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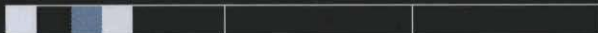
2001



the fight against transnational crime - should regional air forces become involved?

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THE FIGHT AGAINST TRANSNATIONAL CRIME

Should Regional Air Forces Become Involved?

RAYMOND S PRESS

2001 CAF Aerospace Fellow

**AEROSPACE CENTRE
RAAF BASE FAIRBAIRN**



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ABBREVIATIONS

ARF	ASEAN Regional Forum
APEC	Asia Pacific Economic Cooperation
ASA	Association of South-East Asia
ASEAN	Association of South-East Asian Nations
ASEANAPOL	ASEAN Chiefs of Police Conference
ASG	Abu Sayuf Group
C2	Command and Control
CPP	Communist Party of the Philippines
EEZ	Economic Exclusion Zones
FAO	Food and Agriculture Organization
FPDA	Fire Power Defence Arrangement
GAM	Acehnese Liberation Movement
ICAC	Independent Commission Against Corruption
ICT	Information and Communication Technology
INTERFET	International Force for East Timor
INTERPOL	International Criminal Police Organisation
JSDF	Japanese Self-Defense Force
MPR	Indonesia's People's Consultative Assembly
NATO	North Atlantic Treaty Organisation
NCB	National Central Bureau
NSI	National Security Intelligence
ONDCP	Office of National Drug Control Policy
PACOM	Pacific Command
PKE	Public Key Encryption
PULO	Pattani United Liberation Organisation
SEAC	South-East Asian Command
SLOC	Sea-Lanes of Communication
SoFA	Status of Forces Agreements
SOPs	Standard Operating Procedures
UBC	United Buddhist Church
UMNO	United Malays National Organisation
UNAMET	United Nation's Mission in East Timor

CHAPTER ONE

INTRODUCTION

Transnational organised crime has been a serious problem for most of the 20th Century, but it has only recently been recognised as a threat to world order. This criminality undermines the integrity of individual countries, but is not yet a threat to the nation-state. Failure to develop viable coordinated international policies in the face of ever-growing transnational criminality, however, may undermine the nation-state in the 21st Century.

Louise I. Shelley¹

On a quiet, still morning on 21 November 1783, when Francois Pilatre de Rozier piloted his *Montgolfier* balloon on mankind's first controlled departure from land, it was unlikely he was thinking about military power, or conceived the rapid evolution of flight that lay ahead. Little did he know that only 120 years later, almost to the day, Orville Wright and his *Flyer* would depart Kill Devil Hills, Kittyhawk, North Carolina for the historic 12 second flight that would ultimately change the face of warfare. Like Francois, Orville could not have known that only 63 years after he piloted his flimsy *Flyer* a distance of 36.5 metres, Edward Aldrin and Neil Armstrong would leave their footprints in the dust of the Sea of Tranquillity some 384,000 kilometres from Earth. The transition from untethered balloon flight to space flight had been remarkable.

Today, air power has evolved into aerospace power, a capability unmatched by any other conventional form of military, civil, or political power. Airmen have stopped talking in hushed, esoteric groups about the importance of aerospace power before the traditional frontbenchers of military forces, the army and the navy. Aviators are no longer the poor cousins at national crisis meetings but, rather, those that are turned to first to provide the answers to the difficult problems all too often faced by a nation. When the US Navy is sent to a trouble spot around the world, it is not the traditional destroyers and cruisers that gives the Navy its aura of power, but its super carriers and their air arms. When a belligerent land force attempts to take by force what negotiation could not deliver, more often than not it will be satellites that raise the alarm and aircraft that will first meet them in the battlespace.

Peacekeeping operations in East Timor also demonstrated the importance of a nation's aerospace capabilities. The second aircraft to land in Dili, East Timor, carried Air Traffic Controllers. Aerospace power provided the umbilical cord between the newborn nation and its defacto parent; the rest of the world. Similarly, the UN operation in the Gulf, Operation *Desert Shield*, saw a massive airlift across the

¹ Louise I. Shelley, 'Transnational Organized Crime: an imminent threat to the nation-state?', *Journal of International Affairs*, Vol. 48, No. 2, Winter 1995, p. 463.

Atlantic to prepare for the forthcoming Operation *Desert Storm*. Over 99 per cent of US personnel and 15 per cent of cargo arrived by air.²

Today's military aerospace power is called on to support far more than war operations. Aerospace power provides the global eyes and ears that warn of impending disasters on all points of the globe. Aerospace assets monitor cyclones from their inception and track them on their erratic paths towards a random encounter with humanity. Twenty-four hours a day, aerospace assets as diverse as the descendants of François' *Montgolfier*, Orville's *Flyer*, and Neil's *Apollo* are watching and warning of impending disaster.

More than just eyes and ears, aerospace power can be a practical help to many sufferers following a national disaster. In 1998, on the north-west coast of Papua New Guinea, a tsunami devastated the small community of Aitape. Within hours aircraft had arrived with supplies to help the community recover. In the following weeks medical supplies, aid workers, and support equipment were ferried by air in and out of the area, over mountains that would take days to cross by land. In 1983, on Ash Wednesday, bushfires ravaged Victoria and South Australia with ferocity unseen before in Australia. Again, aircraft were called in to perform tasks as diverse as water bombing and animal rescue. The changing face of criminality, however, may see aerospace power being employed in yet another role that, to date, may have been considered inappropriate.

The United Nations defines transnational organised crime as crime that can have a substantial impact on more than one state, or is committed by organised criminal groups acting from, through, or into more than one state.³ The rising tide of transnational criminality may force governments, law enforcement agencies, and the military to rethink the definition of national security, and the role of the nation's armed forces in contributing to the fight against transnational organised crime syndicates. Syndicates like the Chinese Triads, the Big Circle Boys, and the Japanese *Yakuza* have tens of thousands of members, with the Hong Kong based Triad *Sun Yee On* reportedly having up to 60,000 members. Nor are their profits small, with the 26,000-member Japanese *Yakuza* syndicate having estimated revenue in 1994 of up to US\$38 billion.⁴ Some of the criminal acts perpetrated by these syndicates are relevant to aerospace operations in that they are vulnerable to aerospace power's strengths like surveillance, reconnaissances and intelligence gathering. Of particular concern are the growth areas of piracy, illicit drugs, people trafficking, and illegal fisheries activity.

The ever-increasing problem of piracy in South-East Asia saw a 57 per cent increase in 2000, which is nearly four and a half times more than occurred in 1991. Of the 469 attacks on ships, 307 were boarded, eight were hijacked, and 72 sailors were killed. These numbers are alarming when you consider that there were only three reported killings in 1999. Indonesia and the Malacca Straits are two regions notorious for

² The Gulf War Study Team, *The Gulf War, August 1990–March 1991: An Initial Analysis*, Australian Defence Force, October 1991, Annex E, p. E-1.

³ For the full definition see *The UN Convention Against Transnational Organized Crime*, Article 2 and Article 3, Ref A/55/383.

⁴ Canadian Security Intelligence Service, 'Transnational Criminal Activity: A Global Context', *Perspectives*, 17 August 2000.

piracy, with Indonesia accounting for almost one quarter of the world total with 119 incidents.⁵

A recent ASEAN report on drugs noted the regional drug problem was worsening and becoming more complicated and sophisticated.⁶ Hashish is exported to Australia, the United States, Europe, and Asia. A Laotian government report admits that Laos is often used as a transit point for heroin and amphetamines, with trafficking increasing ten times from three years earlier.⁷

People trafficking is another worsening regional problem. Poverty in the developing world is driving thousands of people in search of a better life for their families. Additionally, Western governments have tightened immigration restrictions for people trying to *legally* enter their countries. Further, the sex and cheap labour trade is growing annually. According to recent estimates, almost 700,000 women and children are trafficked each year worldwide.⁸ Regional governments have an obligation to protect such people and to help nations struggling to cope with illegal immigration.

Many nations depend on their fisheries resources for much needed foreign income and investment. But unlike cattle, fish are an unbranded commodity. Stealing fish from somebody else's fishing zones is a lucrative business that many nations simply do not have the resources to police. Yet, if a nation allows its fishing resources to be plundered, then not only will that nation's people be denied the benefits of a greater Gross National Product, but they may also suffer the long term effects of serious damage to the fishing ecosystem in their region.

Much of the criminal activity in South-East Asia is no longer isolated, sporadic, or independent. Organised crime gangs have in recent years raised transnational crime to a new level of sophistication and organisation that traditional law enforcement agencies are struggling to cope with.⁹ Unfortunately, the fallout from centuries of conflict, colonisation, and internal upheaval exacerbates the problem. It could be argued that the European wars over the last millennium were a result of the same type of cultural, religious and political clashes that have pitted South-East Asian history. But is history's road unchangeable? Will South-East Asia follow the European path of splintered alliances and brutal wars? Or can South-East Asia break the mould and unite to tackle this most pressing problem and, in so doing, build regional peace and stability? Could Australia and the ASEAN states form a Civil/Military Cooperative against Transnational Crime to fight organised criminals?¹⁰

Pessimists might argue that Europe's past is South-East Asia's destiny. That the primitive human urge to conquer, expand, and possess will drive South-East Asia into war after war for many decades to come. They might point out that even a relatively minor dispute over what is barely more than a few coral outcrops, the Spratly Islands

⁵ All piracy statistics are drawn from the International Maritime Bureau's annual *Piracy and Armed Robbery Against Ships* report for 2000.

⁶ 'ASEAN needs to grapple with illegal drugs', *Kyodo News International*, 21 June 1999.

⁷ *ibid.*

⁸ 'Trafficking in Migrants', *International Organization for Migration*, Quarterly Bulletin, No. 21, Summer 2000.

⁹ For a more in depth examination of this issue see Chapter 2.

¹⁰ Hereafter referred to as the Cooperative.

has seen accusations and gunboat diplomacy escalate. Even today, following an Asian financial crisis that has mercilessly shown that Asian economic superpower inevitability is far from inevitable, South-East Asian nations are spending money on defence at the expense of social welfare.¹¹ Pessimists might table these realities as evidence supporting a hard to deny case that South-East Asia sees a military-weak, internationally respected nation as an oxymoron.

Optimists, on the other hand, might point to the democratisation that is spreading through Asia and argue that it is only a matter of time before the drive for democracy will bring a lasting, stable peace. They might see the greater economic reliance that all nations have on their trading partners as a means by which nations will be, initially reluctantly, but ultimately enthusiastically, drawn into cooperation and goodwill for the benefit of all. These optimists might see the Internet as the adhesive that will bind together nations in a borderless world of stability and prosperity. In this new world, they might proffer, military budgets would be slashed, and the savings would help to raise nations above the mire of poverty, pollution and ignorance to an enlightened lifestyle more befitting members of *civilisation*.

Somewhere between pessimists and optimists stand realists. These pragmatists know all too well the fears of the pessimists and the dreams of the optimists. They will have watched these same fears and dreams in various forms take hold in nations no longer found on world maps. The reality is that the human species is not predestined for hostility *or* harmony. As warfare throughout history has shown, humans can be aggressive, violent animals, but that same history has recorded also examples of peace and goodwill between nations. In all likelihood, however, human nature will ensure that the road ahead for South-East Asia is likely to be less than smooth. There are too many age-old animosities, too great a split between the rich and the poor, too many instances of the strong oppressing the weak. But the propensity of organised crime syndicates to slow or even reverse South-East Asian prosperity means that the time may be right for the nations of South-East Asia to unite and present a common front to this encroaching criminality.

Perhaps in this new millennium, where many see violence and crime as an easy option, and where criminal organisations are potentially a threat to national security, governments will recognise the need for unified action. These governments must focus their attention not on the past, which is so much easier to do, but to the future. They must look for ways to lift their people above the ignorance and fear they possess of their neighbours. They must learn to help their neighbours; develop an understanding of their differences; look towards each other's strengths rather than weaknesses; and advocate mutual support and cooperation. They must fight transnational crime with a unified effort, a unified authority, and a unified force.

To win this new war the defenders must include more than just the traditional law enforcement agencies. International crime syndicates are becoming too big, too powerful, and too wealthy to be contained by just these traditional crime fighters. What is needed is a rethink of the way this war is to be fought. Aerospace power is an ideal complement to civilian agencies. If the nations of South-East Asia were to

¹¹ For a comparison of Defence spending as a percentage of GDP see *The Military Balance 2000-2001*, The International Institute of Strategic Studies, Oxford University Press, 2000, Table 38.

combine their respective aerospace power and law enforcement agencies into a fully comprehensive and coordinated system of cross-border support, independent of the cultural and religious barriers that exist between them, then the region would be well on the way to establishing a trust and cooperation that will not only enhance its ability to reduce transnational crime, but also see it grow into a stable, economic powerhouse. Unfortunately, this ideal would be far from easy to achieve. There are many issues that would need to be addressed, not the least of which would be cultural and religious differences, leadership issues, constitutional differences, and ethnic problems. Additionally, the major Northern Hemisphere nations may have their own agendas for South-East Asia. Their support would be crucial.

This book will examine the feasibility of South-East Asia using its aerospace power, in coordination with its law enforcement agencies, in an effort to stop the growth of transnational crime. It will look in detail at transnational crime and its international growth. It will provide the reader with background information on the history and politics of each of the seven major countries in the South-East Asian region: Australia, Indonesia, Malaysia, the Philippines, Singapore, Thailand, and Vietnam. It will examine the influence of the other major players like the United States, China, India, Japan, and the United Nations. The types of obstacles to a coordinated effort in fighting crime will be examined, including interoperability, command and control, and cultural differences. Finally, the book will consider the structure of the proposed cooperative and the benefits of a successful, fully comprehensive and coordinated crime fighting system employing multinational military aerospace power.

CHAPTER TWO

WHY DO WE NEED A COOPERATIVE?

Modern criminal power has surpassed the abilities of governments to contain it. International organised crime is too big; nobody knows how to deal with it. Perhaps it cannot be dealt with as long as the world is divided into two hundred sovereign states. While big crime syndicates simply go where the money is, sovereign states cannot do anything simple. If they go down to dismal defeat in the war against crime, it will be largely because they are hampered by all the baggage of statehood—patriotism, politics, accountable governments, human rights, legal strictures, international conventions, bureaucracy, diplomacy—whereas the big criminal syndicates have no national allegiances, no laws but their own, no frontiers...

Claire Stirling – ‘Thieves World’¹

History provides many examples of military operations carried out by coalitions. As early as 854 BC, records show a coalition between Ahab of Israel and Ben Hadad II of Damascus was able to hold off an Assyrian conquest by uniting to defeat Shalmaneser III in the Battle of Qarqar.² Since the Thirty Years’ War (1618–1648), coalitions have thwarted the rise of every potential European hegemon, from Napoleonic France to Nazi Germany.³ In 1990, the Gulf War saw a coalition of 35 nations stop the expansionist drive of Saddam Hussein. More recently still, and more regionally pertinent, it was a military coalition that brought peace and stability back to East Timor in 1999.

In the Macquarie Concise Dictionary, a coalition is defined as ‘a combination or alliance, especially a temporary one, between persons, political parties, states, etc’. Unlike the alliances that kept the peace for more than 40 years when the United States and the Soviet Union were on the edge of nuclear Armageddon, a coalition has traditionally been a short-term venture; a quick, collective solution to an existing, or potential, military problem.

The reasons for forming a coalition are varied but a significant consideration is cost. Past wars were costed in human casualties; today’s wars are costed in dollars—usually American—and the price of war is increasing. Because of the expensive nature of modern war, and the reluctance of governments to shoulder the financial burden alone, coalitions are becoming a financial necessity. Perceived shortcomings

¹ Quoted in the final dinner speech by the Deputy Commissioner of the Australian Federal Police, Adrien Whiddett, during the 4th meeting of the Council for Security Cooperation in the Asia-Pacific (CSCAP) Working Group on Transnational Crime, 13 October 1998.

² Trevor N. Dupuy, *The Harper Encyclopedia of Military History*, 4th Edition, HarperCollins, 1993, p. 12.

³ Stephen M. Walt, ‘Coalitions’, in Patrick M. Cronin (ed.), *2015: Power and Progress*, Institute of National Strategic Studies (INSS), July 1996, p. 6.

of coalition partners are tolerated briefly in the interests of the whole. Victories and defeats, glory and shame are all part of a short duration alliance to deal with recalcitrant states that dare to threaten the national interests of the majority.

A cooperative, on the other hand, is less about fighting and more about maintaining the status quo. A unity of purpose brings together a collection of parties to more economically achieve that which appears insurmountable to the individual. The same Macquarie Dictionary defines cooperative as 'showing a willingness to cooperate; helpful'.

By pooling their resources, a cooperative can address issues that are of concern to all. It is less confrontational, less threatening, and less aggressive than a coalition. A cooperative is not established for a short-term 'hammer' solution but rather a long-term progressive approach to solving a problem applicable to all cooperative partners. Unlike a military coalition—established to facilitate military action by two or more states—a cooperative may not be tackling a military problem. Indeed, it is more likely to be established to deal with non-military problems. Such a cooperative would, nonetheless, benefit greatly from military expertise in command, control, communications, and intelligence. The military could bring to the cooperative a concentrated, coordinated system of surveillance and reporting, specifically focused on a given problem. Such a problem might be transnational crime.

Crime is a constant feature in human history. Be it fuelled by hate, love, greed, generosity, fear or favour, crime has been as much a part of human societies as humans themselves. Crime, however, has never been a trait that was constrained by national borders or sovereignty. Criminals flout the law regardless of who writes it. As transnational crime has increased, international laws have struggled to keep pace. While highly educated lawyers continue to be bogged down on issues of sovereignty, culture, religion and national values, big budget criminal organisations, unburdened by such matters, have become more sophisticated, more brutal, and more immune. The increasing level of international criminal activity can no longer be ignored. Nor can nations ignore the strategic impact of today's criminal organisations.

Driven by poverty, desperation or just plain greed, transnational crime is a growing problem. No country is immune. Indeed, there is every possibility that if criminal organisations continue to operate unchecked then the very security of nations may be at risk.⁴ Unfettered by legal or moral conventions, highly sophisticated global crime organisations have shown they will stop at nothing to achieve their illicit goals.⁵ Their areas of interest are many, including sea piracy, money laundering, prostitution, drug trafficking, people trafficking and corruption. Of particular interest to this paper are those areas of activity that can best be tackled with the help of the Cooperative. Initially those areas may be limited to drug trafficking, people trafficking and illegal activity on the oceans (piracy and fisheries).

⁴ Shelley, 'Transnational Organized Crime: an imminent threat to the nation-state?', p. 463.

⁵ United Nations Office of Drug Control and Crime Prevention, *Global Report on Crime and Justice*, Centre of International Crime Prevention, Oxford University Press, 1999.

