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Barry Desker et Elena Pavlova

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Résumé de l'article

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by
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ABSTRACT

This article examines the mechanisms for combating global terrorism which emerged in Europe and Southeast Asia in the aftermath of 11 September, the Bali bombing, the two Jakarta bombings, and the Madrid train bombings. The article argues that, despite various attempts at crafting a common security framework in each region, the most successful examples of counter-terrorism and anti-terrorism cooperation thus far have been at the bilateral and trilateral levels. In balancing between national security priorities and multilateral cooperative arrangements, the main difference between the European and Southeast Asian approach comes from the different ways in which the terrorist threat is perceived. While the European reaction is determined by the acknowledgement of a "common external threat," the Southeast Asian response is based on the recognition of a "common internal threat." Such divergence of perspectives invariably nuances the scope of national and regional initiatives in each case scenario. These are further reinforced by the ideational and operational modalities of each regional community (EU and ASEAN).[1]

THE GLOBAL CONTEXT

The suicide operations on 11 September 2001 against the World Trade Center and the Pentagon transformed the concept and the practice of international security. The asymmetric use of force by a transnational network of *al-Qaeda* affiliated religious extremists – bent on producing mass-casualty, synchronized attacks and disgracing America on its own soil and at the heart of its

Barry Desker is the Director of the Institute for Defence and Strategic Studies (IDSS), Nanyang Technological University, Singapore, and was Singapore's Ambassador to Indonesia from 1986 to 1993.

Elena Pavlova is Visiting Associate at the Institute for Defence and Strategic Studies (IDSS), Nanyang Technological University, Singapore, where she is the Research Manager for the Terrorism and Political Violence Program.

own symbols – astounded the world. The audacity of the perpetrators and their non-conventional use of conventional technologies demonstrated that even the universally recognized hegemon of the post-Cold War international system could not prevent its territory and resources from being utilized to inflict damage on its own citizens and infrastructure.

In consequence, terrorism emerged from the backwaters to which it had been relegated following the neutralization of terrorist groups from the far left and the far right in the 1970s and the 1980s and the semi-successful resolution of various communal, ethnic, and separatist conflicts in the 1990s. The sheer magnitude and the destructive scale of the 11 September attacks called for a comprehensive re-evaluation of the security threat posed by *al-Qaeda* and its associated groups. The dreadful ability of international terrorists and their transnational networks to strike "anyone, anywhere, anytime" required immediate action and a resolute response. Policy makers worldwide recognized the challenge and braced their societies for a lengthy struggle.

Responding to these atrocious acts, President George W. Bush declared a "global war on terror" (GWOT) and designated it America's number one foreign policy priority. He committed the US nation and its people to a worldwide, multi-front, and multifaceted campaign. Its key initiatives focused on interdicting *al-Qaeda* operatives and disrupting their terrorist support infrastructures; dislodging state sponsors of terrorism and warning other nations against providing permissive environments for terrorist groups; and cautioning pre-emptive strikes against weapons of mass destruction proliferation regimes.[2] Its methods included military action, law enforcement, sharing intelligence information, freezing financial assets, and concerted drives for international cooperation. In response to the pervasiveness of the threat, counter-terrorism and anti-terrorism activities increased both domestically and internationally.

In the early months after 11 September, a brief crystallization of the will of the international community to fight terrorism also occurred. The contours of a coherent and uniform international policy were outlined in a succession of UN resolutions, which rejected "the prevalent moral ambivalence on terrorism and declared unambiguously that no moral and political justification could be accepted for acts of terror."[3] These were reinforced by a strong and sustained rhetoric on the part of President Bush, who spoke of "a world where freedom itself is under attack," and a "war on terrorism" that will not stop until "terrorist groups of global reach have been found, have been stopped, and have been defeated."[4]

Almost immediately after 11 September, governments in Europe and Southeast Asia responded positively by aligning their administrations and societies with the US-led GWOT. On 21 September 2001, the European Union (EU) Heads of State and Heads of Government approved a framework action plan on terrorism and incorporated the fight against *al-Qaeda* into all aspects of the EU's internal, foreign, and security policy.[5] In December 2003, the European Council

(EC) adopted a common European Security Strategy, in which it reiterated the need for EU member-states to combat global terrorism through joint action with both regional and extra-regional partners.[6] Following the Madrid train bombings on 11 March 2004, the EC issued a solidarity clause, pledging to help any EU country that fell victim to a terrorist attack, and appointed Dutch politician Gijs de Vries as the EU's counter-terrorism coordinator.[7] His mandate included overseeing the EU's anti-terrorism policy and streamlining the implementation of counter-terrorism measures among EU member-states. In December 2004, the previous EU action plan on terrorism was updated to bolster security procedures and enhance operational cooperation.[8]

