	The ICLEC has a regional capacity-building and operational mandate. It will be available as a resource to provide operational support and professional guidance in response to specific terrorist threats or actual attacks. Training activities will cover the full range of key counter terrorism skills, including tracking and interception of terrorists, forensics, crime scene investigation, financial investigations, threat assessments, security support for major events and consequence management, criminal prosecution and counter terrorism legislative drafting skills.			
	Others	Australian Government has concluded 25 MOUs with countries in Europe, Africa, North and South America, the Asia Pacific region and the Middle East. ⁴⁴				
Multilateral	Malaysia, Indonesia and Philippines	Anti Terrorism Treaty (May 2002) ⁴⁵	Anti-terrorism exercise/ Collective operations to hunt down terrorist			Exchange on intelligence
	ASEAN	ASEAN Ministerial Meeting on Transnational Crime (AMMTC)	ASEAN Plan of Action to Combat Transnational Crime (2004)	Coordination of Anti-Terror Laws		Enhanced Cooperation in Intelligence sharing
		AMMTC Forum and Working Plan	Forum for the exchange of ideas and information on combating terrorism related transnational crimes–drug trafficking, human trafficking, sea piracy, arms smuggling, money laundering. Working Plan to Implement the ASEAN Plan of Action to Combat Transnational Crime			
		23rd ASEANPOL Conference Outcomes	Exchange information and intelligence on terrorist organisations, maintain for ready referencing a list of police counter-terrorism units, monitor newly-emerging militant groups to prevent them developing into terrorist groups, develop and consult on counter-terrorism training to enhance policing capabilities, encourage legislative efforts to criminalise terrorism and circulate information on threats to major regional events.			
		ASEAN Summit -Declaration on Terrorism (Nov 2002)	Commitment to establish ASEAN Security Community declared under Bali Concord II at the 9th ASEAN Summit in Bali on 7 October 2003.			
		ASEAN cooperation agreement	Deepen cooperation among ASEAN frontline law enforcement agencies, share ‘best practices’, enhance intelligence exchange, strengthen cooperation and coordination between ASEAN Ministerial Meeting on Transnational Crime			
	ASEAN Regional Forum (ARF) – US and ASEAN	Joint Declaration to Combat International Terrorism (1 Aug 01)			Increased US financial and technical aid	Improved intelligence sharing and mutual assistance in curtailing the movement of terrorists, including fake passports, border controls and movement of terrorist funds
		- Statement of Measures Against Terrorist Financing (02)	SE Asian Regional Training Centre to Counter Terrorism ⁴⁶			
	ASEAN–China	ASEAN and China - MOU	Cooperation in combating transnational crimes (Non traditional & Traditional ones)			
	ASEAN–EU	Joint Declaration on Cooperation to Combat Terrorism ⁴⁷	Cooperation on Combating Terrorism			
Pacific Islands	Pacific Islands Nasonimi Declaration (2002)		Introduction of national legislation to fight transnational crime			
Regional Countries	Regional Ministerial Meeting on CT, (Feb 04)	Participants included foreign affairs and law enforcement ministers of Brunei Darussalam, Cambodia, Canada, the People’s Republic of China, Fiji, France, Germany, India, Japan, Laos, Malaysia, Myanmar, New Zealand, Papua New Guinea, the Philippines, the Republic of Korea, the Russian Federation, Singapore, Thailand, Timor-Leste, Vietnam, the United Kingdom, the United States of America and representatives of the European Union. Senior representatives of relevant United Nations committees, the ASEAN Secretariat, the Pacific Islands Forum Secretariat, the APEC Secretariat, the APG Secretariat and Interpol. Emphasised importance of information sharing, national capacity building in the fields of law enforcement and appropriate legal frameworks to facilitate mutual legal assistance, and cooperation between national jurisdictions in preventing, suppressing and combating terrorism.				
APEC	Counter-terrorism Strategy and Initiatives	Counter-terrorism Task Force	APEC’s Initiatives on Countering Financing of Terrorism; APEC Counter-terrorism Action Plans; APEC Cyber Security Strategy; APEC Energy Security Initiative			
International (UN)	UN Security Council Resolution 1267 1373 1390 1455					

WMD Proliferation Control Regimes

Nuclear Non-proliferation Treaty (NPT). In the NPT, the nuclear weapons states (United States, United Kingdom, France, Russia and China) agreed to not transfer nuclear weapons to any other state; transfer technologies relating to the peaceful uses of nuclear energy to NPT states parties in good standing; and the eventual general and complete nuclear disarmament. The non-nuclear weapons states agreed not to acquire nuclear weapons and to accept International Atomic Energy Agency (IAEA) verification that they use nuclear energy only for peaceful purposes.