Drug Trafficking

Unquestionably, drugs are an enormous burden on the world community. The United States alone spends US\$17 billion a year fighting a drug war that claims more than 16,000 American lives annually at a cost to the country of US\$110 billion.⁶ In Australia around 1000 people a year lose their lives to illicit drugs, and when survivors' disabilities are considered, then almost two per cent of Australia's total burden of disease is illicit drug related.⁷ Illegal drugs are a global US\$400 billion industry supported by tens of millions of hard-core consumers. The following table clearly shows the reason behind this industry.⁸

Product	Production Cost per Kilo	Retail Cost per Kilo
Cocaine	In Colombia – US\$1500	In USA – US\$66 000
Heroin	In Pakistan – US\$2600	In USA – US\$130 000
Synthetic Drugs	Anywhere – US\$400	In USA – US\$60 000

Table 1: Cost difference between production and sale of illicit drugs

Any industry that can afford to lose more than 90 per cent of its income and still run at a profit is unlikely to become uneconomical. Consequently, the illicit drug industry will not disappear. Further, it thrives in regional areas that have few economic opportunities and suffer poverty and corruption. South-East Asia is such a place and figures prominently along world drug trafficking routes (see Figure 1). Burma is thought to be one of the major South-East Asian producers of synthetic illicit drugs, producing about 700 million tablets a year.⁹ Most of these tablets find their way across the easy land border, prompting Thailand to seek international assistance (including Australian military assistance) in fighting its drug war on the Burmese border.¹⁰ Unchecked, the Thai problem will quickly become a regional problem as South-East Asian organised crime gangs begin to take a greater role in the shipment of illicit drugs between countries.

⁶ Opening statement given by John L. Mica, the US Chairman of the Subcommittee on Criminal Justice, Drug Policy, and Human Resources of the [US] House of Representatives, in Atlanta, Georgia, 18 September 2000, <http://www.house.gov/reform/cj/hearings/00.09.18/MicaOpening.htm>, accessed on 28 June 2001.

⁷ *Statistics on drug use in Australia 1998*, Part 5, Illicit Drug Use, Australian Institute of Health and Welfare, <http://www.aihw.gov.au/publications/health/sdua98/sdua98-c05.pdf>, accessed on 19 June 2001.

⁸ US PBS Frontline Documentary, *Drug Wars*, <http://www.pbs.org/wgbh/pages/frontline/shows/drugs/business/>, accessed on 19 June 2001.

⁹ Keith Moore, 'Drug lord's deadly deals', *Herald Sun*, 19 June 2001.

¹⁰ Foreign Correspondent, ABC Television, 20 June 2001.



Figure 1: CIA map showing the main drug trade routes around the world

The United States, the traditional stalwart warrior in the fight against drugs, will find itself increasingly hard pressed to support the drug war in South-East Asia while the US/Mexican border provides a gateway to 70 per cent of all hard narcotics illegally entering the United States. As the US withdraws, South-East Asia will have to take up the slack, and the only way that can be done is through a higher degree of cooperation between national governments. As the United States has shown, no single country can fight this war and win, but, although far from certain, a collective of nations may be able to turn the tide if such a collective is of like mind and determination. What is certain, however, is that the longer regional governments delay, the more difficult it will be to contain what may indeed be the worst threat to regional security South-East Asia has ever faced.

People Trafficking

Although not on the same scale as illicit drugs, the US\$10 billion a year people trafficking industry¹¹ is of no small interest to the organised crime syndicates in South-East Asia. The business of trafficking people is increasing. In 1998–99 there was a 36 per cent increase in the number of attempts to enter Australia illegally by air. The following year the number of unauthorised arrivals by sea increased by 328 per cent. In fact, in the last ten years more than 12,000 illegal boat people have landed in Australia (See Figure 2).¹²

¹¹ *Woomera Alternative Detention Arrangements for Women and Children Project*, Australian Department of Immigration and Multicultural Affairs (DIMA) Fact Sheet #83.

¹² *Australia's Excised Offshore Places*, DIMA Fact Sheet #81.



Figure 2: Unauthorised arrivals in Australia 1989–2001

The origins of Australia's unauthorised arrivals are not limited to a small number of developing countries close to Australia's borders. In fact, while early boat arrivals were mainly Chinese, Vietnamese, or Cambodian, the majority of illegal immigrants today are not from South-East Asia but from Iraq and Afghanistan.¹³ Each illegal immigrant is a burden on the destination community. For example, in Australia it costs the Australian taxpayer \$50,000 for every unauthorised arrival with total annual costs approaching \$200 million.¹⁴

Many of the illegal immigrants moving around South-East Asia are being shipped in vessels of dubious quality. Indeed, globally hundreds, perhaps even thousands of refugees die every year as they try to travel between countries in dilapidated, unseaworthy boats.¹⁵ This tragedy is exacerbated by the criminals that profit through the exploitation of these desperate people. Additionally, many refugees paying to be smuggled into Australia are lost at sea or in the Australian outback when their vessels sink or they are abandoned on Australia's remote western coastline.¹⁶ Consequently, stopping the growth of people smuggling is not only necessary to lift the burden from destination countries, but also to protect the refugees themselves. To that end, Australia has already entered into discussions with many countries in an effort to establish a global approach to curbing the exploitation of the world's 22 million refugees, including the millions who are moving illegally around the world.¹⁷

¹³ DIMA Fact Sheet #83

¹⁴ *ibid.*

¹⁵ Every year, the world's media reports on numerous cases of refugee boats sinking. For some examples see, 'Boats carrying 160 refugees sink', *The Associated Press*, 13 December 2000; 'Refugees Drown', *The Weekend Australian*, 27 March 1999; 'Capsize Kills 130 Refugees', *The Weekend Australian*, 22 February 1997; '80 Refugees Drown', *The Australian*, 30 August 1995.

¹⁶ *Pay a People Smuggler and You'll Pay the Price*, Overseas Information Campaign, DIMA, 2000.

¹⁷ *Minister Seeks a Global Approach to People Smuggling*, DIMA, 16 March 2000.

Sea Piracy

Costing the world community US\$16 billion a year,¹⁸ high-seas piracy is fast becoming a major part of international crime. The United Nations considers piracy a crime so heinous and so widely condemned that all nations may arrest pirates and seize property and determine penalties to be imposed, no matter the nationality of the perpetrator.¹⁹ However, pirates continue to operate. At an international conference on piracy, held in Malaysia in 2001, Naval experts warned that Indonesia and the Philippines are struggling to cope with the worsening piracy problems in South-East Asia.²⁰ The 150 law enforcement and shipping officials attending the International Maritime Bureau's conference were advised that in 2000, worldwide piracy attacks increased by 56 per cent. Japan, with 80 per cent of its super-tankers plying the Malacca Straits, has suffered over 3 billion yen worth of losses in the last five years, prompting Japan to regularly dispatch armed patrol vessels to South-East Asian waters to escort its super-tankers.²¹ The days of machete wielding attackers have gone, with these petty criminals being replaced by highly sophisticated and well-organised crime syndicates. A pirate ship recently captured in Indonesian waters was outfitted not only with tools to produce professionally forged maritime and immigration documents but also sophisticated radar, communications, and satellite-tracking equipment.²² In addition to becoming more organised, pirates are becoming more brutal, with 72 seamen murdered in 2000 compared to three in 1999.²³

Today's sea pirates are tending towards a 'smash and grab' method of boarding, looting, and then abandoning vessels, rather than keeping the vessel for financial gain. The difficulty of catching these pirates in the act makes the policing of piracy difficult and expensive. Further, by boarding ships while under way, detaining, setting adrift, or murdering the crew, and then leaving the vessel means the vessel will continue its course with no one at the helm.²⁴ The obvious environmental danger of uncrewed, oil-laden tankers moving along the busiest constricted straits and waterways in the world cannot be ignored. The US Coast Guard also points out the potential for pirates to become politicised or bought out by politically motivated groups and hired as mercenaries engaging in terrorism. They cite the Abu Sayaff Islamic terrorist group of the Philippines, which has raised funds for its anti-government campaign by engaging in maritime pirate attacks.

The Kuala Lumpur conference acknowledged that South-East Asia's waters were the most dangerous in the world and South-East Asian countries needed to join forces to combat this growing problem.²⁵ In 1998, Richard Hill of the International Studies Centre, University of Plymouth, UK, said:

¹⁸ 'America's Coast Guard: Safeguarding US maritime safety and security in the 21st century', *US Coast Guard*, January 2000, p. 46.

¹⁹ United Nations Convention on the Law of the Sea, Article 105.

²⁰ 'Naval Experts Warn Against Piracy Threat in SE Asia', *Dow Jones International News*, 26 June 2001.

²¹ 'Strait Talking on Pirates', *Australian Financial Review*, 28 June 2001.

²² 'America's Coast Guard', p. 45.

²³ 'Asian nations told to unite against sea piracy', *Reuters English News Service*, 27 June 2001.

²⁴ 'America's Coast Guard', p. 46.

²⁵ *ibid.*

In the anti-piracy role, there is a need for some larger ships each with good endurance, sensors, communications and action information, having on board an elite corps ready to man at least two boarding boats, an armed helicopter, and discriminating shipboard weapons; a larger number perhaps of smaller vessels with as many as possible of the above qualities but without, for example, a helicopter; fixed-wing patrol aircraft with sufficient endurance, sensors and communications; and an operational command organisation with access to all available information and intelligence, the ability to talk to other government departments and access to allies...²⁶

Clearly the piracy problem in South-East Asia is of significant concern and will require an equally significant commitment of money and resources to combat it. However, with many countries in the region still suffering the economic fallout from the 1997 Asian economic crisis and struggling to cope with internal conflict between different ethnic, religious and political factions, it would be naive and regressive if the piracy problem was left to be handled by only those countries suffering the most. Cooperation and assistance between all countries of the region is the most practical way of addressing this problem.

Illegal Fishing

According to the United Nation's Food and Agriculture Organization (FAO), the global fishing industry is worth US\$70 billion.²⁷ Most of this catch is taken from waters claimed under the United Nations Law of the Sea Convention as economic exclusion zones (EEZ). The fisheries resources in each nation's EEZ belongs to that nation and it is illegal for fish to be taken from these zones without the permission of the nation concerned. However, not everyone obeys the law and policing EEZs can be very expensive and time consuming.

Australia has the third largest EEZ in the world—16 per cent larger than the landmass—and spends millions of dollars annually trying to police it. Despite the size of Australia's EEZ, its poor nutrient levels make it relatively unproductive and it is therefore ranked 52nd on a world scale in terms of fish production with a landed value of approximately US\$1 billion.²⁸ Australia simply is not as dependent on its fisheries resources as its regional neighbours. That is not to say that Australia has less of an interest in continuing its EEZ surveillance, or that it does not appreciate the importance of the fisheries resources in the region. Clearly, however, some nations rely significantly more on fisheries resources than Australia does.

Illegal fishing is a major problem for South-East Asia because of the preponderance of the region's people, a third of the world's population, to rely on seafood as a staple part of their diet. Consequently, the profits in catching fish are huge. In Japan, for

²⁶ Richard Hill, 'Piracy and Related Matters', *Plymouth International Papers Number 10*, International Studies Centre, University of Plymouth, UK, 1998.

²⁷ See the FAO home page at <http://www.fao.org/>.

²⁸ Geoff Rohan, 'Fisheries a Valuable Resource', in Doug MacKinnon and Dick Sherwood (eds.), *Policing Australia's Offshore Zones: Problems and Prospects*, Wollongong Papers on Maritime Policy, No. 9, 1997.

example, a single Bluefin tuna can fetch US\$80,000 at auction.²⁹ Son Djamar, the secretary of the Indonesian Maritime board, claims that the 4000 foreign fishing vessels that illegally entered Indonesian waters last year cost Indonesia Rp100 trillion (US\$100 million) in lost revenue.³⁰ On the human side, the Ivatans, the indigenous people of the Batanes Islands, claim that illegal Taiwanese fishing has reduced local fishermen's catches from the traditional ten kilos to just two kilos a day, while the normal 20 kilos of lobster per trip has dwindled to just four kilos.³¹ Apart from Taiwanese chemicals having permanently destroyed the lobster habitats, the Ivatans point out that the reduced catch of local fishermen translates into thousands of malnourished children.

How to stop illegal fishing is hotly debated around the world and has led Son Djamar to remark, 'Just shoot the foreign ships, so they'll be afraid to loot our waters'.³² Australia's approach is similar in that of the 55 vessels apprehended in Australian waters in 2000, all but 15 were destroyed.³³ Unlike Australia, however, many of the region's countries do not have the appropriate assets to effectively tackle the ever-increasingly sophisticated criminals targeting the region's fishing zones. The criminals' tools tend to be vessels equipped with the latest equipment like computer-aided fish-seeking sonar, long-line nets, dynamite, and sodium cyanide. These vessels, if detected, can often out run the slower patrol vessels sent to catch them, or they retreat into the territorial waters of another nation, thereby stopping the pursuers in their tracks.

Apart from the ground-based, airborne, and space-based assets needed to monitor and track major fishing vessels in the region—there are some 38,000 factory ships on the world's oceans, representing only one per cent of the commercial fishing fleet but accounting for more than half of the world's fishing capacity—there is also a need for cross-border cooperation among authorities. The UN's FAO estimates the global catch for 2000 was 125 million tonnes, which is 40 million tonnes more than the world's oceans can sustain. Working together to track, pursue and apprehend fishing criminals, the region's nations can significantly reduce the decline in the region's fish stocks, thereby ensuring the food security of a rapidly increasing population.

Corruption

Just as it is not impossible to taste the honey or the poison that finds itself at the tip of the tongue, so it is impossible for a government servant not to eat up, at least a bit of the king's revenue. Just as fish moving under water cannot possibly be found out either as drinking or not drinking water, so the government servants employed in the government work cannot be found out taking money.

The Arthashastra, by Kautilya
Chief Minister to the King of Ancient India

²⁹ 'Net Loss', *Australian Financial Review*, 26 November 1999.

³⁰ 'Poaching by foreign vessels rampant', *Jakarta Post*, 21 June 2001.

³¹ 'Taiwanese poachers threaten Ivatan fisherfolk', *Philippine Daily Enquirer*, 29 June 2001.

³² 'Poaching by foreign vessels rampant', *Jakarta Post*, 21 June 2001.

³³ 7:30 Report, ABC Television, 11 December 2000.

One of the reasons it is so difficult to beat transnational crime is the prevalence of corrupt officials. This view was made clear by the director of the US Office of National Drug Control Policy (ONDCP), General Barry McCaffrey, when discussing transnational drug crime:

I would say, without qualification, that the greatest threat to all of us... is corruption posed by hundreds of millions of dollars of drug-related funding. And none of us can maintain credibility in the international community over time unless we confront and deal with that corruption.³⁴

If crime of any sort is to be reduced then so too must the criminal act of corruption. However, overcoming corruption in one's own country is difficult enough, let alone dealing with this problem across sovereignty barriers. Transparency International's Corruption Perception Index 2001 examines 91 countries and reflects the degree to which corruption is perceived to exist among public officials and politicians. Table 2 shows the ranking in the South-East Asian region of perceived corruption when compared to the rest of the world.

Country	Ranked out of 91 countries (1 = least corruption)
Singapore	4
Australia	11
Malaysia	36
China	57
Thailand	61
Philippines	65
Vietnam	75
Indonesia	88

Table 2: South-East Asian ranking of perceived corruption³⁵

Corruption can take many forms, from feathering one's own nest³⁶ to bribery in support of transnational crime.³⁷ But it can be beaten. Since Hong Kong established its Independent Commission Against Corruption (ICAC) 27 years ago, corruption in the former British colony has dramatically reduced. Singapore has also significantly reduced corruption in recent years. Such is the wealth of transnational crime syndicates, however, that reducing corruption in the poorer regional countries will be a problem that can only be tackled through a unified regional approach. Empirical data shows that a cooperative, transnational approach to corruption can be effective.³⁸ Many of the traditional arguments in support of a low intensity approach to fighting corruption have been shown to be flawed. These include the arguments that corruption

³⁴ McCaffrey, at a press briefing on the US President's Narcotics Certification Decisions, Washington DC, 1 March 2000, <http://secretary.state.gov/www/statements/2000/000301a.html>, accessed on 15 June 2001.

³⁵ Transparency International, *Corruption Perception Index 2001*, Paris, 27 June 2001, <http://www.transparency.org/documents/cpi/2001/cpi2001.htm#cpi>, accessed on 4 July 2001.

³⁶ 'Corruption fears endanger Indonesia's autonomy plans', *The Age* [Australia], 2 January 2001.

³⁷ 'Time to Put the Squeeze on Corruption', *Australian Financial Review*, 3 March 1999.

³⁸ For a detailed discussion of corruption and its cures see Daniel Kaufmann, *Corruption: the facts*, Foreign Policy, 22 June 1997; Carnegie Endowment for International Peace, 1997.

is *culturally normal* in some countries, that it *greases the wheels* of burdensome regulations, that it *enhances efficiency*, that it *improves supply and demand*, and that it *encourages growth*. Kaufmann explains how all of these arguments are not sustainable under economic scrutiny.

Be it drug money going into the deep pockets of politicians, or crime money buying cars for unworthy customs officers, the dark cloud of corruption is the umbilical cord of transnational crime. Until that cord is cut corruption will continue to underpin and sustain global misery and suffering.

Conclusion

Along with global industries the criminal element has evolved into international corporations fully conversant with, and exploitative of, globalisation. Using all the skills and infrastructure available to such transnational entrepreneurs these modern-day thugs are a threatening force. No nation can stand alone against them. Therefore the first requirement in fighting them is the establishment of the political will to build cross-border trust and transparency throughout the region. Working together, answerable to all, full cooperation between national assets, is the only way to beat the criminal mind. South-East Asian history, however, does not lend itself to easy trust and cooperation. Understanding that history will be crucial to breaking down long held prejudices and beliefs.

CHAPTER 3

A BRIEF HISTORY OF SOUTH-EAST ASIA

History is a window to the present, and perhaps even the future.

Transnational organised crime syndicates thrive on instability. They play on hatreds and discrimination fuelling it with corruption and brutality to further their own ends. To them South-East Asia must seem ideal. Much of South-East Asia's history is a potpourri of foreign interference, internal clashes, and brutal dictatorships.¹ One cannot ignore the influences of colonial rule that encouraged migration from North and East Asia (India and China) to South-East Asia, thereby dramatically and permanently altering the racial and ethnic balance established by successive kingdoms over thousands of years. The colonial powers created countries (Malaysia, the Philippines, and Singapore), and defined the state boundaries of others (Indonesia, Thailand, and Vietnam).² Indeed, the arbitrary imposition of state borders undoubtedly further contributed to the racial and ethnic diversity of many South-East Asian countries. Nor can one ignore the political struggle between the United States and the Soviet Union and its influence on the various peoples in the region. If regional organised crime is to be stopped, then those fighting it must understand the history and complexities of South-East Asia³ to reduce the chances of cultural and historical ignorance playing a detrimental role in the war on organised crime.

As a term used to refer to a collection of neighbouring nations, the phrase 'South-East Asia' was first coined by the Western Allies in August 1943 when they established the South-East Asian Command (SEAC). At the close of World War II, SEAC was disbanded and the term South-East Asia fell from the international geopolitical lexicon. It was not until the Association of South-East Asian Nations (ASEAN) was formed in 1967 that the term gained its current geopolitical recognition. ASEAN's founding members were Thailand, Malaysia, Singapore, Indonesia, and the Philippines. The remaining five members of Brunei, Laos, Cambodia, Myanmar (formerly Burma), and Vietnam joined during the following 30 years.