Similarly, on 5 November 2001, the Association of Southeast Asian Nations (ASEAN) ratified a Declaration on Joint Action to Counter Terrorism, focusing on strengthening national mechanisms and improving regional channels of cooperation.[9] An ASEAN Work Programme on Counter-Terrorism was adopted on 17 May 2002, outlining a three-stage process to combat terrorism by ratifying international conventions and protocols; prescribing practical cooperation between national law enforcement agencies under the headings of ASEANAPOL; and encouraging extra-regional cooperation with ASEAN partners.[10] During this period the ASEAN Ministerial Committee on Transnational Crime emerged as a useful platform for sharing best practices and enhancing information exchange, intelligence sharing, and capacity building.[11] In the wake of the Jakarta bombings against the Marriott Hotel on 5 August 2003, and the Australian embassy on 9 September 2004, ASEAN member-states sought to strengthen the regional legal framework for combating terrorism by signing the Treaty on Mutual Legal Assistance in Criminal Matters on 28 November 2004.[12]

The signing of common strategic agreements between the prevalent multilateral institution in each region and the United States further reinforced such demonstrations of transatlantic and transpacific sympathy and political goodwill. A US-EU Terrorism Pact was endorsed on 25 June 2003.[13] A US-EU Summit in Ireland on 26 June 2004 renewed the two parties' commitment to fight global terrorism.[14] A number of US-EU strategic agreements to strengthen police and judicial cooperation, enhance border control and transport security, and streamline procedures for extraditing terrorist suspects were also signed.[15] Although some differences of emphasis still remained, America and the European Union agreed that the best ways to tackle global terrorism are by combining judicial, police, diplomatic, and military means along with a long-term political approach.

In terms of Southeast Asia, a US-ASEAN Joint Declaration for Cooperation to Combat International Terrorism was ratified on 1 August 2002.[16] During the 17th US-ASEAN Dialogue in Bangkok, Thailand in January 2004, a US-ASEAN Counter-Terrorism Work Plan was adopted to complement ASEAN's own Counter-Terrorism Programme.[17] In addition to securitizing the issue of international terrorism, criminalizing its practices, and enlisting region-

al partners in the global fight against *al-Qaeda*, these accords served the purpose of enhancing regional capacity building measures and initiating information sharing procedures among co-signatories. Both in terms of diplomacy, military assets, and money, America recast its strategic engagement in Southeast Asia under the heading of combating terrorism.

THE DOMESTIC CONTEXT

Despite such broad-ranging and far-reaching commitments on the diplomatic front, the fight against terrorism on the domestic front remained the prerogative of individual nation-states. The need to target-harden important infrastructures and to develop emergency preparedness plans against possible terrorist attacks gave rise to the "homeland security paradigm" of national defence.[18] This paradigm effectively blurred the traditional distinction between internal and external security. Both at the legislative and at the executive level, national leaders and their administrations held the key to whether or not terrorist networks would be unraveled, terrorist members prosecuted, and pertinent information shared with neighboring states. Even when recognizing the transnational nature of the threat and the need for joint action to thwart transborder flows of individuals, weapons, and money, some governments continued to feel constrained by their domestic political contexts and priorities. A crisis-driven paradigm of domestic counter-terrorism response emerged as a result.

For instance, although former Indonesian President Megawati Sukarnoputri was the first international leader to visit the White House in the immediate aftermath of 11 September and to pledge her country's unconditional support for the US-led coalition against terror,[19] she was later compelled to condemn America's bombing of Afghanistan. Facing staunch criticism from Indonesia's Islamist opposition parties and considering her own precarious political standing, President Megawati maintained a difficult balance between external commitments and internal priorities. As a result, Indonesia's domestic record of counter-terrorism responses was rather tepid at first. Regional neighbors like Singapore and Malaysia often felt exasperated that *Jemaah Islamiyah* (JI) terrorists, who had managed to escape their own jurisdictions and national territories, could find easy safe-haven and logistical support inside Indonesia.

This situation changed dramatically after the horrific suicide attacks against two tourist nightspots in Bali on 12 October 2002. The political outcry stemming from the bombings and the negative economic impact on the country's tourism industry created the necessary political environment for Megawati to act. On 18 October 2002, she issued two presidential decrees effectively criminalizing all acts of terrorism and creating special judicial powers for prosecuting terrorist suspects involved in the Bali bombing. On 6 March 2003, these were officially passed into national laws.[20] A special task force was formed under Major General Pastika to investigate the Bali attack and to bring those responsible to

justice. However, lack of institutional capacity and poor coordination among Indonesia's security and intelligence agencies prevented the full dismantling of the *Jemaah Islamiyah* network and paved the way for more attacks. The terrorist operations against the JW Marriott Hotel on 5 August 2003 and the Australian Embassy on 9 September 2004 only confirmed the susceptibility of the country to terrorism.

Following the election of Susilo Bambang Yudhoyono as Indonesia's new president in October 2004, there was much optimism both in the region and internationally that the government's stance against JI would receive a significant boost. For one, Yudhoyono had previously acted as Coordinating Minister for Security and Political Affairs during President Megawati's term in office, and had presided in this capacity over the crafting of a comprehensive and coordinated policy to eradicate terrorism in the country.[21] He had also repeatedly voiced his determination to clamp down on *Jemaah Islamiyah* in Indonesia and to work more closely with the United States, Australia, and other ASEAN countries.