Chemical Weapons Convention (CWC). Each state agrees not to develop, produce, acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone and not to use chemical weapons.

Biological Weapons Convention (BWC). The Convention prohibits the development, production, stockpiling, and transfer of biological weapons.

Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies. This Arrangement promotes transparency, responsibility, and, where appropriate, restraint in the transfer of conventional weapons and sensitive dual-use goods and technologies, particularly to countries and regions of concern.

Australia Group. A regime that has developed harmonised export controls over materials and equipment that can be used to produce chemical and biological weapons.

Nuclear Suppliers Group (NSG) and the Non-proliferation Treaty (NPT) Exporters (Zangger) Committee. These informal groups seek to control exports of nuclear materials, equipment, and technology, both nuclear-specific and dual-use.

Proliferation Security Initiative (PSI). PSI aims to establish a more coordinated and effective basis through which to impede and stop shipments of WMD, delivery systems, and related materials flowing to and from states and non-state actors of proliferation concern.

Endnotes

1. T. Dunn and B.C. Schmidt, 'Realism', in S. Smith and J. Baylis (ed.), *The Globalisation of World Politics: An introduction to International Relations*, 2nd ed., Oxford University Press, 2001, p. 144.
2. Scott Burchill, 'Introduction', in Scott Burchill (ed.), *Theories of international relations*, 2nd ed., Palgrave, Basingstoke, 2001, viii, 322 at 81–85.
3. There is no agreed definition of the 'Asia–Pacific Region'; for the purpose of this paper it will encompass those states forming the ASEAN Plus Three (APT) organisation plus the United States and Australia.
4. Department of Defence Australia, 'Australia's National Security: A Defence Update 2003', Canberra: AGPS, 2003, p. 28.
5. Graham Evans and Jeffrey Newnham, *The Penguin dictionary of international relations*, Penguin, Ringwood, Vic, 1998, p. 530.
6. According to U.S. Code of Federal Regulations.
7. Robert Hill, 'Regional Terrorism, Global Security and the Defence of Australia', *Journal of the Royal United Services Institute of Australia, Global Security in the New Millennium*, 2003, p. 23.
8. *ibid.*, pp. 201–202.
9. Both recommendations were adopted by the 9th ARF Meeting July 2002.
10. Carl Thayer, 'Problems and Prospects of Asia–Pacific Security: An Australian Perspective', in A.R. Bayinda and A Bergin (eds.), *Asia Pacific's Security Dilemma: Multinational Relations Amidst Political, Social and Economic Changes*, ASEAN Academic Press Ltd, London, 1998, pp. 105–106.
11. ICLEC is a resource to provide operational support and professional guidance in response to specific terrorist threats or actual attacks. Training activities cover the full range of key counter-terrorism skills, including tracking and interception of terrorists, forensics, crime scene investigation, financial investigations, threat assessments, security support for major events and consequence management, criminal prosecution and counter-terrorism legislative drafting skills.
12. D. Allen, 'The Common Foreign and Security Policy of the European Union', in Philippe A. Barbour (ed.), *The European Union handbook*, Chicago, Ill. ; Fitzroy Dearborn, London, 1996, vi, 349 at 44–45.
13. Émile Noël, 'Working together: the institutions of the European community', Office for Official Publications of the European Communities, Luxembourg, 1993, pp. 5–6.
14. Allen, 'The Common Foreign and Security Policy of the European Union', p. 48.
15. Alan Collins, *Security and Southeast Asia: domestic, regional, and global issues*, Lynne Rienner Publishers, Boulder, Co., 2003, p. 3.
16. Australia, 'Australia's National Security: A Defence Update 2003'.
17. Australia Department of Defence. 'Defence 2000: our future defence force', Defence Publishing Service, Canberra, 2000, pp. xviii, 122.
18. Paul D. Taylor, *Asia & the Pacific: U.S. strategic traditions and regional realities*, Naval War College Press, Newport, R.I., 2001, p. 48.
19. Monterey Institute Centre for Nonproliferation Studies, 'Definitions of WMD', Monterey Institute Centre for Nonproliferation Studies 2004, <http://www.nti.org/f_wmd411/fla1.html>, accessed 17 May 2004.
20. The participants included 12 Asian nations, encompassing: Brunei Darussalam, Cambodia, Indonesia, Japan, the Republic of Korea, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam, were represented in the meeting and Australia and the United States also participated.
21. Asian Senior-level Talks on Non-Proliferation (ASTOP), 'Chairman's Summary, Tokyo Meeting 13 November 2003', Ministry of Foreign Affairs of Japan 13th November, 2003, <<http://www.mofa.go.jp/policy/un/disarmament/arms/astop/summary0311.html>>, accessed 20 May 2004.
22. G8 members include Canada, France, Germany, Italy, Japan, Russia, UK, USA and EU.