From the 16th Century, with the exception of Thailand (known as Siam until 1939), all of South-East Asia was at some stage subjected to colonialism. Between them the British, Dutch, French, Portuguese, and the United States controlled nations from the Philippines to Timor, and Malaysia to Vietnam (Indochina). Early colonial rule played a significant and irreversible part in the future of South-East Asia. At the whim of the colonial governments kings lost their dominions or had them changed. Extractive

¹ Unless otherwise cited this chapter is a summary of Michael Leifer, 'South-East Asia' in Michael Howard and Wm. Roger Louis (eds.), *The Oxford History of the Twentieth Century*, Oxford University Press, New York, 1998, pp. 227–239.

² Muthiah Alagappa, 'International Politics in Asia: The Historical Context', in Muthiah Alagappa (ed.), *Asian Security Practice: Material and ideational influences*, Stanford University Press, Stanford, 1998, p. 87.

³ Although the term Southeast Asia comprises ten Asian states, this chapter deals with only the major ASEAN states and Australia.

industries and plantation agriculture were introduced, and metropolitan economies prospered as the international demands for the region's tropical produce increased. As a consequence, migrant workers from Southern China and India began to flow into the region and became economic middlemen in support of the colonial powers. This foreign influx stirred local resentment and that, together with colonial education to indigenous elites, began to foster ideas of nationalism.

Nationalism was not a new idea in the region. In June 1898, following the Spanish-American war, the Philippines declared independence. The United States kept possession by crushing resistance to US rule, but did allow the formation of civil government in July 1901 and further agreed to allow national independence at a later date. Chinese-influenced nationalist parties in Vietnam also had early ideas about independence but were crushed by the French. This saw the establishment of the Communist Party of Indochina, which Ho Chi Minh founded in Hong Kong in 1930. Religion played a role in the nationalist debate with Burmese buddhists leading anti-colonial resistance after World War I, and in the 1930s this led to a more radical student-based movement supporting Marxist ideas. Buddhism played a corresponding role in Cambodia. Responding to anti-Chinese/Indian resentment, Islam took on a nationalist role in 1912 in the Netherlands East Indies (later to become Indonesia) and Malaya, but in neither country managed to gain a controlling influence at leadership level. Although Thailand was not subject to colonial rule, the military regime that had overthrown the monarchy in 1932 did foster anti-Western nationalism and pursued irredentism at French colonial expense. Through war and Japanese mediation Thailand was able to recover territory in western Laos and Cambodia. Despite this growing nationalism throughout the region, however, the colonial rulers held power in most of South-East Asia until the sudden, brutal arrival of the Japanese in 1941.

By May 1942, Japanese authority had replaced the old colonial powers of South-East Asia. Although Japan's brutal interregnum was short lived, it survived long enough for the people of the region to understand that colonial power was not the protective, all-powerful force that many had believed. Consequently, when the colonial rulers returned after World War II to reclaim their old thrones they were faced with increased nationalist pressures. The United States was the first to respond to these pressures and in 1946 honoured its 1930s promise to grant independence to the Philippines. The British, faced with Burmese nationalism, followed the American lead and granted Burma independence in 1948. Although Indonesia declared its independence in 1945, it was only when the new republic had put down a communist supported revolt in 1948, and the United States withdrew its support for the Dutch, that the Dutch were obliged to transfer sovereignty in 1949. A communist insurrection in Malaya also delayed the independence of Malaysia and Singapore, but the defeat of the communists and a British sponsored compromise for Sultan rule, and citizenship for non-Malays, led to Malayan independence in 1957. Singapore followed shortly thereafter with self-government in 1959 and independence from the Federation of Malaysia in 1965.

Vietnam's declaration of independence under the aegis of the Communist Party, however, brought it into conflict with the anti-communist United States. The post-World War II division of Indochina into the Communist controlled North Vietnam and the SEAC victors of South Vietnam ensured Vietnam's destiny could only be decided by a long and bloody war. The Communists were ultimately

victorious and Vietnam became one nation in 1975. Although independent, Thailand was still a focus of colonial powers after World War II. The United States sought positive engagement to hinder any communist growth in the area, while Britain and France sought retribution for Thailand's wartime association with the Japanese. Fear of communism, however, was to ultimately lead to a military coup in 1947 and support for American influence. Through a succession of failed elections and coups the military has dominated politics in Thailand ever since.

Political boundaries imposed on South-East Asia by its former colonial masters exacerbated ethnic and religious tensions.⁴ The Philippines suffers from southern independence demands from the religious Moral Islamic Liberation Front and national domination demands from the Communist Party of the Philippines. Malay nationalism is fuelling Muslim separatist demands in southern Thailand. Indonesia has just given up East Timor following 25 years of separatist fighting and is still suffering from separatist demands in Aceh and West Papua. Notwithstanding these problems, the political boundaries of South-East Asia have remained largely intact following the end of World War II with little prospect for change. The same cannot be said for the parliamentary systems left over from colonial rule.

Driven by economic pressures and clashes between society and politics following World War II, parliamentary systems all over South-East Asia began to fall. With the backdrop of the Cold War struggle between the communists and the United States in Vietnam, Laos, and Cambodia, other South-East Asian nations began to foster ideas of parliamentary change. Indonesia's President Sukarno attempted to bring an end to internal clashes by introducing the authoritarian *Guided Democracy* in 1959. He was to challenge a Malaysian attempt to unify the Malay peninsular with Singapore and North Borneo to stem perceived Chinese and communist influences. His efforts were thwarted by an abortive communist party coup in 1965, which led to his downfall and a more conciliatory president Suharto, who would prove to be less democratic than his predecessor. Faced with the same economic pressures as Indonesia, Burma also gave up its Western parliamentary systems in favour of authoritarian rule. The Philippines struggled to hold on to its democratic processes, and in the 1970s, President Ferdinand Marcos assumed dictatorial powers. Malaysia and Singapore, too, gradually moved away from their parliamentary practices towards one-party governments. Fuelled by communism, economic problems, political inexperience, cultural clashes, religious disagreements, border tensions, and international pressures, the leaders of South-East Asia struggled to maintain any semblance of the democratic processes suggested to them by their former colonial rulers. Consequently, in an effort to gain international credibility and recognition, and in search of regional security, the idea of regional cooperation was born.

In 1961, Thailand, Malaya, and the Philippines established the Association of South-East Asia (ASA). However, the idea of unifying the Malay peninsular brought Malaya into political conflict with Indonesia and the Philippines, and ASA was replaced in 1967 by ASEAN with the added members of Indonesia and Singapore. Given the ever-present separatist demands, and harbouring fears of an American withdrawal from the region, the leaders of these five nations set about cooperating to

⁴ For a detailed discussion of the ethnic/religious problems in the Asia/Pacific region see Ronald J. May, et al, 'Managing the Ethnic/Religious/Cultural Challenges to National Security', in Mohamed Jawhar Hassan and Sheikh Ahmad Raffie (eds.), *Bringing Peace to the Pacific*, ISIS, 1997.

instil business confidence in the region and to establish economic and cultural cooperation, reconciliation, and security. Over the following decade, ASEAN's influence saw export-led growth dramatically increase and sparked renewed international interest in the region. In 1977, the Prime Ministers of Australia, Japan and New Zealand attended an ASEAN heads of government meeting, and their confidence in the region's management led to capital investment and market opportunities that spurred further regional growth.

The Third Indochina War that pitted a Soviet Union-backed Vietnam against Chinese-backed Khmer Rouge in Cambodia did little to dampen the region's growth, with the exception of Vietnam and the Philippines. Vietnam lost its backing from the Soviet Union and suffered economic sanctions by the United States and Japan, all the while trying to maintain a rigid application of socialist doctrine. In the Philippines, the venal ways of President Marcos drained the country economically and politically until an unprecedented display of 'people power' brought democracy back to the fore. Thailand has managed to establish what is ostensibly a civilian-based, democratically elected government, but the military is still a powerful political force that has historically intervened in the democratic process. Given the internal and cross border problems faced by some of its main members, it is surprising that ASEAN has managed to survive.

For all its successes, however, ASEAN was still faced with the unavoidable geopolitical bridges binding it to greater Asia. Although the old colonial powers had withdrawn from South-East Asia, the Chinese, who were an integral and complex part of South-East Asia's history, were destined to play an ongoing role in the region's future. A good example of this linkage is the ongoing dispute over the Spratly Islands. With the withdrawal of US forces from the Philippines in 1992, China saw itself as the unopposed major player in the region and has pressed its claims on the islands. Malaysia, the Philippines, Brunei, and Vietnam have also asserted claim over the islands but, in the face of China's significantly larger military power-projection capability, have few options available to them outside of the diplomatic arena. ASEAN has proved to be a good sounding board for this dispute, but that is the limit of its benefit.

Despite being a cooperating body of regional leaders, ASEAN reacted slowly to the idea of defence cooperation or in acknowledging a common external threat. Instead, it has concentrated on multilateral dialogue to address a decreasing American, and increasing Chinese, influence in the region. Further, it has lost the initiative on economic cooperation with the Australian-inspired Asia Pacific Economic Cooperation (APEC) forum, established in 1989, taking the lead on free trade in the region, with ASEAN only deciding to set up a free trade area some three years later. The APEC initiative, in fact, reflects Australia's unique position in South-East Asia.

Australia is an unusual player in the South-East Asian environment. Like its Asian neighbours, Australia's European beginnings were a result of colonisation. But unlike its neighbours, Australia was not seen by its British occupiers as a source of profitable trade, but rather as a distant prison that offered an easy answer to an increasingly difficult criminal problem in the homeland. Additionally, the indigenous inhabitants were few in numbers—estimated to be as little as 200,000 at the time of the first

convict ships arriving on 26 January 1788.⁵ Consequently, Australia's early growth was slow, non-industrial and was governed under British law. Over the next 80 years, 165,000 convicts were transported to Australia to be used primarily as labourers to develop the colony.⁶ But the discovery of Australian gold in 1851 led to a huge inflow of non-convicts from England, Scotland, Ireland, America and China, resulting in less demand for convict labour leading to the last convict ship arriving in Australia in 1868.

By the 1890s, the natural antipathy felt by the convicts—many of whom were Irish—towards their British jailers, the new make-up of Australia's demography, and Australia's newly found wealth, saw calls for federation emerge. These demands came to fruition, and on 1 January 1901 Australia ceased to be a colony. This relatively smooth transition from colony to federation was in stark contrast to Australia's South-East Asian neighbours and laid the groundwork for a politically stable future. Additionally, Australia's natural wealth in resources and commodities helped to establish Australia's economic foundations. And finally, Australia's predominantly white European population, Westminster parliament, and British heritage ensured Australia's future would be non-Asian. Geographically, however, Australia was inextricably linked to South-East Asia and it would take many decades before Australia would come to terms with this dichotomy.

The *Immigration Restriction Act* of 1901 (later to be called the White Australia Policy) demonstrated a clear fear of the new federation's government of Australia being inundated by Asians. This policy, which imposed a 50-word European-language test on potential immigrants,⁷ was to remain in various levels of force until 1973, by which time Australia had recognised the significance of its regional neighbours.⁸ In 1997, the Australian Government's White Paper on Foreign and Trade policy acknowledged that '...the Asia Pacific is the Government's highest foreign and trade policy priority...', reflecting a significant change in Australia's regional views during the 20th Century.⁹

Despite Australia's political and economic stability, its late arrival to the South-East Asian leaders' table has yet to have a significant and long lasting impact on the region. Consequently, given the internal instability in the region, its parliamentary fragility and encroaching globalisation, South-East Asia is still facing a difficult period of establishing its political and economic credentials on the world stage some 50 years after the cessation of colonial dominance in the region. In fact, each nation is struggling with security problems that could potentially be detrimental to regional cooperation.

⁵ S. O'Connor (ed.), *The Book of Australia: Almanac 1997–1998*, Watermark Press, Sydney, 1997, p. 201.

⁶ *ibid.*, p. 208.

⁷ *ibid.*, p. 215.

⁸ Nancy Viviani (ed.), *The Abolition of the White Australia Policy: the immigration reform movement revisited*, Centre for the Study of Australia–Asia Relations, Griffith University, Paper No. 65, 1992.

⁹ Charting Australia's regional future: the White Paper on foreign and trade policy, DFAT, 1997.

CHAPTER 4

REGIONAL SECURITY

The first stage in politics is recognition. We take a significant step towards cooperation when we can point to some degree of consensus over which of the perils confronting states should be treated as problems requiring international intervention for their resolution. ...transnational crime is fast becoming recognised as a serious threat to states.

Brian Iselin¹

The region of South-East Asia, dominated by the ASEAN states, is a collection of diverse countries, which have struggled to cope under the combined pressures of their internal economic, political, and military problems, and the external demands for globalisation, democracy, and humanitarian rights. Inevitably this mixture of socio-political inconsistencies will have a detrimental impact on the region for the foreseeable future. This is particularly true given the rapid fall from the much-anticipated economic prosperity that had been predicted on the back of a decade of unparalleled growth prior to 1997. The 1997 economic collapse, triggered in Thailand and quickly spreading through the region, took the lustre of what had become an overly optimistic view of the region's future.² Consequently, earlier signs of discontent in restive areas in the region were further fuelled by the 1997 crisis—resulting in fissures appearing in some of the northern provinces of Vietnam, the southern Pattani area of Thailand, and federal/state relations in the oil and gas-rich Malaysian states of Trengganu and Borneo—while at the same time the Philippines began to see an upsurge in rural insurgencies.³ Additionally, the Malaysian government began to publicly express anti-Western sentiment, while Singapore, conversely, began to covet stronger security ties with the United States.

Turmoil in South-East Asia is not unusual. A study of armed conflict in the region since the end of World War II shows a variety of conflicts across the region which include armed separatism, communist insurgencies, Islamic religious revivalism, and a clash of sociopolitical differences between the haves and the have-nots. Table 3 is a summary of the conflicts past and present.

¹ Brian Iselin and Alastair MacGibbon, *International Initiatives to Combat Transnational Criminality*, paper at the third CSCAP, 23–24 May 1998, p. 3.

² For a detailed summary of the collapse see Phil Hanratty, *Economic and Financial Turmoil in South-East Asia: Origins and Consequences*, Economics, Commerce and Industrial Relations Group, Current Issues Brief 8, 1997–98, 2 December 1997.

³ James Clad, 'Security in Southeast Asia', in William M. Carpenter, and David G. Wiencek (eds.), *Asian Security Handbook 2000*, An East Gate Book, New York, 2000, p. 34.

Country	Armed Rebellion	Dates
Brunei	Partai Rakyat Brunei	1962
Cambodia	Khmer Rouge	1970–75
	Khmer Rouge/Khmer People's National Liberation Front/ Moulinaka	1979–92
Indonesia	Madiun communist rebellion	1948
	Darul Islam	1948–62
	PRRI Permesta	1958–61
	Organisasi Papua Merdeka	1963–
	Partai Komunis Indonesia	1965
	Aceh Merdeka	1976–79
	Fretilin	1976–99
	GPK Aceh	1989–
Malaysia	Communist Party of Malaya	1948–89
Philippines	Huk communist rebellion	1946–54
	New People's Army	1969–
	Moro National Liberation Front	1972–
	Moro Islamic Liberation Front	1982–
	Abu Sayaff	1993–
Singapore	Communist Party of Malaya (which considered Singapore to be part of Malaya)	1948–89
Thailand	Barisan Revolusi Nasional	1960–
	Communist Party of Thailand	1965–
	Pattani United Liberation Organisation	1968–
	Barisan Nasional Pembebasan Pattani	1971–
South Vietnam	National Liberation Front	1958–75
	Le Front Unifié de Liberation des Races Opprimées	1964–75
	Le Mouvement pour l' Autonomie des Hauts-Plateaux	1961–75
Laos	Pathet Lao	1951–75
	Le Ligue de Resistance Meo	1946–75
Myanmar	Burma Communist Party	1948–
	Some 24 ethnically related armed rebellions	1948–

Table 3: Major Armed Rebellions in the ASEAN States since 1945

Amidst this turmoil stepped a more vocal and more expansionist China. Referring to Thailand's propensity to try and please China, Singapore's Lee Kuan Yew accused the Thais of 'bending even before the wind begins to blow'.⁴ Indonesia's former president, Abdurrahman Wahid, also showed a desire to mend ties with China after Indonesia's shocking treatment of the Chinese during the Indonesian turmoil of the late 1990s led to a loss of Chinese investor confidence in the country.⁵ There can be no denying that China will continue to play a very influential role in South-East Asia. Militarily it is unchallenged in South-East Asia and economically it has the potential to drag South-East Asia along with it as it becomes an economic superpower. Consequently few South-East Asian nations are prepared to be openly hostile towards their large, densely populated, northern neighbour. Even the Philippines, locked in a bitter dispute over the Spratly Islands with China, has tempered its outspoken comments about Chinese expansionism.⁶

China, however, is but one issue in a complex region. In effect, security can no longer be defined simply in military terms. In an ever increasingly globalised world, a nation's security is an intricate web of international economic, political, social, and

⁴ Clad, 'Security in South-East Asia', p. 39.

⁵ Ewan W. Anderson, *Global Geopolitical Flashpoints: An Atlas of Conflict*, The Stationery Office, Norwich, 2000, p. 149.

⁶ Clad, 'Security in South-East Asia', p. 39.

military relationships blended seamlessly with national perceptions of independence. Consequently, regional security is inextricably tied to the maintenance of South-East Asia's geopolitical and socio-economic well being, both of which can be easy targets for international criminal syndicates. Understanding the regional security situation will better help a cooperative deal with threats that might try to exploit national security issues for illicit gain.

Australia

Australia's place in the South-East Asian security context is unique. Unlike its regional neighbours, Australia is geographically huge, politically stable and economically sound. Australia actively practices constructive engagement in the South-East Asian region while continuing to enhance strong military links with the United States. When former US president Bill Clinton came to Australia in 1996, he became only the fourth US president to do so and he came at a time when the average American saw Australia as America's third best ally after Canada and England.⁷ Australia makes no secret of the importance of the United States–Australian alliance. In *Australia's Strategic Policy* the Australian Government categorically states:

Our alliance with the United States is by any measure our most important strategic relationship. It is a major strategic asset and its preservation and development is among our highest strategic priorities.⁸

That said, Australia is also very cognisant of its proximity to, and the importance of Asia to Australian security. This recognition is also borne out in *Australia's Strategic Policy* when it defines Australia's key strategic interests in the Asia-Pacific region are to:⁹

1. help avoid de-stabilising strategic competition between the region's major powers;
2. help prevent the emergence in the Asia-Pacific region of a security environment dominated by any power(s) whose strategic interests would likely be inimical to those of Australia;
3. help maintain a benign security environment in South-East Asia, especially in maritime South-East Asia, which safeguards the territorial integrity of all countries in the region;
4. help prevent positioning in neighbouring states by any foreign power of military forces which might be used to attack Australia; and
5. help prevent the proliferation of weapons of mass destruction in our region.

⁷ Bruce Vaughn and Sean M. McDonald, 'Australia', in William M. Carpenter and David G. Wiencek (eds.), *Asian Security Handbook 2000*, An East Gate Book, New York, 2000, p. 124.