But without a clear majority in parliament and having to maintain a delicate balance within his own coalition government, President Yudhoyono proved reluctant to stage a full-scale crackdown. Instead, his cabinet continued to dismantle JI sleeper cells and JI-affiliated clandestine rings with proven connections to terrorism. This reluctance also manifested itself in the unwillingness of the country to proscribe *Jemaah Islamiyah* and the leniency that some JI terrorist suspects received during sentencing.[22] The uncertain course of the judicial proceedings against Abu Bakar Ba'asyir – the alleged spiritual leader of JI – is another case in point.[23] Although Yudhoyono's personal commitment to the GWOT and to Indonesia's role in it is not to be doubted, his government is unwilling to portray itself as caving in too much to US pressure, while alienating the country's predominantly Muslim population. Moreover, other important challenges facing Indonesia – such as corruption, economic reforms, and democratic transition – have taken priority over the day-to-day fight with terrorism.

Similarly, in Europe, the presence of large diaspora communities from North Africa and the Middle East has resulted in a certain political unwillingness to identify the terrorist threat as "coming from within" and to equate it, instead, with radical elements "coming from outside." In the immediate aftermath of 9/11, Europe associated the security challenge of *al-Qaeda* and its affiliated groups with an external foreign threat. Its sources originated outside of Europe and were linked primarily to non-citizens or first and second-generation immigrants, who had effectively transported violence directed against their home countries to European soil.[24] In consequence, the majority of European politicians were particularly careful not to create the impression that they were targeting law-abiding Muslim citizens. By contrast, they were especially vocal about illegal immigrants and political refugees, who "misuse Europe's freedoms" and

the continent's "social atmosphere of religious and ethnic tolerance."[25] Measures implemented to delimit the granting of political asylum and refugee status to incoming immigrants were indicative of these tendencies.[26]

Great Britain, in particular, has long been identified as a sanctuary and breeding ground for Islamist militants. In 2000, the Blair administration enacted two far-reaching counter-terrorism laws, effectively broadening the definitions of domestic and transnational terrorism and promoting the government's "special arrest powers" to prosecute terrorist members and terrorist supporters.[27] These legislative measures were further strengthened by the adoption of the Anti-Terrorism Crime and Security Act of 2001, allowing for the indefinite detention without trial of non-British nationals suspected of terrorism.[28] However, in view of the historical record of British citizens involved in terrorist activities – including a number of major *al-Qaeda* plots abroad – these new statutory powers will have little effect on dampening domestic participation in international terrorism. In April 2003, two British nationals took part in a suicide operation in Tel Aviv, Israel.[29] At present, two other British-born Islamists are in detention in Morocco on terrorism charges related to the Casablanca bombing of 16 May 2003.[30] Furthermore, in the three years since 11 September, UK-born and UK-bred terrorists – such as Omar Said Sheikh (the mastermind of the kidnapping and killing of US journalist Daniel Pearl in Pakistan in January 2002) and Richard Reid (the *al-Qaeda* "shoe-bomber," who attempted to ignite explosives on a Paris-Miami overseas flight in December 2001) – have figured prominently on the international terrorism scene.

In the aftermath of the Madrid attacks, such threat perceptions underwent a slight change. For one, the majority of the perpetrators were North African migrant workers who had settled down in Spain and had launched the attacks in response to the participation of Prime Minister Aznar's government in the Iraq war.[31] Reporting on the key findings from the criminal probe, Spanish Judge Juan del Olmo attributed these heinous acts to a clandestine terrorist network that had prepared and executed the bombings from within Europe's territory and with the help of European citizens.[32] The killing of Dutch filmmaker Theo van Gogh – by a Dutch-born national of Moroccan origin, who had no prior *jihad* experience or known connections to terrorism – only confirmed the danger of domestic radicalization. Policy makers in the Netherlands responded immediately by introducing tougher anti-terrorism laws and enhancing the investigative powers of law enforcement agencies.[33] These initiatives stood in stark contrast to the country's tradition of paying homage to civil rights and civil liberties.

In both cases, however, the threat of terrorism continued to be associated with immigration practices and unassimilated Muslim minorities. Such considerations were poignantly reflected in various national debates surrounding referendum voting on the new EU Constitution.[34] Looming membership for Turkey, together with the need to open up European markets to foreign labor, have

become particular areas of concern. European voters are cognizant of the dangers inherent in global terrorism, but do not consider them intrinsic to their own domestic political contexts. It is still Europe's physical location – in near proximity to conflict zones such as Bosnia, Chechnya, Iraq, and Afghanistan – that renders them vulnerable to returning *jihadists* or newly recruited ones.[35] Moreover, it is the duty of their own security apparatuses and law enforcement agencies to be prepared to countermand the radicalizing influences which such external elements exert on their own domestic Muslim communities (i.e. foreign *jihadists*, radical Middle Eastern and North African clerics, *jihadist* websites, and transnational recruiting networks).[36]

What this indicates is that domestic regulatory measures against terrorism are always context-specific and driven by trial-and-error practices. The need to reconcile democratic principles of governance with tough internal security measures – crafted to prevent acts of terrorism both at home and abroad – remains an ongoing, but necessary struggle. When extrapolated at the regional level, these developments create situations where nation-states cooperate and coordinate primarily in the name of short-term political interests and immediate social and economic gains. Such difficulties are unavoidable given the magnitude of the threat and the challenges facing individual countries. Limited resources, bureaucratic and judicial disparities, and varying domestic and foreign policy contexts all play a role.