23. G8, 'Non Proliferation of Weapons of Mass Destruction A G8 Declaration', G8 2003, <http://www.g8.fr/evian/engli/navigation/2003_g8_summit/summit_documents/non_proliferation_of_weapons_of_mass_destruction_-_a_g8_declaration.html>, accessed 20 May 2004.
24. Australia Department of Defence, 'Australia's National Security: A Defence Update 2003', p. 28.
25. *ibid.*
26. Martin Butcher, 'What Wrongs our Arms May Do: The Role of Nuclear Weapons in Counterproliferation', Physicians for Social Responsibility, Washington, DC, 2003, p. 116.
27. Matthew Bunn, *Preventing Nuclear Terrorism: A Progress Update*, Belfer Center for Science and International Affairs, John F Kennedy School of Government, Harvard University, 2003.
28. Alexander Downer, 'The Threat of Proliferation: Global Resolve and Australian Action' 23 February 2004, 2004d <<http://www.foreignminister.gov.au/speeches/>>, accessed 9 April 2004.
29. Brad Roberts and Zachary Davis, 'Nuclear Cooperation in the Asia-Pacific: A Survey of Proposals', in *Asia Pacific Multilateral Nuclear Safety and Non-Proliferation: Exploring the Possibilities*, edited by Ralph Cossa, International Working Group on Confidence and Security Building Measures organised by the Council for Security Cooperation in the Asia Pacific, Honolulu, 1996.
30. Desmond Ball, *Multilateral Security Cooperation in the Asia Pacific Region: Prospects and Possibilities*, Institute of Defence and Strategic Studies, 1999, p. 37.
31. Sheldon W. Simon, 'U.S.–Southeast Asia Relations: A WMD Discovery in Malaysia and Counter-Terrorism Concerns in the Rest of Southeast Asia', *Comparative Connections A Quarterly E-Journal on East Asian Bilateral Relations*, 1st Quarter 2004, 6/1, 2004.
32. ASEM Foreign Ministers emphasise the importance of continuing efforts on disarmament and prevention of proliferation of nuclear, chemical, and biological weapons; and related materials, equipment, and technologies in accordance with relevant international conventions in the interest of maintaining international peace and security. Ministers emphasise the importance of comprehensive and non-discriminatory implementation of relevant international conventions.
33. The three countries will 'strengthen exchange of views and cooperation in disarmament, as well as prevent and curb proliferation of weapons of mass destruction and their means of delivery, based on international regimes, through political, diplomatic and administrative measures including effective export controls, while recognising the importance of complying with the related international norms'.
34. APEC nations committed to eliminating the 'severe and growing danger posed by the proliferation of weapons of mass destruction and their means of delivery by strengthening international non-proliferation regimes, adopting and enforcing effective export controls, and taking other legitimate and appropriate measures against proliferation'.
35. Asian Senior-level Talks on Non-Proliferation (ASTOP), 'Chairman's Summary, Tokyo Meeting 13 November 2003'.
36. G8, 'Non Proliferation of Weapons of Mass Destruction A G8 Declaration'.
37. European Union Council, 'EU Strategy against Proliferation of Weapons of Mass Destruction', Council of European Union, Policy Page 12 December 2003, accessed 23 May 2004, p. 4.
38. United States, Dept. of Defense, Office of the Secretary of Defense, *Proliferation: threat and response*, Office of the Secretary of Defense, Washington, DC, for sale by the U.S. G.P.O. Supt. of Docs., 2001, p. 81.
39. Palácio Foz, 'Proliferation Security Initiative: Chairman's Statement at the Fifth Meeting Lisbon, Portugal, March 5, 2004', US Department of State, Bureau of Nonproliferation 2004, <<http://www.state.gov/t/np/c10390.htm>>, accessed 20 April 2004.
40. Council, 'EU Strategy against Proliferation of Weapons of Mass Destruction'.
41. Security personnel and warships from Malaysia and the Philippines conducted a six-day military exercise to 'wipe out terror activities such as piracy'. According to the maritime director of the Malaysian Navy, the annual maritime exercise is 'to prevent illegal activities and to stop entry of Filipino illegal immigrants'.
42. Anti-terrorism drill as part of the US-led multinational naval exercise.

43. Combined Operations in Basilan against ASG (extension of Ex Balikatan) in February 2003.
44. MOUs facilitate the exchange of financial intelligence to combat money laundering and the financing of terrorism.
45. Pact aims to target potential terrorist threats, money-laundering, smuggling, drug-trafficking, hijacking, illegal trafficking of women and children and piracy.
46. SEARCCT is based in Malaysia and focus on projects that enhance region's CT capabilities, especially in area of intelligence.
47. Statement during the 14th ASEAN–EU Ministerial Meeting.

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