⁸ Department of Defence, *Australia's Strategic Policy*, Department of Defence, Canberra, 1997, p. 18.

⁹ *ibid.*, p. 8.

Indeed, this juxtaposition of Asian partner and American ally was probably uppermost in Prime Minister John Howard's mind when he said 'We do not have to choose between Asia and the US; we do not have to choose between our history and geography.'¹⁰ Despite his confidence, however, the possible perception that Australia might have a conflict of strategic interests in the region may be one of Australia's main hurdles if it were to take the lead in establishing a regional aerospace power cooperative. Notwithstanding this possible obstacle, some Asian politicians have expressed appreciation of Australia's strong bonds with the United States and the benefits that has in promoting a US stabilising presence in the region. Former Indonesian Foreign Minister Jayakumar noted, in a speech before the Asian Studies Program at Georgetown University, that some regional states may not be in a position to be outspoken in their support for continued American presence in the Asia-Pacific region and were therefore appreciative of Australia's role.¹¹

Australia's intentions with regard to its active participation in South-East Asia's security was brought into sharp focus in 1999 when on 20 September, a primarily Australian military force of 2500 personnel arrived in Dili, East Timor, as the first contingent of the UN's International Force for East Timor (INTERFET). East Timor had been a problem in Australian politics for more than twenty years after Indonesia had invaded the territory in 1975 and the subsequent deaths of Australian journalists in Balibo. Although Australia had acquiesced to the Indonesian invasion for fear of a spread of communism through South-East Asia,¹² the fear proved unfounded and East Timorese lobby groups had been a constant annoyance for successive Australian governments ever since. Consequently, when the opportunity for Australia to take an active role in the restoration of East Timor's independence arose, the Australian government was eager to do so.

Far from being seen as humanitarian however, Australia's leading role in East Timor was initially portrayed as self-serving and interventionist by some Asian leaders, beginning with Indonesia's People's Consultative Assembly (MPR), which expressed doubts about the United Nation's Mission in East Timor's (UNAMET) neutrality.¹³ But given ASEAN's lack of leadership in the crisis¹⁴ and the United States' belief that East Timor was an Asian problem that should be solved by Asian countries,¹⁵ Australia had little choice but to take the lead. Despite the misgivings expressed by some international leaders Australia's role in East Timor was lauded as effective and successful, raising Australia's profile in the region as a professional and capable player in regional security.¹⁶

Although the East Timor issue initially caused substantial bitterness between Australia and some of its neighbours, particularly Indonesia, Australia continues to develop bilateral security dialogues and cooperation with regional countries. In

¹⁰ Vaughn, 'Australia' p. 133.

¹¹ *ibid.*

¹² Charles E. Morrison and Richard W. Baker (eds.), *Asia Pacific Security Outlook 1999*, ASEAN Institute for Strategic and International Studies (ASEAN-ISIS), Japan Centre for International Exchange, 1999, p. 19.

¹³ East Asian Strategic Review 2000, *Post-Crisis Changes in Indonesia and ASEAN*, The National Institute of Defense Studies, Tokyo, 2000, p. 25.

¹⁴ *ibid.*, p. 40.

¹⁵ *ibid.*, p. 45.

¹⁶ Ian Bostock, 'Bushfire Brigade', in *Jane's Defence Weekly*, Vol. 36, No. 5, 1 August 2001.

particular Australia is active in the ASEAN Regional Forum (ARF) and still exercises close military cooperation with ASEAN nations. Australia continues to be outspoken in its support of arms control and disarmament, and in July 1998 ratified the Comprehensive Test Ban Treaty.¹⁷ Consequently, in the security arena of South-East Asia, Australia is seen as an important and stabilising influence. It acknowledges no direct threat to its security nor is it seen as a direct threat to the security of its neighbours. It contributes to peacekeeping, disaster relief, and humanitarian assistance and often takes the lead in addressing these problems regionally. Although Australia may on occasion be touted by some of its Asian neighbours as an American lackey, too often interfering in Asian problems that do not concern it, the reality is that the unfolding turmoil in South-East Asia does concern Australia, and the more responsible Asian leaders almost certainly recognise that South-East Asian security is better off with Australia than without it.

Singapore

If one were to look for parallels between Australia and another South-East Asian country, that country would have to be Singapore. Of all the ASEAN nations, Singapore survived the 1997 economic crisis better than the rest, maintaining one of the strongest economies in East Asia with a per capita gross domestic product of US\$24,400.¹⁸ Singapore maintains a modern professional military force and continues to build strong bilateral ties with the United States. Although it has a strong industrial base, Singapore is a primarily trading hub given that it occupies the strategically significant southern gateway to the Malacca Strait. In fact, it is this Strait that is one of Singapore's major security concerns.

Where Singapore differs markedly from Australia is its geographic size and position. A city-state of some four million people, mostly Chinese (77 per cent), Singapore has 200 million Indonesians on its southern border and 22 million Malaysians on its northern border. Internal conflict in either of its two large neighbours will almost certainly have a detrimental impact on Singapore's security. Additionally, increasing instances of piracy in the Malacca Strait and the South China Sea—the Malacca Straits witnessed a dramatic rise in attacks, up to 75 in 2000 from 2 in 1999¹⁹—have placed greater pressure on Singapore's naval and air patrols. And finally, although Singapore is not directly involved in territorial claims, the ongoing dispute over the Spratly Islands could lead to regional conflict that would affect all ASEAN members.

Fully aware of its geographic and size limitations, Singapore sees a continued strategic presence of the United States, and the preservation of the Five Power Defence Arrangement (FPDA)²⁰ as essential elements for Singaporean security.²¹ To that end, Singapore's defence force participates in joint training with all its ASEAN partners and with the United States, Australia, New Zealand, Taiwan, and India.

¹⁷ Morrison, *Asia Pacific Security Outlook 1999*, p. 29.

¹⁸ IISS, *The Military Balance 2000–2001*, Oxford University Press, London, 2000.

¹⁹ See the International Chamber of Commerce's International Maritime Bureau (IMB) annual *Piracy and Armed Robbery Against Ships* report for 2000.

²⁰ Between Australia, Britain, Singapore, New Zealand, and Malaysia.

²¹ William M. Carpenter, 'Singapore', in William M. Carpenter and David G. Wiencek (eds.), *Asian Security Handbook 2000*, An East Gate Book, New York, 2000, p. 270.

Additionally, Singapore has offered pier facilities to US aircraft carriers.²² Of all ASEAN military forces, Singapore's is by far the most modern and sophisticated. Singapore's geographic size and position, however, mean that its security is inextricably tied to the security of the region as a whole, and in particular the security of Malaysia and Indonesia. Add to this the ethnic differences between Chinese (Singapore) and Malays (Indonesia and Malaysia), and Singapore's precarious security environment is even more obvious.

Malaysia

Under the guidance of the United Malays National Organisation (UMNO) since independence in 1957, and more specifically under Prime Minister Dato Seri Dr. Mahathir bin Mohamed for the last 18 years, Malaysia has enjoyed relative peace and harmony for decades. This is not to say that Malaysia has not had its internal problems. In particular, Malaysia has shown a tendency to be ethnically and religiously volatile. Malays, ethnically the majority, have initiated anti-Chinese violence against the Chinese minority, who have traditionally controlled much of the economy.²³ Religiously there is a growing trend of Muslims demanding a greater emphasis on Islam in national policies. Since the broader community is non-Muslim, should this trend continue then this ethnically complex nation could face a rapid deterioration in internal security.²⁴

Prima facie, Malaysia's main external security concern might appear to be the Spratly Islands located in the South China Sea. Malaysia holds three of the six reefs it claims in this hotly contested area—two of the six are held by Vietnam, and the remaining one is held by the Philippines. On the grounds that it needed to carry out climate research, study marine life, and prevent ship collisions, Malaysia has commenced a construction program on its claimed islands that has incensed its regional neighbours.²⁵ In particular, the Philippines claims two of the islands that are currently claimed and being developed by Malaysia, and there have been reports of low-level military confrontations between the respective air forces in the vicinity of Investigator/Pawikan²⁶ Shoal. Perhaps of more concern than this inter-ASEAN tension because of Malaysia's move to better bilateral relations with China.

In 1999, Malaysia endorsed a *Joint Statement on Framework for Future Bilateral Cooperation* with China. This framework, inter alia, discussed the Spratly Islands as a matter that should be solved through '*bilateral* friendly consultations' [emphasis added].²⁷ Wiencek highlights the implications of this when he says:

²² *ibid.*

²³ Johanna Son, *South-East Asia: Crisis puts ethnic Chinese in spotlight*, World News Inter Press Service, http://www.oneworld.org/ips2/mar98/06_55_005.html, accessed on 25 May 2001.

²⁴ David G. Wiencek, 'Malaysia', in William M. Carpenter and David G. Wiencek (eds.), *Asian Security Handbook 2000*, An East Gate Book, New York, 2000, p. 208.

²⁵ Rigoberto Tiglao, 'Storm at Sea: new tensions over Spratly Islands highlights ASEAN's weakness', *Far Eastern Economic Review*, 9 December 1999, p. 24.

²⁶ Pawikan is the Filipino name for Investigator shoal.

²⁷ Wiencek, 'Malaysia', p. 212.

Malaysia's apparent willingness to resolve this issue through bilateral diplomacy is an important departure from previous ASEAN positions. In the past, the Spratly dispute had mainly been one of China versus ASEAN, and the smaller South-East Asian nations were able to unite in an effective diplomatic posture against Beijing's manoeuvring's. It now appears, however, that those calculations may have changed and Malaysia may have reached some form of tacit understanding with China about the future of this important issue—an understanding that effectively undercuts ASEAN solidarity.²⁸

Should this be the case and Malaysia has deliberately sided with China in the hope that Malaysia's claims to the Spratlys are more likely to come to fruition, then not only has China gained a valuable regional ally, but Malaysia has sent a clear and disturbing signal to its ASEAN partners. The Spratly Islands is recognised as a regional flashpoint,²⁹ not only because of its strategic significance for the major shipping lanes that pass through the area, but also because of the potential natural resources hidden in the 150,000 nm² of sea and sea-bed. Like most countries in the world, Malaysia's security is dependent on regional security and it is possible Malaysia's precarious politicking may have regional repercussions.

The Philippines

Unlike Malaysia, the Philippines is struggling with serious internal problems while at the same time trying to deal with potential military conflict externally. Up until 1992, the Philippines sheltered under the substantial US defence umbrella that had been established in the country since the Spanish–American war. However when the Americans withdrew from the Philippines in 1992, China saw an opportunity to play a more dominant role in the region,³⁰ while increasing poverty and lack of job opportunities in the Philippines saw an increase in internal security threats.³¹ The seven coup attempts that confronted the Cory Aquino government did little to help the internal problems and the Asian economic crisis also contributed detrimentally.

Internally, the country is struggling with insurgency problems from several sources: the Communist Party of the Philippines (CPP) and its 30-year struggle for recognition; the Muslim secessionist factions in Mindanao who are demanding various changes from economic reform to an Islamic state; and the Abu Sayuf Group (ASG), which sees itself as representative of a worldwide Islamic movement. Each continue to pursue their own demands and complaints. Financially the government is hard pressed to deal with these problems while still facing off an expansionist China in the South China Sea. The Chinese seizure of Mischief Reef, approximately 250 kilometres from the Philippines and 1000 kilometres from China was, no doubt, a contributing factor to the Philippines and the United States signing a Visiting Forces

²⁸ The full text is available at <http://www.humanrights-china.org/en/development/file.d/6.0.html>, accessed on 25 May 2001.

²⁹ Anderson, *Global Geopolitical Flashpoints*, p. 193.

³⁰ M. Mitchell and M. Vatikiotis, 'China Steps In Where US Fails', *Far Eastern Economic Review*, 23 November 2000.

³¹ David G. Wiencek, 'The Philippines', in William M. Carpenter and David G. Wiencek (eds.), *Asian Security Handbook 2000*, An East Gate Book, New York, 2000, p. 255.

Agreement in 1999 to allow US forces and Filipino forces to once again commence combined training and exercises.

Compounding security concerns is the recent ousting of President Estrada and the appointment, on 20 January 2001, of the Philippines' new President Gloria Macapagal-Arroyo. Taking over a government suffering under alleged systemic corruption and cronyism, President Arroyo is yet to wield power under a people's mandate. Recognising this potential argument about her legitimacy as president, Arroyo moved quickly to alleviate any concerns about her intent, distancing herself from the allegations of cronyism and offering to reopen peace talks with the communists and Islamic rebels in central and southern Philippines.³² But faced with increasing concerns in the South China Sea, crippling rural poverty, an Asian economic downturn, internal rebel activity, and alleged endemic government corruption, Arroyo's future, and the security of her country, are far from assured.

Indonesia

Once the region's political and military powerhouse, Indonesia has recently suffered from a series of events that have forced the government to focus on internal problems. Starting with the Asian economic meltdown in 1997; followed by the fall of Indonesia's 32-year president, Suharto, in 1998; the loss of East Timor in 1999 after 25 years of struggle for independence; the sectarian violence in Ambon and West Kalimantan in 2000; transmigration clashes in Kalimantan in 2001; and the secessionist demands in Aceh and West Papua; Indonesia might seem close to fragmentation. These problems have only been exacerbated by the Asian economic collapse, which hit Indonesia particularly hard, and collectively are an enormous problem to Indonesia.

Consisting of about 13,000 islands, of which 6000 are inhabited, and more than 500 dialects, Indonesia is faced with huge logistic problems just in maintaining the day-to-day activities of governance. Having to deal with the demands of the Acehnese in the west and the West Papuans in the east, while suffering under economic hardship and international pressure to reform, the Indonesian government is slowly starting to succumb to in-fighting and factional confrontations. Aceh is seen as the more immediate problem, given that the Acehnese Liberation Movement (GAM) is growing in numbers and is reportedly receiving weapons via Thailand and Malaysia and funded by local sympathisers and Acehnese businessmen in Malaysia and southern Thailand.³³ Further, Franzalbert Joku, a member of the Free Papua Movement in West Papua (formerly Irian Jaya) has reportedly confirmed that his separatist movement is in dialogue with China and that a high-level delegation of separatists has been invited to Beijing.³⁴

³² Stratfor Strategic Forecasting, *Arroyo's Estrada Dilemma*, 26 January 2001, <http://www.stratfor.com/asia/commentary/0101262100.htm>, accessed on 21 May 2001.

³³ John McBeth, et al, 'Indonesia: Worse to come', *Far Eastern Economic Review*, 29 July 1999, p. 16.

³⁴ Stratfor Strategic Forecasting, *China looks to the South Pacific*, 22 May 2001, <http://www.stratfor.com/home/giu/archive/052201.asp>, accessed on 23 May 2001.

Given that Indonesia is not directly involved with claims in the South China Sea there are no obvious external threats to Indonesia in the near to mid-term. China's expansionist moves south³⁵ are expected to be blocked by the Philippines (under a US defence envelope) and Vietnam, and is primarily considered a political threat rather than a military threat.³⁶ Nonetheless, Indonesia is aware of the strategic implications of the Spratly Islands and the long-term potential of China, and will no doubt continue to monitor the awakening dragon. If China does decide to take sides in Indonesia's internal bickering, then the longer-term problems of West Papua will continue to ensure that Indonesia's main concerns for the foreseeable future will be internal rather than external.

Vietnam

Vietnam has always been a significant, if not boisterous player in South-East Asia, and as the only communist country in the region has always been eyed with caution by its South-East Asian neighbours. Nonetheless, its withdrawal from Cambodia in 1989 and its inclusion into ASEAN in 1995 have lifted Vietnam from regional isolation, and it is now able to play a greater role in the region's future. Vietnam's main regional concern focuses on China and the South China Sea. Vietnam has had a long history of conflict with China, culminating in a Chinese invasion of Vietnam in 1979. Additionally, as an aggressive claimant to islands in the Spratly and Paracel chains, Vietnam has come to military blows with China over these disputed areas.³⁷ Despite its ongoing suspicions of China, however, Vietnam is concentrating on domestic problems, in particular, expanding foreign trade and investment, and improving economic and political ties with the United States and Japan.³⁸

Closer to home, Vietnam is still trying to maintain influence in Laos and Cambodia. In an effort to bolster that influence, Vietnam has in the past sent troops to Laos to support the anti-French movement and to oppose the anti-Vietnamese factions of Laos's royalty.³⁹ Following the proxy war of the 1970s that saw the Vietnamese backed forces of Hun Sen overthrow the Chinese-backed Khmer Rouge in Cambodia, Vietnam is at pains to continue to limit Chinese influence from re-establishing a dominant place on Vietnam's western border.⁴⁰ Additionally, despite the North and South reunification in 1975, the traditionally non-communist southern part of the country is economically more vibrant than the North with around 75 per cent of private firms based in the south, leaving the government city of Hanoi concerned about the economic gap growing between Hanoi and Ho Chi Minh City.⁴¹

³⁵ For an analysis of China's strategic intentions see Chapter 4.

³⁶ Angel Rabasa, 'The Changing Political-Military Environment: Southeast Asia', Appendix C, *The United States and Asia: Toward a new US strategy and force posture*, RAND, 2001, p. 176.

³⁷ Anderson, *Global Geopolitical Flashpoints*, p. 313.

³⁸ Rabasa, 'The Changing Political-Military Environment', p. 180.

³⁹ Ciment and Hill (eds.), *Encyclopedia of Conflicts Since World War II*, Volume II, Fitzroy Dearborn, London, 1999, p. 911.

⁴⁰ Stratfor Strategic Forecasting, *Hunting for Influence in South-East Asia*, 2 November 2000, <http://www.stratfor.com/asia/commentary/0011020105.htm>, accessed on 21 May 2001.

⁴¹ Stratfor Strategic Forecasting, *Hanoi in Intensifying Geostrategic Game*, 14 February 2001, <http://www.stratfor.com/SERVICES/giu2001/021401.asp>, accessed on 21 May 2001.

Finally, there remains simmering religious tension in Vietnam. In an effort to maintain tighter controls on religious freedom in the country, Hanoi has forced the majority religious faction—the Buddhists—into a state-controlled organisation called the United Buddhist Church (UBC).⁴² Despite a constitutional right to religious freedom, opposition to the UBC is not tolerated. Nonetheless, given the south of the country supports a catholic community of two million people, there is always a possibility that religious-based political parties may be formed to challenge Hanoi.