At the regional level the need to harmonize these divergent domestic counter-terrorism experiences with the unifying requirements of international agreements presents an even more daunting task. Identifying a common threat, recognizing shared vulnerabilities, and coming up with a multilateral framework to redress these issues is a slow process. For one, the US-led GWOT is only one of the many priorities that local governments face, both at the national and the international level. Second, the varying domestic political environments and foreign policy expectations of individual nation-states further complicate the picture.[37] Finally, multilateral frameworks that envision processes of joint action – even in the immediate-response-requiring sphere of counter-terrorism – have to be constructed with regard to the ideational spirit and institutional logic of each community. In consequence, the road to counter-terrorism as an experiment in region building will be a long one.

THE REGIONAL CONTEXT

So far, multilateral cooperation against terrorism in Europe and Southeast Asia has focused more on capacity building and the sharing of best practices, than on structural re-adjustments and policy coordination. In the majority of cases, the direct outcome of multilateral framework agreements has been to strengthen cooperation at the bilateral and trilateral levels. For instance, days before the signing of the ASEAN Work Programme on Counter-Terrorism, the

Philippines, Indonesia, and Malaysia ratified a trilateral security pact for mutual assistance in the fight against terrorism.[38] The accord's primary objective was to intensify joint patrols and intelligence sharing among co-signatories, aimed at curbing the movement of suspected terrorists and illegal substances across borders. The pact was later joined by Cambodia and Thailand, with Singapore also expressing interest.[39] Prior to that, Malaysia and Indonesia had created a Joint Malaysian-Indonesian General Border Committee to oversee maritime and land-border policing.[40] In November 2001, Singapore and Indonesia met to discuss piracy and bilateral defence cooperation.[41] Most recently, in July 2004, Singapore, Malaysia, and Indonesia have launched trilateral coordinated patrols in the vital shipping lane of the Straits of Malacca to deter terrorism and to curb maritime piracy.[42]

Similarly, in Europe bilateral and trilateral agency-to-agency information sharing and the reciprocal granting of access to detainees have been the most effective measures in terms of producing results-oriented outcomes to date. Joint counter-terrorism investigations like OPERATION MAGNESIUM and OPERATION DATIL (Date) – pooling together the efforts and resources of intelligence and security agencies as far apart as France, Italy, Spain, Belgium, the Netherlands, and the UK – have proved decisive for dismantling *al-Qaeda*'s European networks and putting into place the various pieces of the bin Laden puzzle.[43] Following the Madrid bombings, Spain, Italy, France, and Belgium have worked together to dismantle the clandestine network responsible for the attack. Together with the United States, France, Britain, and Germany are already engaged in joint intelligence gathering missions in East Africa and Afghanistan.[44]

However, some crucial differences between the European and Southeast Asian response still remain. For one, there is a clear divergence in terms of threat perceptions and vulnerability assessments. Second, the varying historical experiences of each region predispose each framework community to address these issues differently. Third, a comprehensive counter-terrorism response at the regional level – aimed at countering the transnational threat of global terrorism – requires a pooling together of resources, a degree of bureaucratic centralization, and a level of political like-mindedness. The extent to which such economic and political integration has been achieved plays a significant role for crafting multilateral policy outcomes in each region.

Europe's Response

One of the main differences between the European and Southeast Asian response to global terrorism comes from the different ways in which the terrorist threat is perceived. A marked distinction exists between the "West" and the "East" in this regard. Europe's past experiences with terrorism have been confined to what is commonly referred to as "conventional terrorism." Even at the

height of their destructive potential, leftist, rightist, and ethno-nationalist groups – such as the Red Army Faction (RAF) in Germany, the Red Brigades in Italy, the Basque Fatherland and Liberty Party (ETA) in Spain, and the Irish Republican Army (IRA) in Great Britain – have all used violence with restraint. These organizations were interested not only in "propaganda by the deed" activities, but also in securing a place at the negotiating table. As such, they did not engage in indiscriminate violence and could be "politically tamed" to an extent.[45]

In the mid-1990s, Europe's brush with militant Islamist networks somewhat changed this perspective. The securitization of the "new terrorism" threat required an acknowledgement of its transnational dimensions and potential for mass-casualty attacks. To the degree that such securitization occurred, the phenomenon of "religiously motivated" violence was regarded as a foreign threat. Its origins lay in the close proximity of the "old continent" to North Africa and the Middle East, and their respective zones of conflict (Algeria, Egypt, Sudan, Tunisia, and the Israeli-Palestinian dispute). The hijacking of an Air France aircraft in December 1994[46] and the GIA-orchestrated bombings of the Paris metro system in the summer of 1995[47] were all explained in this fashion. They were viewed not as acts of domestically inspired terrorism, but as acts of violent retaliation against France.[48]

