

OVERCOMING THE CHALLENGES

South Asian counter-terrorism task force

SAIDA MUNA TASNEEM

THE Mumbai terrorist attacks of 26/11 and its political fallout on Indo-Pak relations were yet another harsh reminder of some disconcerting realities about South Asia. It pointed out that South Asia remains one of the most vulnerable regions for terror attacks and transnational security breaches. That the danger which terrorism poses within and among the countries of South Asia has every potential to stymie political goodwill earned through bilateral and regional initiatives such as SAARC or BIMSTEC. That despite having emerged as the epicentre of the US-led global war on terror, South Asia's success in hunting down the 'terrorists' or their 'masterminds' have been less than enviable. That terrorism in South Asia is trans-national in nature and necessitates a regional approach, no matter how difficult it may seem to achieve, given the political tension and mistrust among countries in the region. It is high time that countries in South Asia cease to view terrorism as their neighbour's problem, set aside the culture of recriminating neighbours to the detriment of regional cooperation and crack down on terrorism as a common security challenge.

In fact the trend follows that many of South Asia's terrorist incidents were allegedly planned outside the country of attack, alleged links of local terrorist outfits with extra-territorial principal organisations or their regional/global financing sources were evident, while their alleged nexus with other transnational criminal syndicates such as illicit drug traffickers or illicit suppliers of small arms and light weapons were pre-dominant. One must also take into account some key vulnerabilities of the region or alternately some terrorism generating drivers, both internal and external that too contributes to a regional dimension of terrorism in South Asia. Decades old violent ethno-nationalist separatist movements and fragile peace processes, rise of religious radicalisation and extremist outfits, nationalist/Maoist political movements, weak governance, undermining state response capacities, use of violence in politics, poverty and economic inequities are some of the

internal regional drivers of terrorism.

On the other hand, South Asia's geo-political standing in the forefront of the US-led global 'War on Terror' launched in Afghanistan and the US led invasion of Iraq, have been important external drivers, both contributing to a 'push' and 'pull' dynamics for emerging new terrorist groups and recruits in volatile conflict areas such as Afghanistan, the Federally Administered Tribal Areas (FATA) in Pakistan and in Kashmir. Needless to underscore just how profoundly terrorism undermines national and regional aspirations for peace and development and socio-cultural opportunities under SAARC.

Given these pressing and challenging realities the categorical resolve expressed by Prime Minister Sheikh Hasina and her new government to create a South Asian Task Force on Counter-terrorism sends out an unambiguous political message to South Asian leaders and beyond. That Bangladesh as a pro-active pro-peace member of the international community, is attaching top priority to countering terrorism and militancy nationally and regionally, and is calling upon its South Asian neighbours to set aside their differences and work collectively to combat this common security threat. This also reaffirms a strategic and foreign policy interest of the present government in playing a forthcoming, earnest, and moderating role in re-prioritising regional counter-terrorism (CT) mechanisms on the South Asian bilateral and multilateral agenda. In fact the proposed modalities for such a regional task force is likely to constitute a key talking point for Foreign Minister Dr. Dipu Moni during the forthcoming visit to Bangladesh of her Indian counterpart Mr. Pranab Mukherjee.

The timing of the new Government's counter-terrorism and counter-extremism pronouncements is also significant in the global strategic context as it coincides with President Obama's inaugural message on 'engagement with the moderate Muslim world' as opposed to rejection of the extremist terrorist factions, and also his decision to close down the controversial Guantanamo prison in favour of 'due legal process'. Concurrently, South Asia continues to remain high on the Anglo-

American and European strategic and security agenda, for which substantial investments, both financial and human resources have already been made to beef up their diplomatic and military outposts in the region.

What remains to be assessed now is whether to fit in the proposed JCITF within the regional cooperation framework or keep it as a standalone bilateral/multilateral arrangement. More importantly, how to make it functional and effective to serve the common security concerns and diverse national interests of South Asian governments, and yet make this initiative a win-win arrangement for all. No matter how challenging it sounds, given the urgency and scale of carnage of repeated terrorist attacks in the region Bangladesh's initiative may be the fresh breather South Asian people are yearning for.

Such an assessment should essentially begin with a reality check that progress in implementing the oldest regional instrument on CT viz. The 'SAARC Convention for the Suppression of Terrorism (1988)' or its subsequent Additional Protocol on Financing of Terrorism, have been less than promising in hunting down, extraditing or legally prosecuting any terror suspects in any member country. The main hurdle that remained was the lack of a definitional consensus on terrorism and the scope of interpretation of the act of terrorism by some member countries (Article 17 or 18). This rendered the Additional Protocol an ineffective piece of legislation when it came to enforcement.