Thailand

In stark contrast to its South-East Asian partners, Thailand has developed under a monarchy of independent statehood. Consequently, Thailand's national ethnic cohesion is relatively stable. China is not a significant threat in that the ethnic Chinese in Thailand are an integral part of Thai society, and Thailand is not a claimant in the Spratly Islands dispute. That is not to say that China is not watched with caution, in particular, the Chinese use of Burmese facilities in the Indian Ocean, which leads to concerns that the Bay of Bengal may become an area of strategic stand-off between China and India.⁴³ Additionally, China's expanding military ties with Burma have raised some concerns in Thailand about border tensions escalating into armed conflict.⁴⁴

Countering these concerns is Thailand's long-standing alliance with the United States. Thailand's bilateral relationship with the United States has been consistent and supportive of US strategic objectives in the region, affording the United States important refuelling and transit arrangements.⁴⁵ Thailand's reliance on US military equipment and training will see a continued US presence in Thailand, albeit non-fixed, and this will undoubtedly enhance Thailand's stability and military professionalism. As this United States–Thai bilateral relationship strengthens we can expect to see less of the Thai military coups of the past and less interference from China.⁴⁶

Although internally stable relative to its ASEAN partners, Thailand is not immune to ethnic and religious differences. Indeed, in the four southern-most provinces of Thailand there are active radical Islamic groups seeking independence from Thailand. These groups—the Pattani United Liberation Organisation (PULO) and a dissident faction of the PULO—have close ethnic ties with the people of the northern Malaysian state of Kelantan.⁴⁷ The ongoing Islamic disputes elsewhere in the region, particularly in Indonesia, are undoubtedly being watched closely by the PULO and the Thai government, both with apposing views on the benefit, or detriment, an increasing Islamic influence in the region will have on Thailand.

⁴² *ibid.*

⁴³ Rabasa, 'The Changing Political-Military Environment', p. 177.

⁴⁴ *ibid.*

⁴⁵ US Department of Defense, *The United States Security Strategy for the East Asia-Pacific Region 1998*, Section 2.3, <http://www.defenselink.mil/pubs/easr98/>, accessed on 23 May 2001.

⁴⁶ Between 1932 and 1997, Thailand had 15 constitutions and 17 military coups.

⁴⁷ Rabasa, 'The Changing Political-Military Environment', p. 177.

Conclusion

South-East Asia is strategically significant in that two of the world's most heavily travelled sea-lanes of communications (SLOC) lie at its heart. Linking Australia with the rest of the world, and the Indian Ocean with the Pacific, these SLOCs are used by over half the world's merchant fleet (by tonnage) annually.⁴⁸ Additionally, home to almost 10 per cent of the world's population, South-East Asia is a potential economic powerhouse. Consequently, a secure and stable South-East Asia is of global interest and will therefore continue to attract global attention. But a return to internal security and economic prosperity will benefit none more than the South-East Asian nations themselves. There exists, however, a very real possibility that organised crime will undermine that return to prosperity and stability by exploiting the internal security problems being experienced by these nations. It is therefore in the region's best interest for all nations to work together to overcome regional problems and bridge cultural and religious divides in an effort to tackle organised transnational crime.

External influences, however, are still present and how the United Nations and its most powerful members view a South-East Asian cooperative will be an important consideration. Given Washington's global hegemony, Beijing's expansionist tendencies, Tokyo's economic influence, and New Delhi's regional awakening, it is unlikely South-East Asia will be given a free hand in its future direction.

⁴⁸ US Energy Information Administration, *South China Sea Region*, February 2001, <http://www.eia.doe.gov/emeu/cabs/schina.html>, accessed on 25 May 2001.

CHAPTER 5

INFLUENTIAL PLAYERS

Underpinning our [security] vision is the essential requirement that America remain engaged in world affairs, to influence the actions of others—friends and foes—who can affect our national well being. Today, there are some who would have us pull back from the world, forgetting the central lesson of this century: that when America neglects the problems of the world, the world often brings its problems to America's doorstep.

William Cohen, US Secretary of Defense¹

The United States of America

For the foreseeable future, the United States will remain the most influential player in the South-East Asian region. The US Pacific Command (PACOM) maintains a force of 300,000 of which 100,000 are forward deployed to the Asian region, in particular, Japan and South Korea.² That is not to say that the United States is less interested in South-East Asia—indeed, the US also maintains mutual security treaties with the Philippines, Thailand and Australia—but rather highlights the geopolitical reality of China and North Korea. That said, it is unlikely the United States is blind to the strategic significance of the South China Sea and its role as conduit for half the world's merchant shipping fleet (by tonnage). In fact, the US Assistant Secretary of Defense for International Security Affairs, Joseph Nye, said that should military action around the Spratly Islands interfere with freedom of the seas the United States 'would be prepared to escort and make sure that free navigation continues'.³ It is, therefore, in the interests of the United States to encourage regional stability and to prevent the rise of a regional hegemony, to ensure US military, economic and political access to this potentially volatile area.

By wisely wielding its economic and military power in the region, the United States could subtly shape the region's future toward greater democracy, transparency, and cross-border cooperation. In so doing, it could secure lucrative export markets and open doors to US investment firms to cash in on a recovering Asian tiger. The United States walks a fine line, however. In the days of the Cold War, most nations were a captive audience to a stand-off between the United States and the USSR. Many countries that gambled their future on the USSR are now blaming the US for much of the world's problems. But that is easy to do. For some countries, it seems, the United

¹ During a speech to the Commonwealth Club of California, 21 July 1997.

² John G. Roos, 'More Inclusive Partnerships: US Pacific Command's engagement strategy aims at encouraging neighbors to work together', *Armed Forces Journal International*, February 2001, p. 28.

³ N. Holloway, 'Jolt from the Blue', *Far Eastern Economic Review*, 3 August 1995, p. 22.

States is a convenient scapegoat that should absorb the blame for everyone else's internal problems.⁴

US foreign policy will always be viewed with suspicion by governments that have the most to lose from being forced into true democratic elections. Add to this the distorted view of US intentions depicted by Hollywood, and that suspicion is easily exaggerated and disseminated to a nation's ignorant people. Student unrest in Iran in 1999, for example, prompted the Iranian media to depict the United States simultaneously as an evil all-powerful mastermind, and an inept, muscle-bound moron.⁵ This stigma attached to US global intentions, fairly or unfairly, is a major hurdle to US activity in the world's unstable regions. Nonetheless, the United States is obligated, if only out of self-interest, to play an active role in world politics. However, what form that role takes in South-East Asia is another question.

By any yardstick, the end of the Cold War has forced a narrowing of focus for US foreign policy. Since its peak in 1986, US military expenditure has fallen by 25 per cent and military personnel have been reduced by 36 per cent.⁶ Although better equipped, better trained, and better educated, this smaller US force is no longer one of 'worldwide strategic deterrence' but rather a force that must 'deter actions in critical localised areas'.⁷ Consequently, in a world where terrorism and weapons of mass destruction are of increasing concern, US foreign policy is focused, quite rightly, on the world's threat areas as perceived by the United States. These areas are South Asia, East Asia, the former Soviet Union, and the Middle East.⁸ South-East Asia, being a part of a region that allows trans-Pacific trade for the United States of approximately US\$500 billion,⁹ is still important to the US but is not sitting on the edge of major conflict or perhaps even nuclear war. As a result, US political, military and economic engagement in the region is, through geopolitical circumstances, of a lower priority.

To meet the US goal in the region—'to promote a stable, secure, prosperous and peaceful Asia-Pacific community in which the United States is an active player, partner and beneficiary'¹⁰—the US has opted for a policy of 'more-inclusive partnerships'.¹¹ This policy tries to engender greater military-to-military cooperation between regional countries to build trust and tolerance, while reducing the need for the United States to commit large numbers of US military personnel to the region. This engagement strategy allows the United States to continue to encourage regional stability while helping to shape the region's future. It also helps to reduce the perception of US interference while in reality ensuring US access.

⁴ A simple Internet search on www.google.com for the phrase *anti-US riots* will find hundreds of newspaper articles referring to anti-US sentiment around the world.

⁵ E. Sciolino, 'In Characterising US, Iran Wants It Both Ways: Images range from omnipotent to hapless', *International Herald Tribune*, 19 July 1999.

⁶ F. Heisbourg, 'American Hegemony?: Perceptions of the US abroad', *Survival*, IISS, Vol. 41, No. 4, Winter 1999/00, p. 5.

⁷ US DoD, *The United States Security Strategy for the East Asia-Pacific Region 1998*, p. 4. <http://www.defenselink.mil/pubs/easr98/>, accessed on 23 May 2001.

⁸ Donald E. Nuechterlein, *America Recommitted: A superpower assesses its role in a turbulent world*, Second Edition, University Press of Kentucky, 2001.

⁹ US DoD, *The United States Security Strategy*, p. 3.

¹⁰ *ibid.*, p. 4.

¹¹ Roos, 'More Inclusive Partnerships', p. 28.

Although South-East Asia, by necessity, takes lower priority in the US foreign policy debate, the United States is cognisant of the need to ensure regional stability and prosperity and will continue to play an active, if not forward, role in this complex part of the world. US support for regional cooperation and alliances, bilateral and multilateral, is a crucial part in maintaining momentum towards ensuring South-East Asian stability. In 1998, the then US Secretary of State, Madeleine Albright said, 'To guard against over-extension, we must insist that others do their share. We must differentiate between the essential and the merely desirable.' She went on to say, 'Effective coalitions are a consequence of, not an alternative to, US leadership.'¹² The US DoD also supports the idea of alliances in the region:

The existence of such arrangements [alliances] throughout the region underscores the increasing importance of South-East Asia and Australia to regional security, and their commitment to a credible and potent US overseas presence as a cornerstone of their security interests.¹³

It is, therefore, highly likely that should Australia and the ASEAN states form a cooperative to fight organised transnational crime, then such an initiative would, in all likelihood, gain US political, if not military, support. Further, the United States could approach a 'cooperative' in the same way it approaches a vertical coalition, in that the US provides information and information products while the Cooperative partners carry the burden of hardware and personnel.¹⁴

China

In order to make sure that the descendants of the Chinese nation can survive, develop, prosper and flourish in the world in the future, we should vigorously develop and use the oceans. To protect and defend the rights and interests of the reefs and islands within Chinese waters is a sacred mission. The [Spratly] Islands not only occupy an important strategic position, but every reef and island is connected to a large area of territorial water and an exclusive economic zone that is priceless.¹⁵

Strategically, China is focused on two main foreign policy areas: American hegemony and Taiwan.¹⁶ These two issues are, of course, interrelated just as American hegemony, or perceptions thereof, are intertwined with most foreign policy clashes in the world. Beijing's concerns in South-East Asia are minor by comparison and focus almost entirely on the South China Sea. The thirty page Chinese White Paper 2000 dedicates only two sentences to the South China Sea [Spratly Islands]. That is: 'The

¹² Nuechterlein, *America Recommitted*, pp. 282–3.

¹³ US DoD, *The United States Security Strategy*, p. 8.

¹⁴ For an overview of Vertical Coalitions see Stephen M. Walt's 'Coalitions', in Patrick M. Cronin (ed.), *2015: Power and Progress*, Institute of National Strategic Studies (INSS), July 1996, p. 8.

¹⁵ John W. Garver, 'China's Push through the South China Sea: The Interaction of Bureaucratic and National Interests', *The China Quarterly*, December 1992, p. 1019.

¹⁶ For the Chinese Defence Department view on the world see the Chinese White Paper, *China's National Defence in 2000*, <http://www.china.org.cn/english/2791.htm>, accessed on 30 May 2001.

situation in the South China Sea remains generally stable', on page two, and on page three it again refers to the area with:

Encroachments on China's sovereignty and interests in the South China Sea are not infrequent, and some extra-regional countries are attempting to interfere in this issue.¹⁷

Clearly China is adamant that parts of the South China Sea are Chinese sovereign territory and this position may lead to conflict in South-East Asia. Beijing is quick to declare: 'Never to seek hegemony is the Chinese people's solemn pledge to the world',¹⁸ but reserves the right to defend their sovereignty by military means if necessary. Beijing, however, is cognisant of US Navy dominance on the world's oceans and is aware that China will not possess, in the short to medium term, the military capability to counter that dominance. Chinese commentators make no secret of the fact that China needs to work toward rectifying this inconsistency.

We cannot resolve problems with political or diplomatic measures until we have naval strength, and only then will it be possible to overcome our enemies without engaging in battles. If intimidation fails to achieve any effects, we would then be able to actually deal an effective blow.¹⁹

That is not to say that Beijing is only focused on building up its military force, but is also expanding its horizons into the South-East Asian region. Indeed, Chinese involvement in South-East Asia and the South Pacific is on the increase. China is an active member of the ASEAN Regional Forum (ARF) and other activities for multilateral security dialogue, giving Beijing the opportunity to argue against any sign of American influence in the region. The danger is that some countries may listen. If China can raise the spectre of US hegemony as a threat to the long-term viability of regional independence, then Beijing may succeed in convincing some Asian-Pacific states that an Asian-Pacific security block, with China at the helm, is not only viable, but desirable. Two significant obstacles in China's path toward establishing anti-US sentiment in the region are the traditional anti-Chinese sentiment among the majority non-Chinese population, and the strong ties between the United States and Australia.

To address China's perceived arrogance in the region Beijing has recently opened its doors to the world more than ever before. In fact, over the last two years Beijing has hosted visits from more than 160 countries and sent more than 70 high-level military delegations to over 60 countries. In addition, in the technical and other specialised fields, China has dispatched more than 150 delegations abroad, while over 180 foreign military delegations of a similar nature have visited China.²⁰ In an attempt to weaken Australian-United States regional influence, Beijing has increased its engagement activities in Australia's traditional area of influence, in particular with Vanuatu, Kiribati, Tonga and the Solomon Islands. Further, in what must be a worrying sign for Indonesia and Australia, China has reportedly held talks with West

¹⁷ *ibid.*, p. 3.

¹⁸ *ibid.*

¹⁹ Shigeo Hiramatsu, 'The Objective of Naval Strength Buildup', *Economitsu*, Tokyo, 27 January 1997, pp. 36-37.

²⁰ Chinese White Paper, p. 21.

Papuan separatists and has increased aid to Papua New Guinea by 72 per cent to \$300 million.²¹

If China was to gain a military foothold in the South Pacific, and Papua New Guinea in particular, then its strategic reach and military influence in the region would be significantly enhanced. Further, in any future South-East Asian conflict with the United States, Chinese domination of Papua New Guinea would effectively isolate Australia from the strategically significant South China Sea.

Beijing's strategic ambitions in South-East Asia and the South Pacific means it is unlikely China would support any form of aerospace power cooperation in the region that involved US (in particular) or Australian leadership. Indeed, even if such a cooperative were specifically designed and implemented to address transnational crime, Beijing would probably only be interested if China were an active member of such a cooperative and would probably also demand a leadership role.

Japan

Like China, Japan's foreign policy focus is primarily centred on regions other than South-East Asia. Faced with a potential conflict on the Korean peninsula, a possible China–United States clash over Taiwan's right to independence, and the stand-off with Russia over the Kurile Islands, Tokyo is facing significant foreign policy issues closer to home. Additionally, Japan is bogged down in the same financial crisis that has gripped the rest of Asia since 1997, and shows few signs of an early recovery. That said, Tokyo is in no position to ignore South-East Asia, and in particular, the South China Sea.

More than any other country, Japan relies on shipping through the South China Sea for its energy imports. Only the United States imports more crude oil than Japan, with Japan importing 81 per cent of its energy needs in 1997; 86 per cent of its oil coming from the Middle East.²² Cognisant of Japan's vulnerabilities, Tokyo continues to build up what is already the second largest navy in the Pacific with a defence budget of around US\$50 billion—more than three times the size of the combined defence budgets of ASEAN. Any problem in the South China Sea that had the potential of interrupting Japan's energy supplies would almost certainly see the Japanese Self-Defense Force (JSDF) in action, probably in a coalition with the US Navy. However, the depth of anti-Japanese feeling throughout Asia, stemming from the Japanese interregnum during World War II, particularly in China, would mean that the Chinese and South-East Asians would not necessarily greet with enthusiasm any change to the Japanese constitution that would allow Tokyo to move its military south. Consequently, Tokyo has worked hard since the end of World War II to improve Japan's image in the region.

²¹ Stratfor Strategic Forecasting, *China looks to the South Pacific*, 22 May 2001, <http://www.stratfor.com/home/giu/archive/052201.asp>, accessed on 23 May 2001.

²² Japan Access, *Japan's Current Energy Profile*, Energy and Resources, <http://jin.jcic.or.jp/access/energy/profile.html>, accessed on 1 June 2001.

Partly out of post-war impositions and partly because of its defence needs, Japan has established bilateral defence treaties with the United States that the JSDF considers to be '...indispensable to ensuring [Japan's] security.'²³ Tokyo promotes the idea that Japan shares the values of 'freedom and democracy' that are so important to the United States and her allies. Constitutionally prohibited from joining the United States in deploying offensive military force to support these values, Tokyo has instead been quick to enhance its image through economic and poverty-reduction support in Asia. By tapping into its vast capital reserves Tokyo has established a perception of Japan as the rich uncle of Asia always there to help its less fortunate neighbours. In this way, Japan has managed to become a major regional military power while at the same time reducing the stigma of its World War II legacy.

Given Japan's position as the economic powerhouse in Asia, Japan is cognisant of the damage that organised crime can cause. It remains wary, however, of contributing militarily to regional problems unless Japanese interests were to be directly threatened. It is far more likely that Tokyo would encourage the regional players to address transnational crime as they see fit and may even be willing to financially contribute to such efforts. It is therefore probable that the Cooperative would gain Japanese political support if nothing else. This is particularly so if the United States is also supportive.

India

India is the largest democracy in the world, a nuclear power, and has traditionally maintained a wary posture towards China. This combination of factors has the US rethinking its position on India since the end of the Cold War when India's orientation to the Soviet Union had stymied United States-Indian relations.²⁴ India is happy to encourage this renewed interest from the United States because it sees US support as crucial to Indian aspirations toward a greater role in world politics, beginning with its efforts to obtain permanent status on the UN Security Council (with veto power). India's vision, however, goes beyond this specific goal. Its *Look East* policy envisages a high-level engagement with ASEAN nations²⁵ and ostensibly is focused on mutual economic cooperation. India's global goals, however, and its *Look East* policy are interlinked and to assume its aims in South-East Asia are purely economic would be a mistake.

Sea-lanes through the South China Sea are almost as critical to India as they are to Japan. Consequently India has shown an interest in the security of the area to ensure the unfettered passage of oil through, or indeed from, the South China Sea. To that end, India has used its *Look East* policy to gain access to the South-East Asian defence communities. India already trains Vietnamese officers in India and is now looking for reciprocal training of Indian officers in Vietnam. Stratfor's strategic analysts see India's future strategy in the region leading to the establishment of a

²³ JSDF, *Significance of the Japan-US Security Arrangements*, http://www.jda.go.jp/e/policy/f_work/frame31_.htm, accessed on 1 June 2001.

²⁴ Zalmay Khalilzad, et al, *The United States and Asia: Towards a new US strategy and force posture*, RAND, 2001, p. 24.