Despite available information on *al-Qaeda* as far back as 1996, Europe was not ready to face the challenge posed by bin Laden.[49] The organization's multi-ethnic membership, multi-dimensional strategy, and multi-layered activities were considered "outside" the scope of continent-wide anti-terrorism legislation. Even when joint investigations succeeded in dismantling a number of North African and Egyptian militant networks associated with *al-Qaeda* prior to 9/11, the individuals arrested were portrayed as political refugees who had effectively transported violence directed against their home regimes to European soil.[50] In coming to the West these terrorists had taken advantage of the continent's open borders, networked societies, and tolerant policies. As such, Europe's way of life and European citizens were not viewed as their immediate targets.

In the aftermath of 11 September and in the light of new revelations about *al-Qaeda*, Europe was once again compelled to re-conceptualize the bin Laden problem. The fact that four of the 11 September hijackers had resided in Germany and traveled throughout the continent – maintaining terrorism connections in countries like Spain, the UK, and Italy – was seen as an indication that Europe had been used as a launching platform for the WTC and Pentagon attacks. A number of disrupted terrorist plots against US targets in Europe reinforced the perception that *al-Qaeda* had gained a local presence and reach.[51] European governments and societies braced themselves to respond to this "common external threat."

The EU policy response in the aftermath of 11 September closely mirrored this threat projection. The gist of European counter-terrorism legislation focused

on four main areas: the suppression of terrorist finances; the adoption of common definitions on terrorism; the strengthening of immigration and asylum procedures; and the enhancing of cooperation efforts between European police and judiciary.[52] A number of vulnerabilities that had helped bin Laden and his associates gain a foothold in Europe were also addressed. Joint patrols along EU's porous borders were discussed; EU requirements for granting Schengen visas were updated; and regional legislation proscribing "hate speech" was considered.[53] Additionally, a joint EU terrorism task force was established, with the goal of maintaining open channels of communication and accelerating the processes of information sharing between Europe and the United States.[54]

Previous EU experiences in fighting terrorism were also tapped into. Countries like France, Germany, Italy, Spain, and the UK had already developed sound counter-terrorism protection measures. Although crafted to meet the threat of domestic terrorism, the presence of such infrastructure considerably expedited the implementation of unilateral and multilateral initiatives to respond to *al-Qaeda*'s global challenge. At the unilateral level aviation security measures were strengthened; national emergency committees were established; critical national infrastructure was target-hardened; and intra-departmental intelligence gathering and intelligence analysis were instituted. At the multilateral level a framework decision to implement a common European arrest warrant was adopted; negotiations for the creation of a common European judicial space were held; and police force cooperation in Europe was streamlined under the aegis of Europol.[55] Other successes include the maintenance of a unified list of terrorist members and terrorist organizations, and the EU-wide ratification of UN Security Council Resolutions 1373 and 1390.

The Madrid attacks lent a new urgency to multilateral efforts to combat global terrorism. The painful recognition that all EU governments face a similar threat convinced them of the need to continue crafting a common European response. Until then, the emphasis had always been on coordinating national anti-terrorism policies rather than on pursuing a coherent and uniform multilateral approach.[56] This had presented European policy makers with considerable difficulties. For one, the EU lacked the resources and the mandate to enforce EU counter-terrorism agreements. Once ratified, these agreements were rarely consistently implemented.[57] Second, national anti-terrorism responses among the 25 EU member-states varied considerably. Governments found it difficult to coordinate their own ministries and agencies involved in counter-terrorism. At the inter-governmental level such obstacles were further compounded by bureaucratic inefficiency, overlapping mandates, and the unwillingness of EU security and intelligence agencies to share sensitive information.[58]

The appointment of Dutch politician Gijs de Vries as the "EU counter-terrorism tsar" was designed specifically to deal with these issues. His primary task is to promote a greater institutional role for the EU by streamlining national anti-

terrorism policies and encouraging EU security agencies to cooperate with one another.[59] De Vries is also in charge of overseeing the activities of the various EU bodies engaged in counter-terrorism. A plethora of other multilateral initiatives have also been adopted. At the first EU anti-terror summit held in Brussels in the late March 2004, EU leaders called for structural reforms and even set deadlines for their implementation. These reforms focused on improving port and public transport security, enhancing the suppression of terrorist financing, regularizing procedures for storing telephone and internet data, speeding up the introduction of EU biometric visas and passports, and creating a common database for non-EU visa holders.[60] In November 2004, European interior and justice ministers ratified a five-year plan known as the "Hague programme." The plan envisions enhancing security and justice coordination among EU member-states, and grants national police officers access to information held by law enforcement agencies in other EU countries.[61]