²⁵ D. Vijayamohan, 'My Heart Beats for the East', *The Week* (Indian Magazine), 28 January 2001, <http://www.the-week.com/21jan28/events9.htm>, accessed on 6 June 2001.

near-permanent Indian naval presence in the South China Sea, the signing of new security agreements, and the marketing and selling of Indian-made military hardware to the region.²⁶

India also has a significant presence well established in the South-East Asia-Pacific region. Singapore and Malaysia, for example, support Indian communities of eight per cent and seven per cent respectively.²⁷ Indians are prevalent in Fiji, Australia and, to a lesser extent, Indonesia. Many of these Indian expatriates are involved in information and communication technology (ICT) sectors, reflecting India's regional dominance in this rapidly advancing industry. In fact, beyond the military industry, it is the ICT industry that could well open many South-East Asia-Pacific doors to Indian companies and, consequently, the Indian government. Singapore has already hosted Indian business and government representatives in pursuit of Singapore's desire to become a regional leader in the ICT industry, and 15 per cent of the ICT specialists living in Singapore are Indian.²⁸

Furthermore, India is fully aware of China's efforts to expand Chinese influence in the region, and Indian security planners would almost certainly view these efforts as hegemonic and counter to India's national interests. It is therefore probable that, given India's growing importance in the world, its desire to improve relations with the United States and the UN, and its efforts to minimise Chinese influence in the region, India would politically support a cooperative between regional law enforcement agencies and air forces. Such a cooperative would be effective in fighting crime but would also show unity and trust among regional neighbours that would enhance the external perception of security and stability.

The United Nations

For more than half a century, the UN has been a tireless advocate for world peace and harmony. It has helped fight disease, promote human rights, and educate the world. It has been instrumental in spreading economic prosperity and cultural tolerance. Its efforts in supporting philanthropic organisations like the World Health Organisation and the United Nations Children's Fund have been applauded globally. It has won the Nobel Peace Prize five times. In anybody's language, religion, or culture, the United Nations has been an icon of collective human endeavour with global recognition comparable only, perhaps, to the Red Cross.

Like any multinational conglomeration, however, the UN suffers from political stagnation and infighting, perhaps more than any other entity. The root of the political quagmire that often bogs down UN operations worldwide can be related to two main factors: the issue of sovereignty of its 189 member states, and the veto power wielded

²⁶ Stratfor Strategic Forecasting, *Indian 'Look East' Policy Set to Succeed*, 17 January 2001, <http://www.stratfor.com/asia/commentary/0101172230.htm>, accessed on 4 June 2001.

²⁷ Stratfor Strategic Forecasting, *India Looks to Singapore*, 17 January 2001, <http://www.stratfor.com/asia/commentary/0101172230.htm>, accessed on 4 June 2001.

²⁸ *ibid.*, p. 2.

by the Security Council's five permanent members.²⁹ The sovereignty issue is difficult to overcome because of the UN's founding principle that the organisation is based on 'the principle of the sovereign equality of all its Members'.³⁰ Gaining consensus among its member states is not always easy due to the political differences and the strategic objectives of individual states. Worse still, the veto power of the five permanent members of the Security Council is often used, not for the betterment of humankind, but rather in support of the strategic interests of the empowered members. Indeed, of the 248 times veto power has been exercised (China-4, France-18, Britain-32, United States-73, USSR/Russia-120) only a minority have been related to international security issues.³¹

Consequently, should UN support for the Cooperative be sought, then political hurdles would be present but not insurmountable. In fact, politics aside, the very essence of the UN—international cooperation to make the world a better place—would almost certainly see the majority of United Nations members applauding such a cooperative. Moreover, should the Cooperative prove successful, it may be used as a model of multinational cooperation in supporting the fight against transnational crime.

Conclusion

In a broad sense, the world's great powers have one overriding strategic objective—to remain that way. Their foreign policy decisions regarding different regions of the world will inevitably be shaped by their own—rather than the region's—strategic interests. To ignore this global reality would be tantamount to political suicide for regional nations struggling to come to terms with their place in the world. Accepting the bent of the more powerful nations, and working with them rather than against them, may be more beneficial in the long run. To that end, the question is not one of opposition and objection but one of cooperation and compromise. For the Cooperative to be successful, participating nations must have the support of at least some of the great powers, in particular the United States and Japan. But even these two economic giants will only give their blessing after they have examined its potential influence on the strategic landscape. Undoubtable there will need to be compromise, particularly with China, but the objections will not be insurmountable due mainly to the Cooperative's contribution to the common good. As is so often the case, diplomacy will be the moderator in any clash of strategic concerns. Diplomacy will not be limited to the concerns of the major nations, however, and will be just one of a number of prerequisites that the region will have to address before any cooperative could be established.

²⁹ The UN Security Council's five permanent members are the US, the Russian Federation, China, the UK, and France. They gained this status because they were the original nuclear weapons equipped states.

³⁰ See the UN Charter <http://www.un.org/aboutun/charter/chapter1.htm>, accessed on 7 June 2001.

³¹ UN table of vetos <http://www.globalpolicy.org/security/data/vetotab.htm>, accessed on 7 June 2001.

CHAPTER 6

COOPERATIVE PREREQUISITES

Patience, tolerance, frankness, absolute honesty in all dealings, particularly with all persons of the opposite nationality, and firmness, are absolutely essential.

General Dwight D. Eisenhower¹

Before two or more organisations can work together effectively and efficiently each must have a clear understanding of the objectives of the cooperative and its role in achieving those objectives. They must know the limits of their authority and the limits of their partners' authority. They must be comfortable that what they are getting involved in is not only for the good of all members of the cooperative, but also in their own national interests. All these issues are important for any cooperative, but they are critical for any cooperative that involves military forces from different nations. A nation's armed forces are unique in that they are specifically trained, and culturally evolved, to be suspicious of foreign armed forces. For a cooperative of such forces to work together successfully these suspicions must be minimised where possible and controlled where not.

The role of the military in South-East Asia varies from country to country. In Australia, the military's involvement in civil matters is very tightly controlled with civil primacy unquestioned. In Indonesia, on the other hand, the military play an active role in the country's civil affairs to the extent that some military officers hold automatic seats in the country's government. How each country chooses to approach civil/military affairs within their national boundaries should be of no political concern to cooperative members. What is critical, however, is the need to fully understand, and be sensitive to these differences, while accepting that such differences are not necessarily incompatible with successful operations. This level of acceptance and understanding can only be achieved if an open and honest approach is adopted in forming the framework for any cooperative action. That framework must be built deliberately and cooperatively, and will require detailed political acceptance and numerous detailed agreements long before the first cooperative application of aerospace power is applied.

Political Acceptance

Establishing trust among nations has never been an easy task. Each nation has its own political agenda, national and strategic interest, and internally accepted practices. Each nation also carries the baggage of discrimination, prejudices, preconceptions and

¹ Regarding coalition leadership in a memo to Lord Louis Mountbatten, Supreme Allied Commander, South-East Asia, 1943, <http://carlisle-www.army.mil/usawc/Parameters/98winter/scales1.htm>, accessed on 20 July 2001.

ill-judged perceptions. Consequently, establishing a sound base for cooperative action will require a top down approach. There will need to be political acceptance and consensus to provide a mandate to all parties to begin the formation of a standing cooperative. The diplomatic effort to find political common ground, nationally and internationally, and to maintain political unity will be fundamental to success. It will also be an ongoing task and will require significant follow-up diplomatic work at the highest levels of regional cooperation.

Politicians on all sides of the political divide must understand that crime syndicates show no allegiance to political parties unless it suits the needs of the syndicate, and even then such an allegiance will only last as long as the syndicate wants it to. Only through international political treaties and agreements can governments hope to thwart syndicated crime. Once agreement has been reached at the highest level of regional governments the details can be worked out.

Workshops

After political approval has been reached all members of the cooperative must come together in regional workshops as soon as practical. Like the diplomatic efforts before them, these workshops will be an ongoing and critical part of the workings of the Cooperative. Workshops will allow participants to solve problems that are inevitable when trying to work across national boundaries. Cultural, ethnic, religious and judiciary differences will almost guarantee disagreement, disgruntlement and resentment. These obstacles must be dealt with quickly and fairly in an open, transparent and unanimous way.

Workshops will facilitate compromise where possible and work-arounds where not. Regular workshops will help to refocus participants on the main issues, to reinvigorate efforts, to foster trust and to recommit to obligations. Workshops will allow all participants to review the Cooperative's successes and failures and to reassess commitments. As the socio-political and socio-economic climate changes in individual countries, so too can the Cooperative workshops reorganise and redistribute obligations to ensure equitable and practical burden sharing. Workshops will also be invaluable in formulating legal recommendations to the region's parliaments.

Status of Forces Agreements (SoFA)

The legal framework within which the Cooperative operates will be a complex and hotly debated issue. All nations will need to introduce new laws to allow the efficient and effective use of aerospace assets throughout the region. Each country must be confident that its forces can operate, within the bounds of the Cooperative's Standard Operating Procedures (SOPs), without fear of legal retribution. SoFAs are an essential part of any large, multinational military operation. This is particularly true when the operation will be ongoing and subject to civil primacy. Civilian and military leaders will not always agree on the best method of operation. Consequently, military leaders must fully understand their legal limitations while civilian leaders must be cognisant of their legal obligations.

There are many judicial areas to be considered for the Cooperative. Not the least is the issue of the legal certainty of the sovereignty of aerospace assets operating from or through foreign nations. Situations like the Chinese–United States stand-off on Hainan Island undermine trust and cooperation and would be detrimental to the objectives of the Cooperative.² Additionally, legal jurisdiction over the Cooperative individuals will need to be clearly defined because of the politically sensitive and socially inflammatory nature of personal crime, as can be seen by the ongoing debate about US forces in Japan.³

Given the law enforcement trait of the Cooperative, it would not be unusual for aerospace assets of one nation to provide transportation or support for the law enforcement officials of another nation. The nature of criminal activity is such that often such support would need to be called upon at very short notice. Current national regulations may not be conducive to rapid approval for foreign security personnel interacting with national aerospace assets. This potential limitation would need to be addressed with the implementation of standing SOPs, which allow local commander approval of such activities during Cooperative operations. Any so established SOPs would need to be approved at the highest level to ensure their legal integrity. It is imperative, therefore, that the legal framework for the Cooperative be defined, codified, and enacted before any operation can begin.

Organisational Framework

During the height of the Gulf War, the Coalition had to control thousands of sorties in a very complex air environment. These high speed aerospace assets were coordinated through ‘122 different air refuelling tracks, 660 restricted operating zones, 312 missile engagement zones, 78 strike corridors, 92 combat air patrol points, and 36 training areas, spread over 93,600 miles.’ All this, moreover, had to be ‘thoroughly coordinated with the continually shifting civil airways of six independent nations.’⁴ Although the Cooperative is unlikely to ever reach the complexity of Operation *Desert Storm*, this example clearly shows that command and control of multiple aerospace assets from numerous countries can be successfully coordinated to produce a desired outcome. This success was despite the barriers of language, culture and equipment incompatibilities. The Cooperative’s operations will be far less intense but its objectives, perhaps, more difficult to achieve. Accordingly, the need for a seamless network of participating air bases, secure 24-hour communications, and a well thought-out command and control structure cannot be understated.

² On 1 April 2001, a US EP-3E surveillance plane made an emergency landing on China’s Hainan Island after a mid-air collision with a Chinese fighter over the South China Sea. See ‘US House Rejects Reimbursing China for Spy Plane Costs’, *Dow Jones International News*, 18 July 2001.

³ Over recent years, several US service personnel stationed in Japan have been accused of raping Japanese girls. Despite the truth or otherwise of such accusations they still place great pressure on the legal integrity of the US–Japan SoFA. See Alexandra Harney, ‘Special Treatment for US Troops Draws Japanese Fire’, *Financial Times*, 16 July 2001.

⁴ Alvin and Heidi Toffler, *War and Anti-War: survival at the dawn of the 21st century*, Little, Brown, Boston, 1993, p. 78.

Establishing a network of participating air bases should not be that difficult. All nations already have suitable bases and supporting infrastructure in place. In the early stages, transitory support for aircrew and assets is all that would be needed. As the operations begin to become more routine, and the Cooperative's requirements become clearer, the need for additional facilities, support equipment, and personnel can be debated and, if necessary, established.

With the rapid development and acceptance of secure Internet services, establishing an efficient, low-cost, international communications network is becoming increasingly viable. The Internet's ease of use and redundancy make it an ideal candidate for the Cooperative's routine communications needs. Additionally, its continuous development is commercially driven thereby relieving governments of much of the cost burden of developing traditional, stand-alone communication systems. But undoubtedly the most significant development in recent years that makes the Internet a viable communications system for the Cooperative is commercial encryption technology.

When little known, Australian-born mathematician, James Ellis, in 1969 discovered a way to send secure, digitally encrypted messages to another person without exchanging decryption keys in advance,⁵ his efforts led to what is now called Public Key Encryption (PKE). PKE, now accepted as the standard for e-commerce, was kept under wraps by the US National Security Agency for more than 25 years. Since its release in 1997, however, commercial demand for encryption has pushed the 'encryption key' standard to 128-bit, which is 4.7 sextillion⁶ times more difficult to crack than its 56-bit predecessor.⁷ Although such encryption is not infallible, it is nonetheless considered extremely secure, and the development continues. In fact, in March this year Michael Rabin, a Harvard professor, revealed details of a 'hyper-encryption' scheme, which purportedly delivers a means to protect information that is mathematically guaranteed to be unbreakable.⁸ All such developments can only enhance the Internet's viability as the Cooperative's communications system.

Like SoFAs, command and control of the Cooperative will no doubt fuel much debate, and rightly so. Without clear demarcation lines, smooth transition of authority, and an unambiguous chain of command, the Cooperative will never be able to operate effectively. No one nation needs total authority all the time but at any given time there can only be one commander. This fundamental principle of aerospace power is crucial to ensuring the successful application of such power. Whether that commander and the headquarters are civilian or military, national or regional, periodic or rotational, will be determined by the workshops, but all nations must be completely comfortable with the command and control arrangements and, having agreed to them, fully support them. This is not to say that the commander's staff would not consist of experts from various disciplines and nations. Indeed, this approach would seem the most appropriate.

⁵ Steven Levy, *Crypto*, Allen Lane/Penguin Press, 2000, Epilogue.

⁶ In the US a sextillion is one followed by 21 zeros.

⁷ Jeff Smith, 'Cyber Cold War Companies Scrambling to Stay One Step Ahead of Sophisticated Hackers', *Rocky Mountain News*, 26 March 2001.

⁸ Stephen Levy, 'An Unbreakable Code? The secret is a key that disappears when you use it', *Newsweek*, 5 March 2001, p. 45.

The Cooperative would unite and focus the efforts of police, intelligence, military, NGOs, and political agencies from a minimum of seven nations and all of them, at least initially, will want to be represented in the decision-making process. This is an understandable desire and one that should be accommodated as best as practicable. However, all participants must remain aware of the objectives of the Cooperative and understand that the ultimate beneficiaries are all the people of the region. Consequently, the organisational structure agreed to must first and foremost meet the requirements for effective and efficient operations lest the Cooperative become an embarrassing white elephant.

Training

When NATO launched its air attacks into Yugoslavia in Operation *Deliberate Force* in 1995 its success was predestined. Not only was the world's most sophisticated aerospace power controlling the operation, but it was also backed up by the collective military might of Europe's wealthiest and technologically advanced nations. How so many independent military organisations, speaking various languages, and using unique equipment could conclude such an operation successfully may seem remarkable, but NATO is a coalition that has trained together for this type of operation for more than fifty years. Each NATO unit in Operation *Deliberate Force* knew the capabilities and limitations of their cross-border allies and had developed work-arounds for equipment incompatibilities. Communicating in English, using common SOPs, and adhering to a well-developed command and control structure, all of which had been practiced time and time again, NATO forces succeeded where many coalitions may have failed.⁹

Although not on the same scale as NATO, the Cooperative would require a significant commitment in training to reduce as much as possible the inherent problems of multinational operations. Further, the Cooperative will not only be trying to bring together the military aerospace assets of the region, but also the region's civilian law enforcement agencies. In the acronym rich world of military operations and government agencies, the possibility of misunderstandings is significant among national bodies speaking the same language, let alone in a multinational cooperative. Consequently, multi-language, purpose written dictionaries,¹⁰ SOPs, and glossaries will be important tools in establishing the Cooperative. Additionally, cross-border seminars, discipline-specific workshops, and multi-lingual doctrine would all be valuable training tools in assisting the many different agencies to operate effectively together. Finally, interoperability training, both on the ground and in the air, across all participating agencies and nations, will be crucial to minimise confusion while maximising effectiveness.

⁹ For an in-depth analysis of Operation *Deliberate Force* see Col Robert C. Owen, *Deliberate Force: a case study in effective air campaigning*, Air University Press, Alabama, January 2000.

¹⁰ For an example of an aerospace dictionary see Ian MacFarling, *Air Power Terminology*, Aerospace Centre, Department of Defence, Canberra, 2000.

Logistics

Logistics is something often ignored until it is too late. USAF Colonel Douglas Menarchik points out, when referring to logistics in the Gulf War, that US civilian and military leaders undervalue the role of logistics by emphasising combat forces at the expense of logistic forces. Logistics, he argues, are *the* limiting factor of American strategy.¹¹ Because the Cooperative would not be designed to fight a war, the logistics requirements would not be as demanding. However, applying aerospace power in any type of operation requires a logistics tail in place before assets are deployed. Fuel, crew support, and maintenance are three significant areas where a failure of logistical support could mean failure of the mission. Moreover, the cost of logistical support will vary depending on the country from, or through which the assets are operating.

A multi-national Cooperative logistics agreement would be essential. Such an agreement may even gain the active support of non-regional nations like the United States. Keen to improve interoperability between US forces and regional forces, the United States has constantly pushed for greater training and cooperation amongst regional military forces.¹² Moreover, the United States' efforts to combat transnational crime are ongoing and significant. Therefore, assisting the logistical infrastructure of a burgeoning Cooperative could very well attract US congressional support.

Conclusion

Successfully employing military aerospace power to meet the needs of numerous civilian law enforcement agencies will not be easy. The legal, administrative and logistic hurdles will be great. These difficulties, however, are not insurmountable. The military has been practicing international interoperability for years. SoFAs are already a common part of multi-national military operations as is logistical support. Military exchange programs are a fundamental part of cross-border military cooperation. What will be different in the Cooperative is the integration of the region's aerospace powers with the region's civilian law enforcement agencies. Any challenges that must be met, however, are minor compared to the growing threat posed by syndicated crime. Transnational criminal organisations will wait for no nation. Their coordinated, sophisticated attack requires a coordinated, sophisticated response. Before that can happen, regional leaders must address the crucial issues outlined above. Solving those concerns, however, will just be the beginning. There are practical obstacles at the operational level that must be addressed if efficient and effective organisational cooperation is to succeed.

¹¹ Douglas Menarchik, 'Powerlift—Getting to Desert Storm: Strategic Transportation and Strategy in the New World Order', Westport, Praeger, 1993, quoted in Charles R. Shrader, 'Gulf War Logistics', *Parameters*, Winter 1995/96, p. 144.

¹² Roos, 'More Inclusive Partnerships'.

CHAPTER 7

OBSTACLES TO EFFICIENCY

We must break down artificial culture, social and legal barriers that are more rigidly subscribed to than are the physical borders. Once we have achieved this, the real work begins; preventing, containing and reducing its [transnational crime] growth.

Frederick T. Martens¹

In an effort to mitigate the cultural, practical and political differences among Cooperative participants, an analysis of the main physical, emotional, and spiritual differences is needed. Additionally, many of the issues that could lead to tension in a cooperative are not necessarily contentious only between different countries. Strong egos, personality clashes and interdepartmental rivalries among national bodies like police, intelligence, and military agencies, can often lead to disputes, which in turn can hinder cooperation and may even lead to deliberate obstruction. Consequently the following analysis should not only be considered in terms of foreign individuals or organisations but also in terms of cooperating agencies from the same nation.

Equipment Interoperability

One of the critical parts of a multi-national, multi-departmental operation is the ability to smoothly and quickly hand over information and control to a joining unit. That unit may be airborne, seaborne, or a land unit. The operation may require multiple units handing over to fewer units, or a single unit handing over to many units in various environments. An essential element of any successful hand-over will be the interoperability of communications equipment. Hardware interoperability in itself is not a difficult problem and will not prove too daunting for insecure communications, be it voice or data. A greater challenge presents itself when secure communications are required.

In a secure communications environment, outside the office, the need for codes and specialised hardware, together with advanced training, is essential. Any codes used would need to be unique to the Cooperative to reduce the chances of compromise and minimise costs, while providing individual nations with confidence in the integrity of their national codes. To simplify, operations codes could be multi-level with high-level cryptography being used by units involved in highly sensitive missions, through to reliance on internet standard security systems for day-to-day communication and administration. To reduce the threat of corruption, training and administration of coded systems would need to be team based and multi-national with multiple, independent levels of encoding. Codes, however, are not the only area of interoperability that will prove to be important.

¹ Quoted in John McFarlane, *Transnational Crime as a Security Issue*, a paper presented at the third Meeting of CSCAP, 23–24 May 1998.

Standardisation of checklists, photographic processing equipment, record-keeping formats, briefing packs, mission reports, and legal obligation will need to be achieved. Again, production and dissemination of an agreed common standard for much of this type of material can be centrally located and internet based, thereby maintaining its uniformity while being available to users 24 hours a day from anywhere in the region. In addition, the Cooperative operations database will no doubt be large and unique. It will be receiving input continuously and from all parts of the world and be similarly accessed. This database will be the heart of the Cooperative, pumping information out to all units, assets and platforms. Consequently, its interoperability with aerospace support systems will be crucial to the rapid, successful application of aerospace power. Such interoperability, however, will no doubt raise concerns in the intelligence community.

Sharing Intelligence

Intelligence in the context of this paper means national security intelligence (NSI). Many readers would automatically assume that NSI is primarily a military tool designed and implemented to meet the needs of the deployed military commander. Indeed, when the United States established the first dedicated intelligence community, to wit the CIA, by introducing the National Security Act of 1947,² the perception that intelligence was primarily a military requirement may have been the case. However, in this new millennium, NSI has evolved in to a means to warn governments and key policymakers about threats to the country and to give them the knowledge they need to 'deflect and neutralise those threats without employing military force'.³ This evolution of intelligence does not detract from its military importance, but rather shows an increasing demand for relevance in an information age not fixated on military conflict.

Increasing transnational crime, its sophistication, and its resistance to traditional law enforcement agencies, present the NSI community with daunting new challenges. Nevertheless, the first challenge in this new environment will be overcoming the traditional reluctance of NSI communities to release their data and analysis to their foreign counterparts. To meet this challenge, governments will have to find common ground on what constitutes *national interests* and *regional interests* and when one takes priority over the other. The difficulty is that they are not clearly separable. In fact, they are intricately woven together in the economic, military, and social fabric of a nation and any attempt to isolate them will be counter-productive to both. For centuries, governments have faced this dilemma and have accepted that it was in the national interest to *covertly* manipulate regional, and even global, interests. Former US President, Richard Nixon, put it this way:

² Michael Herman, *Intelligence Power in Peace and War*, Cambridge University Press, 1996, p. 117.

³ Robert J. Kerry, US Senator for the State of Nebraska, in his opening statement to the Select Committee on Intelligence: *Renewal and Reform: US intelligence in a changing world*, 20 September 1995.

Overt economic or military aid is sometimes enough to achieve our goals. Only a direct military intervention can do so in others. But between the two lies a vast area where the United States must be able to undertake covert actions. Without this capability, we will be unable to protect important US interests.⁴

Covert in this sense means that the government can hide behind plausible deniability.⁵ People may know what has happened, and they may have their suspicions about who is responsible, but they cannot prove it. NSI data is crucial to supporting plausible deniability and providing such data to foreign agencies in support of a cooperative operation may undermine a completely separate and solo covert operation. Perhaps a stand-alone intelligence database specifically designed for Cooperative related data might be the answer. In any case, if the Cooperative is to work then NSI data will need to be exchanged between regional agencies and trust will have to usurp traditional suspicions, because without the support of military and civil intelligence agencies there can be raised no credible threat to transnational crime.

Military and Society

When Australia won the right to host the 2000 Olympic Games, one of the major concerns was the threat of terrorist attack during the two-week long international event.⁶ These concerns prompted the Australian Government to introduce new laws giving the Federal Government the authority to call out the military to deal with domestic violence. The Defence Legislation Amendment (Aid to Civilian Authorities) was the 'most contentious piece of Federal law-making in recent memory'.⁷ In the months preceding the introduction of the new law, the Australian public hotly debated the need for such an amendment. Since the introduction of the Defence Act in 1903, Australian military forces have always been remote and distant from Australian domestic matters. The policing role was a civil matter, not a military one, and military guns and uniforms on the streets of Australian cities were seen as not the Australian way.⁸

Australians' perception of a military's minimalist role in domestic police action, however, is not a common perception in South-East Asia. The domestic role of the military in Indonesia, for example, is well documented not only in the international media⁹ but also in Indonesian military doctrine.¹⁰ In Vietnam the army holds Politburo

⁴ Quoted in *The Need to Know*, the report of the Twentieth Century Fund task force on Covert Action and American Democracy, The Twentieth Century Fund Press, New York, 1992, p. 41.

⁵ Uri Bar-Joseph, *Intelligence Intervention in the Politics of Democratic States*, The Pennsylvania State University Press, USA, 1995, pp. 39–40.

⁶ During the lead-up to the Olympics the Australian media was awash with articles concerning terrorism. One of many was 'Countering Terrorism: the Games trials begin', *Sydney Morning Herald*, 30 November 1999.

⁷ Alan Ramsey, 'Strange Troop Movements in Canberra', *Sydney Morning Herald*, 9 September 2000.

⁸ 'Police, Not Military', *Sydney Morning Herald*, 13 September 2000.

⁹ One of many examples is John McBeth and Dini Djalai, 'Indonesia: The Puppet President', *Far Eastern Economic Review*, 8 February 2001.

¹⁰ Pragnya Karya Wiratama: *Majalah resmi ikatan alumni Sekolah Staf dan Komando Angkatan Udara* (Academic magazine for the Indonesian Air Force Command and Staff College alumni).

positions and wields significant political influence.¹¹ Thailand's military has actively, and in some cases violently, shaped political power in Thailand and still holds significant influence in the government's decision-making process.¹² In fact, as Finan points out in his *History of Government*, 'There are countless examples in antiquity where the troops substitute one ruler for another'.¹³ Clearly then, what one country sees as acceptable practice for its military forces may not be considered appropriate in another. For example, the military's active political role in Indonesia, and international support for it, has been questioned by prominent foreign political identities.¹⁴ This type of ongoing international debate however, cannot be allowed to detract from Cooperative effectiveness.

Each Cooperative participating country must accept that a nation's police force may include military personnel employing military tactics; providing those tactics adhere to international laws and agreements and uphold human rights. They must understand that in some countries civil primacy is unquestioned, while in others the military have a significant role in law enforcement. Rather than espouse or condemn the virtues of either system, operatives must work within the bounds of whatever nation they are operating from or through and concentrate on their own professional conduct and effectiveness.

Language

Language differences would, at first glance, seem to be an obvious problem only between countries. However, the internal, departmental specific language used by many organisations can also be confusing. Often an unintelligible string of acronyms, accepted slang, and esoteric jargon, discipline specific communications can lead to misunderstandings and unpredictable errors among external agencies. This problem is only exacerbated when foreign languages play a part. Trying to codify a cross-border, common language for Cooperative operations may, however, not be as difficult as it would first appear. Establishing a central authority, linked to all Cooperative agencies via the Internet, would go a long way to quickly resolving much of the potential confusion. For example, if one department is unsure of exactly what is meant by a communique received from another agency, national or foreign, then a query can quickly be sent to the central authority, which would clarify the confusion, either directly or by seeking guidance from the originating agency. Such clarification could be received in near real time via the Internet. Additionally, the same Internet site could maintain ever-expanding glossaries and dictionaries, which address common problems in understanding. Further, discipline specific dictionaries can be produced in multiple languages to ensure language specific clarity issues are addressed.¹⁵

¹¹ Gabriel Kolko, *Vietnam, Anatomy of a Peace*, Routledge, 1997, pp. 119–148.

¹² Alasdair Bowie and Danny Unger, *The Politics of Open Economics: Indonesia, Malaysia, the Philippines and Thailand*, Cambridge University Press, 1997, pp. 129–156.

¹³ S.E. Finan, *The History of Government: Ancient Monarchies and Empires*, Vol. 1, Oxford University Press, Oxford, 1999, p. 17.

¹⁴ Gareth Evans, 'Indonesia's Military Culture has to be Reformed', *International Herald Tribune*, 24 July 2001.

¹⁵ MacFarling's *Air Power Terminology* dictionary has been translated into Indonesian.

Although Internet support sites would greatly help to alleviate confusion, direct communication between Cooperative operatives would still present problems simply because of the many languages, including dialects, involved. However, this too is a *reducing problem*. English is now the international language.¹⁶ It is the language used for international television and film, songs, conferences, sport, trade, air traffic control, ship control, and United Nations work. It is the most common language used by tourists around the world and is the language of choice for the Internet. In an environment of globalisation, more students are graduating from their national universities knowing that the English they have studied will make them more competitive in the global marketplace.¹⁷ Because English is taught in most Asian schools many operatives in South-East Asian government agencies possess at least some level of English competency. Additionally, recognition of the growing importance of English as the world language is prompting governments and education systems to enhance English training.

Although far from perfect, the region's increasing competency in English; the rapidity with which the English-based internet is being embraced by the region's youth; and the ability to use the internet as single source of clarification on language and terminology issues, will lead to rapid acceptance of English for Cooperative operations. As the Cooperative evolves and develops into a true transnational organisation, language problems will become less troublesome.

Religion

Of all the human traits that have shaped human culture, perhaps the most influential has been religion. From eating habits to sleeping habits, religion has demanded of its followers conformity and obedience. There are a variety of religions in South-East Asia. Islam, Christianity and Buddhism are the major faiths while Judaism, Hindu, and Animism play lesser roles.¹⁸ For many in the region, religion is more than a simple belief; rather it is an intricate and essential part of their daily life. They see religion as what separates humans from animals, a mark of being civilised.¹⁹ They may want to stop work to pray several times a day, or they may believe in magic, medium-ship, faith healing or esotericism. What some call primitive, others call dedication. What some consider foolishness, others consider faith. Where Muslims reject pork but eat beef, Hindus reject beef but eat pork. Consequently, arguing, debating, or condemning another's faith is futile and only tends to undermine what could otherwise be a good working relationship. Understanding this is fundamental to successful cooperation between nations and cannot be ignored in training.

¹⁶ David Crystal, *English as a Global Language*, Cambridge University Press, 2000, p. ix.

¹⁷ Willard D. Shaw, 'Asian Student Attitudes Towards English', in Larry M. Smith (ed.), *Readings in English as an International Language*, Pergamon Press, New York, 1983, p. 23.

¹⁸ Niels Mulder, *Inside Southeast Asia: religion, everyday life, cultural change*, The Pepin Press, Singapore, 1996, p. 17.

¹⁹ *ibid.*, p. 24.

Gender Distinctions

When Dr Charles Meigs penned his textbook on obstetrics in 1847, he wrote (on women's capabilities) that [a] woman 'has a head almost too small for intellect but just big enough for love'.²⁰ Meigs was reflecting the academic view of the day. As late as the early 1920s, Sigmund Freud, with his famous dictum 'anatomy is destiny', was still postulating that girls were really just 'failed boys'.²¹ Such primitive attitudes, and an early industrial age dominated by men from academe to politics, helped to draw out the centuries of struggle to emancipate women in the Western World. This struggle was not helped by the lack of any credible anthropological evidence to counter these early views. Such views, however, were not culturally based but rather a result of biological ignorance. Consequently, they were destined to change as societies developed in complexity and technology, and the drive for further development placed greater emphasis on individual initiative and skill. The importance of exploiting human resources to the fullest saw women allowed into, and ultimately to excel in, all disciplines of human endeavour.

Despite international recognition of the intellectual and, in many cases, physical equality of men and women, culturally there are still significant distinctions in many parts of the world. There is no practical reason why, in the Western world, baby boys are dressed in blue while baby girls are dressed in pink. Or why men wear tuxedos and women wear gowns. There are numerous other examples of such cultural trifles, which have no practical grounds for occurring. They just do. It is the cultural norm. Irrelevant, idiosyncratic acts of segregation, however, are unlikely to be of any significance to the Cooperative. A greater potential problem occurs as a result of gender distinctions brought about by religion, which over the centuries has been instrumental in the subjugation of women.

Let a woman learn in silence with all submissiveness. I permit no woman to teach or to have authority over men; she is to keep silent.
(Timothy 1:11-12).

Even today the major religious doctrines refuse to accept equality for women. The bible says they are subservient to men and, for many, that is the end of the matter. Some women have transcended oppression and discrimination to play a leading role in influential positions like politics and religion, but rarely have they attained the same level of acceptance from their peers as their male counterparts. In many cases it is more tokenism than equality, and therein lays the gender problem for the Cooperative.

In any cooperative, men and women will find themselves facing situations that to them are discriminatory, disrespectful, and humiliating. A female pilot, the captain of her crew in Australia, may find herself marginalised, or even segregated from her male counterparts in other government agencies around the region. Male and female operatives from one nation may be insulted by orders from a female. Men from a Western background may be defensive of 'women's rights' if witness to Western

²⁰ Quoted in the Introduction in Mary Roth Walsh (ed.), *Women, Men, and Gender: ongoing debates*, Yale University Press, London, 1997, p. 1.

²¹ Peter Gay, *Freud: A life for our time*, J.M. Dent & Sons Ltd., London, 1988, p. 515.

perceptions of discrimination. For many, religion or women's rights are emotional topics, but when both are entwined in a mishmash of culture, law, personal prejudices and perceived discriminatory beliefs, and when individuals are thrust into positions they strongly disagree with, there will inevitably be problems if adequate training is not provided beforehand.

Command and Control (C2)

Although on first consideration C2 may seem like a potentially huge hurdle to a cooperative of civilian and military agencies, the reality is that it should not pose too large a problem. Firstly, most operations would be completed within national air space, using national assets under national jurisdiction. The C2 structure would be used. In Australia, for example, civil primacy would remain for all Cooperative operations, however, in achieving tasks authorised by civilian authority, the air force would operate under its normal, everyday C2 system. It is only when dealing with foreign forces that C2 may become an issue. However, long before operations involving multinational forces could be activated, working parties will need to have formalised the C2 procedures that would apply. For example, in an attempt to alleviate concerns about C2, each unit involved might reserve the right to withdraw from the operation if the unit's commander felt uncomfortable with the way things were unfolding. Regardless of the final arrangements, however, to assume that a suitable and mutually acceptable C2 structure is a major obstacle to establishing the Cooperative would be to underestimate the professionalism and competency of the region's air forces.

Conclusion

Cultural and religious beliefs are ingrained in generations of group thought and cannot be changed overnight. All nations, to some extent, are culturally different. Encompassing religion, education, the role of the military in society, government censorship, work ethics, class distinction or prerogatives, racial intolerance, or gender differences, the cultural make-up of a nation will almost certainly lead to a clash of cultures if nations try to work together unprepared. Active training to raise cultural awareness and cultural tolerance will be an important, ongoing part of the Cooperative. Operatives must learn to work outside of the cultural environment they may have become accustomed to. They must understand that culture is inbred, and not a result of intellectual weakness.

Every society, no matter how primitive, has a social organisation; that is a system by which the tasks necessary for its continuing existence are distributed among its members. Division of labour forms the basis of a social stratification, which in its simplest form assigns roles according to the physical distinction of sex, age and kinship. Men and women, young and old, and the various members of an extended family not only have to fulfil functions considered appropriate to their respective status but each has a clearly identifiable position in relation to others within the general framework of the social system. They have different rights and obligations; and different behaviour patterns are

expected of them. They conform, in most instances, because from early infancy they have been taught the ways of their society, and its standards have become their own. The smaller and simpler the community, the more difficult it is to deviate from the norm.²²

Cooperative operatives must be cognisant of the evolution of culture and the differences that exist between the beliefs of nations. They must be prepared to compromise and understand that human nature is not uniform and far from perfect. Once this is understood, the way will be clear for a system to be tested.

²² 'Theories and Beliefs Regarding Male-Female Differences', *Encyclopaedia Britannica*, Macropaedia, Vol. 19, 15th Edition, Helen Hemingway Benton, London, 1973-74.

A COOPERATIVE SYSTEM

Combating the illicit production and distribution of narcotics has been traditionally regarded as principally a matter for law enforcement agencies. This is demonstrably no longer the case.

Alan Dupont¹

The idea of international cooperation in the war against crime is not new. Indeed there are many agencies established to enhance such cooperation, none more so than the International Criminal Police Organisation (INTERPOL), which evolved from the First International Police Conference in 1914 and now boasts 178 member nations, including all ASEAN countries and Australia. Interpol was specifically established to assist national police forces to fight international crime.² Member countries maintain a National Central Bureau (NCB) to facilitate the efficient movement of information between law enforcement agencies. The Federal Bureau of Investigation (FBI), as another example, are formally committed to 'establishing working relationships with domestic and foreign law enforcement and intelligence communities' to fight crime.³ The ASEAN Chiefs of Police Conference (ASEANAPOL), established in 1981, is a regional attempt to 'forge stronger regional cooperation in police work'.⁴ The efforts of the United Nations to strengthen international cooperation to combat organised crime dates back 25 years, and culminated in December 2000 with the Convention against Transnational Organised Crime. Within three days, 124 of the UN's 189 Member States had signed the treaty.⁵ Meanwhile, within the G-8 framework,⁶ the Lyon Group of Experts was formed in 1995 to examine ways to improve international cooperation in the war against transnational crime.⁷ At their Birmingham Summit in 1998, they warned transnational crime was one of the world's three greatest challenges for the 21st Century and that it threatened to 'sap [economic] growth, undermine the rule of law and damage the lives of individuals in all countries of the world'.⁸

In general, the global community has established over many years a sound and functioning collection of government bodies to tackle transnational crime. However,

¹ Alan Dupont, *Drugs, Transnational Crime and Security in East Asia*, Strategic and Defence Studies Centre, ANU, Canberra, Working Paper No. 328, 1998, p. 20.

² For detailed information on INTERPOL visit its web site at <http://www.interpol.int/>.

³ Thomas V. Fuentes, 'Phil Williams' View of Criminal Organizations and Drug Trafficking: another perspective', in Carolyn W. Pumphrey (ed.), *Transnational Threats: blending law enforcement and military strategies*, Strategic Studies Institute (SSI), November 2000, p. 207.