All counter-terrorism measures described above were implemented on the premise that the European Union is the most highly developed structure for regional integration in the world. Even if previous attempts at institutionalization emphasized economic development and trade, the events of 11 September and especially the Madrid attacks highlighted the need for greater policy harmonization and resource centralization. To the extent that multilateral counter-terrorism initiatives offered "a common platform for cooperation," they succeeded in strengthening the resolve of member-states to contribute efforts and capabilities to the joint fight against *al-Qaeda*.[62] As the UK Minister for Europe Peter Hain proclaimed on the notion of shared sovereignty:

> I do not see sovereignty merely as the ability of a single country to say no. I see it as something to be deployed to our national advantage. In today's globalized world, where individual governments count for less and less, our strength as an independent nation derives from the strength of the alliances and partnerships we make with others. By sharing some sovereignty within the EU, we gain more, not less, independence of action; more, not less, self-government; and more, not less, control over our lives within the EU. [63]

However, regional cooperation in Europe continues to be highly dependent on existing "working relationships" and the dominant political environment.[64] The majority of EU-crafted initiatives are still at their inception phase. Discussions to create a unified homeland defence framework have so far floundered. Centrally directed measures are not always equally followed in their country-to-country implementation. For example, the introduction of a common European arrest warrant has been delayed because countries like Germany, Italy, Austria, and the Netherlands are still struggling with reconciling its enforceable provisions with their own constitutions. Similarly, member-states, such as Belgium and Greece – that consider themselves outside of the "critical threat

level" environment, have dismantled previously adopted emergency prepared-ness plans.[65] To this day, the leading countries in bilateral and trilateral coopera-tion continue to be France, Germany, Italy, Spain, and the UK. As a result, the ambiguous dynamic between sovereign rule and regional initiatives still persists in Europe.

Asia's Response

In Southeast Asia the threat of global terrorism is exemplified by the pres-ence of one of *al-Qaeda*'s regional branches. The clandestine terrorist network *Jemaah Islamiyah* spans the territories of Singapore, Malaysia, Indonesia, Thailand, and the Philippines. Its terrorist constituency comprises predominant-ly Southeast Asian nationals. JI-orchestrated bombings and martyrdom opera-tions have taken place throughout the region, targeting both Western interests and local citizens.[66] Operational links between *al-Qaeda* and regional militant groups, such as the Moro Islamic Liberation Front (MILF) and the Abu Sayyaf Group (ASG) in the Philippines, and the Kumpulan Militan Malaysia (MMI) in Malaysia, have all reiterated the localized character of the threat.[67] As such, *al-Qaeda* is considered to have gained an "indigenous face" in Southeast Asia.

In terms of securitizing the phenomenon, the focus has been not only on *Jemaah Islamiyah* and its deadly activities, but also on the rise of radical Islam in the region. The fluid and complicated nature of this challenge is emphasized by the fact that Southeast Asia hosts some of the world's most populous Muslim nations. Indonesia and Malaysia are home to over 200 million Muslims.[68] The Philippines, Singapore, and Thailand have significant Muslim minorities as well. Although moderate views dominate mainstream Islam in the region, a steady shift has occurred – in the past two decades or so – toward more radical per-spectives and militant interpretations of the religion.[69]

At one end of this spectrum stand the extremist views of *Jemaah Islamiyah*. Although the organization had its origins in the Darul Islam rebellions of the 1950s in Indonesia – and originally aimed to overthrow the government of President Suharto and to replace it with an Islamic state – in recent years the group has redirected its efforts toward the establishment of a pan-Islamic caliphate in Southeast Asia.[70] Similar to *al-Qaeda*'s global worldview, JI's ide-ology seeks to revive the form of pristine Islam and the type of divinely ordained government practiced by Islam's founding fathers *(salaf)*.[71] Its strategy is to replicate the historic conquest of pagan Arabia in Southeast Asia by staging indiscriminate acts of terror against ruling elites and local societies. To this pur-pose, the group has co-opted the campaigns of regional insurgencies by sharing resources, operatives, and expertise.[72] Influenced by JI, Islamist militants have progressed from the strictly local outlook and political objectives of "banning vice" and enforcing the *Sharia* (Islamic legal code) to a transnational agenda of global *jihad* (holy war). As a result, communal conflicts have escalated and

provincial groups have engaged in terrorism, two previously rarely observed phenomena.

At the other end of the spectrum stand the Islamic opposition parties and the Islamist social movements of Indonesia, Malaysia, Thailand, and the Philippines. These organizations have been particularly vocal in their criticisms of the social and economic policies of their secular governments. In negotiating a role for the Muslims in the multi-ethnic environments of Southeast Asia, their members have occasionally adopted more radical political stances. The majority of these organizations opposes America's presence in the region and politicizes internally the problems of Muslim communities worldwide. In consequence, they have become the driving force behind a trans-regional initiative to Islamicize domestic politics in Southeast Asia.