⁴ 'ASEAN Police Chiefs' Joint Communique Carried by Burmese TV', *BBC Monitoring*, 11 May 2000.

⁵ UN press release L/T/4359, <http://www.un.org/>.

⁶ The G-8 Members are seven (G-7) of the world's wealthiest countries plus Russia. The G-7 consists of the United States, Germany, Japan, the United Kingdom, Italy, France, and Canada.

⁷ See *What is the Lyon Group?*, at the Ministry of Foreign Affairs of Japan site at http://www.mofa.go.jp/policy/I_crime/what.html.

⁸ Canadian Security Intelligence Service, 'Transnational Criminal Activity'.

the potential role the military, specifically aerospace power, could play in assisting law enforcement agencies would significantly enhance their capabilities. The most likely assistance that could be made available would be transportation, surveillance, reconnaissance and the provision of intelligence.⁹ This type of assistance has no doubt been made available in the past, but because of the sensitivities associated with using the military in a police role, this assistance has likely been limited to few operations, and then only after the delays of gaining high levels of approval. Once the delicate issue of using the military to fight crime has gained public acceptance throughout the region, a functioning structure will need to be established to allow international policing agencies access to military aerospace assets in pursuit of criminals. Specifically, aircraft, satellites and intelligence systems will become available and these complex systems cannot be effectively employed as an integrated power without a level of expertise and support only found within air forces.

Personnel

As always, 'reinventing the wheel' must be avoided. Consequently, air force personnel need to blend into the already established system. Regional air force officers should be established within the NCBs where they could commence the training and liaison that will be crucial to success. These air force officers will need a thorough understanding of the law enforcement process and the legal constraints within which operatives must work. Additionally, these officers will need to be cleared to the appropriate levels for handling the sensitive intelligence information that will be provided by the military. They will have met and be comfortable with their regional counterparts and the appropriate tasking methods of regional air forces. They will need to establish permanent communication with their parent air force commands to ensure the availability of aerospace assets and the deconfliction of military and law enforcement tasks.¹⁰ And they will need to be sensitive to foreign military concerns about national security issues relevant to the military environment, and be prepared to answer queries regarding those concerns. The establishment of these liaison officers as permanent staff on the NCB will go a long way to enhancing trust, understanding, and cooperation during Cooperative missions.

For their part, NCB operatives will need to understand the complexities and logistics of employing aerospace power. They will need to be cognisant of the capabilities and limitations of the aerospace assets at their disposal. They will also need to ensure that the law enforcement community within their respective countries is fully aware of the sensitivities and importance of sovereignty of aerospace assets operating within a foreign country. They must understand that, like them, the military has valid reason for maintaining high levels of classification on its capabilities, and much of what they may provide will not be useable in a public court of law. Consequently, information

⁹ Any unclassified examination of issues that involve law enforcement or military agencies will quite rightly be limited to public sources and speculation lest its distribution be severely limited. Consequently, this paper should be read with its unclassified nature in mind. It will not try to dissect or explain air force capabilities, limiting comment to potential roles that could assist law enforcement agencies. The full breadth of what an air force could provide is beyond the scope of this paper.

¹⁰ Although not defined in English, this word is common in the military lexicon and means to avoid conflict between two or more elements.

coming from the military aerospace community may need to be used with discretion. It must also be clearly understood that military members are not police officers and are therefore limited in what assistance they can provide 'on the ground'.

Equipment

Much of the equipment infrastructure needed to establish the links between the NCBs, air force headquarters, and aerospace operations centre, region-wide, is already in place. The Internet, purpose built for redundancy and reliability, with its 128-bit encryption, is an ideal conduit for the day-to-day administration and operations of the Cooperative. Of course, a means of communication, with greater security integrity, will need to be available for point-to-point communications dealing with highly sensitive information. The Internet, however, offers a near real-time, low-cost, in-place option for most aspects of the Cooperative. This would include tasking requests to regional air force operations rooms; clarification of requests or information; notification of air movements; crew support requests including accommodation, meals and vehicles; aircraft maintenance support and parts procurement; tasking amendments; air traffic clearances and notices; diplomatic clearances; post mission reports; and voice and video conferencing.

Tapping into the Internet will require little more than off-the-shelf desktop and laptop computers running commercially available software with, perhaps, some additional, purpose-built software unique to the Cooperative operations. Mobile phones with Internet access will also help to maintain the near-real-time information flow. Additionally, standard office equipment like printers, facsimile machines, shredders, photocopiers, scanners, and CDR/W and ROM filing stacks can be purchased off-the-shelf. Digital imaging equipment like still and video cameras will also assist in the quick transfer of photos and film via the Internet while reducing the need for expensive processing systems. In short, a standard, one room office located within the NCB, with Internet access and normal office equipment, would be able to handle most of the day-to-day operations of the military/law enforcement interface.

Standard Operating Procedures (SOPs)

Detailed SOPs will be worked out and formalised by the appropriate working party established for that purpose. However, the following is a brief summary of how the Cooperative might operate in handling a transnational crime scenario. These steps are simplified and tabulated for ease of understanding and to better facilitate debate, however, they are only an example of what *might* take place, and speculation on the order of the process. Clearly many aspects and processes will be considered by the working party but simplicity will be the key to effectiveness, and those tasked with determining SOPs should not fall into the trap of assuming that complexity means credibility, or that simplicity means ineffectiveness. It must also be remembered that what is actually being attempted is the establishing of an interface between military aerospace power and civilian law enforcement agencies across several countries. Modifying the SOPs of these already well-established agencies, beyond that required to introduce the interface, is not necessary and should not be a part of the working party's purview. Also, it should be remembered that the military is assisting the law

enforcement agencies and not attempting to take control of their operations. Consequently, the interface SOPs should be *pull* rather than *push* based. That is, the interface should be focused on requests from the policing bodies rather than offering or proposing tasks from the military.

An Operation

The initiation of military aerospace involvement will come from the appropriate law enforcement agency. Its request will be directed to the air force liaison officer located with the NCB who will assess the practicability of the request in respect to aerospace power. Should clarification or modification of the request be necessary then the liaison officer will follow that through. Once satisfied with the clarity and appropriateness of the request, the liaison officer would then pass the request on to his air force operations centre if it is a request for local aerospace support, or pass it on to his liaison counterpart in the applicable country if the request requires foreign military assistance. At this stage, air force expertise would determine whether or not the request can be met and the most appropriate means of achieving it. The most appropriate way of providing the support may be ground-based, airborne, space-based, or indeed, a combination of assets.

Local Tasking

Tasks requiring only local assets and operating in national or international airspace will be the easiest and most routine for the air force. Once it is determined how best to meet the request a tasking order would be raised, crews briefed and placed on short notice to move, and assets readied for use. The liaison officer would brief the applicable law enforcement agencies and seek final approval for the air force operation to commence. If the agencies decide to approve the operation, the air force would complete the tasking independently and as briefed, before providing post-mission details to the police agencies via the liaison officer.

Unlike normal air force operations, what may be different for Cooperative operations is the record-keeping requirements pre, during, and post mission, and the potential for crews to be witnesses in a court of law. Consequently, record-keeping rigour should be emphasised, and the applicable civilian departments should establish appropriate record keeping forms and methods prior to the commencement of any Cooperative operation. Further, where possible and applicable, law enforcement operatives should endeavour to accompany air force units to avoid the need for air force personnel to stand witness in court. And finally, air force personnel are trained in aerospace power not law enforcement. What may seem an obvious requirement or procedure to a veteran police officer may not even occur to air force crews, and what the crew considers an insignificant event may in fact be critically important. Consequently, it is imperative that everyone involved is cognisant of the importance of detailed briefings and reports, and that 'stating the obvious' may be a prerequisite to success.

International Tasking

Where the liaison officers will truly come into their own will be in the coordination and interaction with foreign military and law enforcement agencies. Here a single point of contact between nations will be critical. Additionally, having to deal with a like-trained, aware and familiar counterpart will alleviate much of the confusion and misunderstandings arising from cross-border interaction. Each foreign air force will operate in accordance with the national SOPs and agreements established with local law enforcement agencies. At a local level the procedures may be very similar to those described above. However, complexities will arise when the operation involves assets from different countries, which have to interact in real time. This interaction may be as simple as passing information between each other, or as complex as one unit directing, or even controlling, a foreign unit to achieve a particular task. Further complications will arise when a unit must land in a foreign country for rest or repairs.

Clearly the legal issues of sovereignty and the formulation of SoFAs will be needed before cooperative international operations can happen. Furthermore, the professional issues of discretion, respect, and flexibility will be paramount. These issues, though, can be solved at the air force to air force level and need not involve law enforcement agencies, providing the respective air force liaison officers are given the authority to deal with these potential issues at a local level. These officers can liaise directly with each other via the Internet, passing between themselves the necessary requests, applications, clearances, explanations and clarifications. They will be the points of contact for *all* Cooperative transnational contact with their country, at the operational and tactical level. They will be the linchpins to smooth operations and their role cannot be underestimated or undervalued.

The Final Phase

It must be stressed that the role of the air force would not extend to the apprehension or prosecution of criminals. There must be a clear delineation between providing aerospace power support and the hands-on work of law enforcement. This is not only to appease civil libertarians and local law-makers, but also because cooperation and coordination does not mean equal training and expertise. Although an air force can significantly complement and enhance the effectiveness of law enforcement operations, it cannot replace law enforcement agencies nor can its crews fill the role of law enforcement officers. Unlike the naval boarding parties that apprehend criminals in the northern waters of Australia,¹¹ air force crews should be kept at arm's length from any type of physical apprehension activity.

¹¹ As an example see 'People Smuggler Jailed', *The West Australian*, 4 May 2000.

CHAPTER 9

CONCLUSION

The world is becoming an increasingly interdependent place. Those societies who ignore this do so at their peril.

Dr Peter Grabosky¹

Transnational crime is global and indiscriminate. It affects all countries, rich or poor, big or small, strong or weak. This global trait is also what makes transnational crime so difficult to fight. All nations have law enforcement agencies, which evolved out of a desire to protect the rights of citizens. They are primarily domestic agencies designed to deal with domestic issues. Many nations also maintain a standing military force designed primarily to defend the nation against foreign military threats. However, the line between these two protection roles has of late become blurred. Transnational crime is every bit a foreign threat but it targets domestic vulnerabilities. Its rapid growth and almost unlimited budget has pushed it into the same threat league as international terrorism. Its international origins keep it to a large extent beyond the reach of many of the traditional domestic law enforcement agencies, while its attacks are focused on areas that normally fall under the domestic judiciary systems, thereby making it a civilian rather than military problem.

Additionally, this separation of powers between civil law enforcement agencies and the military is supported by the idea that the military becoming involved in civilian law enforcement operations may raise concerns about the integrity of civil primacy. The legal boundaries that define the respective roles of law enforcement and military agencies are carefully structured to ensure the independence of one from the other so that each can perform their job with a clear understanding of their purpose, their chain of command and their legal obligations. There are historical examples of militaries abusing their power at the expense of democracy.² Consequently, the citizens of both established and burgeoning democracies are reluctant to allow tampering with these legal distinctions so carefully put in place to protect their freedoms.

Transnational criminals, however, are unscrupulous, parasitic enemies who care little for laws and freedoms. Their god is wealth and their law is tyranny. They are no longer thugs with knives and clubs, although they still use such individuals, but rather they are highly educated entrepreneurs of the information age. While law enforcement and military agencies struggle under tight budgets to move from an industrial age structure and doctrines into the information age, international criminals are already there and exploiting every difficulty the agencies are facing. This criminal advantage

¹ In his concluding remarks during his paper *Crime in a shrinking World*, at the third meeting of CSCAP, 23–24 May 1998.

² For case studies of military and democracy in Asia see Peter Carey, *From Burma to Myanmar: Military rule and the struggle for democracy*, Conflict Studies 304, Research Institute for the Study of Conflict and Terrorism, November/December 1997; R.S. May and V. Selochan (eds.), *The Military and Democracy in Asia and the Pacific*, Crawford House, London, 1998.

is enhanced by the international nature of their business. Where diplomacy, international laws, sovereignty and traditional suspicions hamper the effective cooperation of national agencies with their foreign counterparts, international criminals find no such obstacles. Through corruption, extortion and brutality they move freely around the world physically, and virtually, to ply their destructive trade.

It is unlikely crime will ever be eradicated. It has always been a part of human society. People accept that crime is inevitable and task their law enforcement agencies to keep it off the front pages and out of the lives of everyday citizens going about their daily, law-abiding business. Crime, however, is no longer so easily discarded. The arrival of the computer age has morphed disparate localised criminal organisations into a whole new threat that requires a whole new approach to law enforcement. To truly challenge these organisations, governments must accept that the future of law enforcement is global and multi-disciplined. Where previously they had the luxury of being independent and focusing on their particular areas of expertise, law enforcement agencies and the military must now recognise that any disparate approach to transnational crime will fail. They must work together or be overwhelmed by their rapidly expanding, mutual enemy. All the traditional pillars of nationhood must be reshaped or perhaps even abolished. Sovereignty, independence, culture, language, citizenship and nationalism must all bend to support inter-agency and cross border cooperation or risk being shattered under the force of unstoppable criminality.

Diplomacy has struggled with these cross-border barriers for centuries, but now the rapid expansion of transnational crime is demanding a more commonsense approach to international relations and cooperation. Aerospace power is a tool designed specifically to deal with some of the major problems being faced by national policing agencies. In particular, airborne and space-based surveillance are areas that the region's air forces have collectively spent billions of dollars on to maintain the edge over their military counterparts. This type of professional expertise and sophisticated equipment could greatly assist the law enforcement agencies fighting transnational crime.

The defence against transnational criminal organisations is faltering. Governments, the agencies concerned, and society itself must accept the inevitable. Unless the region's nations stand together with a united front and a united force, then regional governments may find themselves supplanted by criminal puppets who have no interest in the region beyond profits. The time has come for the military to become an active and public participant in this dirty war. A coordinated application of regional aerospace power may be the answer, not as a law enforcement agency in its own right, but as an able assistant to an overloaded system. The military does not need to take control. It just needs to help. Bringing aerospace power into this primarily civilian war will not create an Orwellian force or a military challenge to civil primacy. Aerospace power is not the enemy; it is an important part of national security, and it is under-utilised against what may prove to be the region's gravest security threat.

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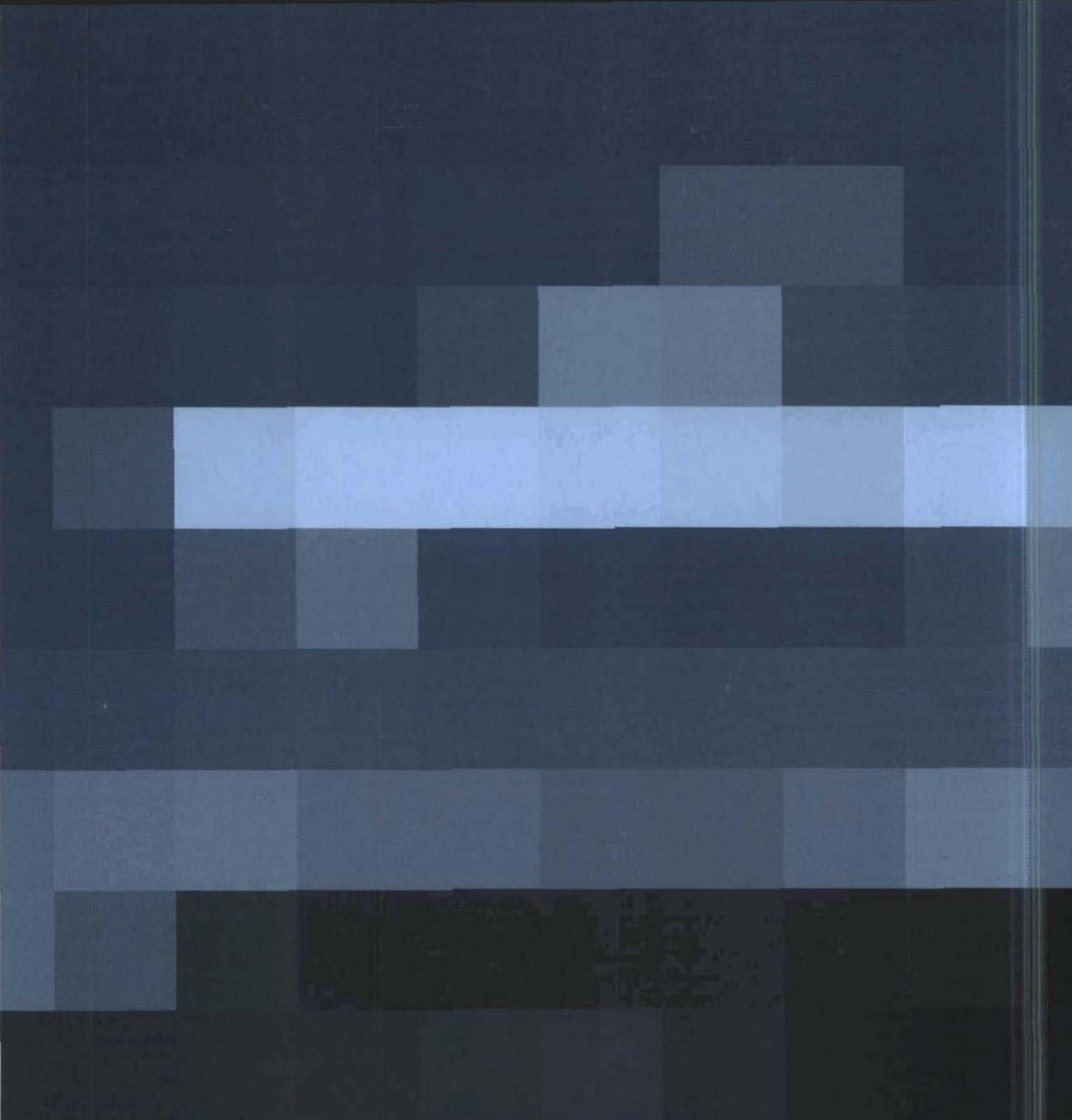
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Transnational crime is a growing industry. Terrorism, drug trafficking, people smuggling, and piracy are just a few of the numerous forms of cross-border criminal activity threatening world order today. Government agencies world-wide are on the front-line in the fight against those that choose crime as their road to riches.

Although criminal organisations once consisted of law-breakers utilising more rudimentary methods, they have now evolved into sophisticated, organised networks that use stealth, computers and almost limitless resources to strike at the very heart of a nation-state for reasons far removed from mere money. And they are succeeding.

Governments, the defending agencies concerned, and society itself must accept the inevitable. The line between criminal activity and military threat has blurred. As the young information experts of today's classrooms become the criminal assets of the future, transnational crime will be the primary foreign threat to our borders.

Interdepartmental and cross-border cooperation between traditional law enforcement agencies and military forces is no longer a luxury but a necessity. No longer can a multi-billion dollar, highly-trained, professional organisation sit on the sidelines in this war on crime. The time has come for the military to become an active and public partner in what is fast becoming the region's greatest threat... transnational crime.