However, regional elections across Indonesia, Malaysia, the Philippines, and Thailand in the period 2004-05 have dampened such expectations. Islamist parties have either garnered low voter turnouts or were defeated. In Malaysia, the Islamist opposition party PAS lost one of its stronghold states and was trounced at the hands of the ruling party coalition, UMNO.[73] In Indonesia, the Golkar party emerged as the election front-runner, but did not collect enough votes to hold a steady parliament majority. It currently shares power with Megawati's PDI-P and a plethora of other small parties. Avowedly Islamist political organizations like the PPP (United Development Party), the PBB (Moon and Star Party), and the PKS (Justice Party) gained only marginal increases, indicating a certain lack of popular support for their pro-*Shariah* platforms.[74]

Much more worrying, however, are developments in the Philippines and Southern Thailand. The Arroyo government, which managed to maintain its leadership position during the May 2004 elections, has been confronted with repeated rumors of a *coup d'état*.[75] Meanwhile, the Philippine army has been battling two armed insurgencies, the communist National People's Army (NPA) and the Islamist Abu Sayyaf Group (ASG). The unsteady pace of peace negotiations with the Moro Islamic Liberation Front (MILF), together with intelligence reports that JI terrorists are still hiding in MILF-controlled territory, have provided little additional respite.[76]

The Islamist insurgency in southern Thailand, on the other hand, has become another source of security concerns. Although the insurgency still exhibits the characteristics of a locally organized and locally inspired conflict, the spiral of violence has engulfed the three southernmost Thai provinces. The initially heavy-handed response of Prime Minister Thaksin's government – together with diplomatic rows that erupted between Thailand and Malaysia over alleged logistical support to Thai separatists – have created additional fractures in the precarious political landscape of the region.[77] Nonetheless, the topic has been steadily avoided during ASEAN meetings and has become the subject primarily of closed-door discussions among regional policy makers.

What this indicates is that the security context of ASEAN member-states has always revolved around their domestic political developments. In contrast to the image of authoritarian governments treading on the rights of their citizens, the reality in Southeast Asia is that the "state" is open to contestation, particularly from religious, ethnic, and linguistic groups promoting separatist or transnational agendas.[78] The danger of *al-Qaeda*'s style of terrorism to the region comes not so much from the violent activities of *Jemaah Islamiyah per se*, but from the social and political repercussions of a religio-political phenomenon that no longer identifies with a particular territory or jurisdictional authority. In consequence, acts of domestic and international terrorism have struck at the core of the "social contract" between rulers and ruled. They have endangered not only the peaceful and harmonious co-existence of various communities, but also each country's founding principles and day-to-day rationale. In the process, Southeast Asian governments and institutions have become de-legitimized to an extent. Underlying socio-economic grievances have risen to the surface and Islamist opposition parties have been quick to capitalize on such pessimistic outlooks. As a result, the fragility of post-colonial nation-states in Southeast Asia has played to the strategic advantage of bin Laden and his regional followers.

In the aftermath of 11 September, ASEAN's response to this "common internal threat" was to construct anti-terrorism partnerships focusing on bolstering individual country-to-country defence mechanisms. On 17 May 2002, an ASEAN Work Programme on Counter-Terrorism was adopted.[79] Various ARF workshops on terrorism were held.[80] Meetings of ASEAN police chiefs discussed practical measures and explored avenues for regional cooperation to combat 12 forms of transnational crime that included "drug trafficking, terrorism, arms smuggling, people trafficking, maritime crime, commercial crime, banking crime, credit card fraud, cyber crime, travel document fraud and transnational fraud."[81] All relevant international anti-terrorist conventions were studied, with the view of integrating them within the ASEAN mechanisms for combating terrorism.[82] Special emphasis was placed on developing regional capacity-building programs to enhance existing anti-terrorism capabilities. The establishment of national focal points for information exchange and the sharing of technical expertise were also negotiated.[83] Framework agreements for deepening regional cooperation among front-line ASEAN law enforcement agencies were ratified.[84] In the aftermath of the two Jakarta bombings, ASEAN member-states even thought it expedient to launch an initiative to develop a region-wide legal framework for combating terrorism.[85] All of these measures contributed, in part, to the dismantling of JI's infrastructure in Southeast Asia and to the heightening of terrorism awareness in the region.

However, the majority of these initiatives represent only initial forays in the direction of a comprehensive multilateral security framework to counter *al-Qaeda*'s global challenge. The securitization of the phenomenon of international terrorism and its overlap with the rise of radical Islam in the region have cre-

ated a situation in which local governments are particularly careful about international commitments that might interfere with their economic development and policy priorities. As newly independent states, which embarked simultaneously on economic development and nation-building, they are protective of their boundaries and sovereignty. Resource issues and bureaucratic competition generally prevent ASEAN member-states from coordinating their activities in a sustained and synchronized fashion, except where immediate short-term political and economic interests are concerned. As a result, ASEAN's multilateral framework of counter-terrorism mechanisms has been more notable for capacity-building and confidence-enhancing measures than for member-states taking concrete actions or acting in concert.

In part, this is due to the institutional and functional modalities of ASEAN. Founded as "a forum for preventing, managing, and resolving conflicts among its members" in a peaceful way, the community is premised on the two-fold principles of "consensus-building" and "non-intervention."[86] Member-states' autonomy has always been preferred *vis-à-vis* outside influence and interference. This is evident not only in terms of the involvement of great powers in the region, but also in terms of member-to-member collaboration. Furthermore, with the end of the Cold War, ASEAN is a much-weakened institution whose objectives and framework are in dire need of restructuring. As a result, local countries have chosen to respond individually to the JI network.

Similar to Europe, outcome-oriented counter-terrorism collaboration has taken place at the bilateral and trilateral levels. Countries like Singapore have shared information with and provided assistance to regional counterparts, most notably Malaysia, Thailand, and Brunei. Case-by-case debriefings of detained JI activists have been arranged on the basis of separate investigations. Individual ASEAN countries have taken upon themselves the initiative to develop regional hubs of anti-terrorism expertise and training. At present, Malaysia is in the process of establishing a regional counter-terrorism center in Kuala Lumpur.[87] Indonesia is developing an international intelligence center aimed at providing graduate level training for regional police officers. Singapore relies on a Joint Counter Terrorism Center (JCTC) to coordinate inter-agency intelligence exchange and intelligence analysis throughout the region. As such, in meeting the challenges posed by JI locally and *al-Qaeda* regionally, Southeast Asian nations have reacted as countries respective of each other's autonomy, but cognizant of the need to act swiftly and decisively against this common threat.

CONCLUSION

This article has argued that the responses of Europe and Southeast Asia to 11 September, the Bali bombings, the two Jakarta bombings, and the Madrid train bombings have been predicated on two main factors, namely the perception of the terrorist threat and the level of institutionalization of each regional com-

munity. While Europe associated the security challenge posed by *al-Qaeda* and its supporters with an external foreign threat – originating, in the majority of cases, outside of its perimeters and equated primarily with non-citizens or first and second generation immigrants who had effectively transported violence directed against their home countries to European soil – the security challenge posed by bin Laden's operatives in Southeast Asia was of a radically distinct nature. Since the vast majority of JI members were of local origin and had effectively used the region's internal security problems as the operating framework from within which to launch their terrorist campaign, *al-Qaeda* was considered to have gained an "indigenous face." The challenge of terrorism in Southeast Asia was therefore viewed as an internal domestic problem, testing both the political survival of local regimes and the post-colonial boundaries through which the body politic was framed.

Whereas the European anti-terrorism policy response reflected the reality of the EU being the most highly developed structure for regional integration in the world, the ASEAN reaction emphasized the soft-mechanism frameworks prevalent in Southeast Asia. The varying projections of the terrorist threat served to reinforce the ideational and operational modalities of each community. While EU nation-states felt comfortable with notions of shared sovereignty and the external nature of the threat,[88] ASEAN member-states – as newly independent countries protective of their sovereignty and identity as multicultural societies – were initially defensive of their boundaries and *al-Qaeda*'s internal challenge to their domestic political contexts. The resulting policy outcomes highlighted the ideational spirit and institutional logic of each community. The EU response focused on greater legislative harmonization and policy coordination. The ASEAN response implemented informal tracks of cooperation, most notably in the spheres of sharing expertise and "best practices." As such, individual nation-states – in dealing with the problem of global terrorism – partook and benefited from the multilateral frameworks for cooperation and coordination that they themselves had instituted in each region.

However, in view of the fluid and evolving nature of the threat – as evidenced by the continuing string of terrorist attacks worldwide – concerted efforts to enhance regional anti-terrorism protection and prevention must continue. The path forward is to move in the direction of greater institutionalization. More areas of joint action can be outlined and followed through, as well as greater adherence to UN-mandated and regionally crafted policy initiatives can be implemented. EU's current search for a shared security and defence identity can prove beneficial for counter-terrorism cooperation, especially in the spheres of judicial and security collaboration. Likewise, the recently proposed initiative at the 9th ASEAN Summit in Bali, Indonesia to institute an ASEAN Security Community as a founding pillar of ASEAN practices and objectives can help mitigate the lack of coordinated political will in the region and free the necessary resources to advance toward a more comprehensive and action-oriented counter-

terrorism response.[89] Such response is particularly needed in the "soft-security" areas of trans-border flows of individuals, weapons, and money in the region. In all cases the prevalent wisdom is that if the EU and ASEAN fail to respond effectively and efficiently to the modern-day challenges of a type of terrorism that kills their citizens and targets their interests on the principle "anyone, anywhere, anytime," their relevance as adequate multilateral frameworks for regional peace and cooperation will be seriously undermined.

Endnotes

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50. For instance, in March 1998, an Islamist network with transnational connections was dismantled in Belgium. Composed predominantly of North Africans, its members were characterized as logistical supporters and fundraisers for foreign-based militant groups. In 1996, the case against the Roubaix gang in southern France was linked to the Bosnian civil war and the foreign team of mujahidin fighters there. In 2000-01, individuals with French citizenship and connections to Bosnia – but residing in Canada – were convicted of providing material support to terrorism. They had assisted Algerian citizen Ahmed Ressam in his foiled plot to bomb the Los Angeles International airport in December 1999.

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