The adoption of the SAARC Convention on Mutual Legal Assistance in Criminal Matters at the 15th SAARC Summit in Colombo last August does provide for the first time, scope for harmonizing different domestic legal systems in the region for investigation, prosecution and resulting proceedings on criminal matters including terrorism. And yet, this too obviates the need to negotiate separate bilateral agreements with individual countries in the region and falls short of extradition provisions again, due to lack of political consensus amongst member countries. More importantly there has not been any significant intelli-



gence sharing among the key security agencies of the region and hence no SAARC administered regional intelligence database has developed.

Given this conflict of interests and the fresh bout of post-26/11 tensions between key players of the region, a strong political willingness to bridge many of these political, intelligence, and definitional lacunae would be a prerequisite to make the proposed JCITF a success. South Asian nations need not be reminded that it is the 'terrorist' that is the 'common and permanent enemy', and suppressing terrorist acts is for the safety and security of the common man. A renewed

sense of political urgency and a confidence building dialogue, both bilateral and regional, may be the best way forward, and Bangladesh should take a leading role in this process.

Models of various national, regional, global, UN and even overseas territorial CT task forces can serve as a starting point for the proposed JTF and its auxiliaries, as they provide the level and nature of national and inter-governmental agencies required of such a Task Force and the scope and mandate of its work. A relevant example of a regional JCITF would be that of the APEC. The APEC-CTTF forms for a two-year term to implement APEC's

Counter-terrorism Action Plan and reports to the APEC SOM. Apart from exchanging information/intelligence, it assists member countries assess their CT needs for capacity building and coordinates with other international organizations and IFIs for resources and technical assistance. Senior officials of the Foreign, Home, Immigration and Law Ministries, frontline law enforcement and intelligence agencies and Central Banks etc. of South East Asian governments are involved in the CTTF at national and inter-governmental levels.

It would be fruitful to build on the experience of the inter-agency func-

tional cooperation achieved under BIMSTEC Joint Working Group on Counter-terrorism and Trans-National Crimes (JWG-CTTC) chaired by India. The BIMSTEC JWG through its four sub-groups have made substantial progress on sensitive issues such as an informal framework for intelligence sharing on suspected terrorist groups in the region and that on financing of terrorism.

The proposed JTF must not allow itself to emerge as yet another 'rhetoric shop' and no practical cooperation. Rather it should robustly address some of the key capacity shortfalls of South Asian countries which may include among others, enforcement frameworks for CT legislation, greater coordination and sharing of intelligence amongst national and regional intelligence agencies, countering the financing of terrorism through coordination of Central Bank Financial Intelligence Units, CT training of local level law enforcement and police forces and stricter border controls etc. A holistic regional approach to CT that includes a regional counter-terrorism strategy and a CT action plan alongside a regional counter-radicalisation strategy have been time and again recommended by security analysts and needs due attention by the JTF. Engagement with multilateral bodies dealing with similar task forces such as the UN Security Council Counter Terrorism Directorate (UNCTED) or the Commonwealth Counter Terrorism Action Group (CTAG) could prove productive in exchange of technical expertise, best practices and information.

Preventing another 26/11 in India, a September 20 in Pakistan or an August 21 in Bangladesh is what really matters to the people of South Asia and they can only look up to their governments to realise this fundamental right to live. We are hopeful that Prime Minister Sheikh Hasina's aspirations to give peace and development a chance in South Asia through an effective regional JCITF would live up to that expectation.

The author is currently researching on counter-terrorism at the University of London.

Why America needs Obama in its fight against terror

M.E. KABIR

WITH Barack Obama at the helm of USA, the global atmosphere, especially on terrorism and foreign policy front, is bound to change. In some cases, there would be several paradigm shifts across the world. Obama's inaugural speech, recent statements, as well as his first interview with an Arabian TV channel bears testimony to that.

The most noteworthy sentences, among others, that Obama said in his inaugural speech is: "We are a nation of Christians and Muslims, Jews and Hindus - and non-believers." Unfortunately, he has been severely criticized for pairing Muslims with Christians. Traditionally, Jews are actually paired with Christians. The coinage of Obama's words, they say, has disturbed many anti-Obama analysts across the world. The hard-line critics have started suspecting Obama as pro-Islamic for his softer stance towards Muslims.

The new US president has also hinted an end to the previous admin-

sented a new post-September 11 era. Bringing an end to war on terror was a broad swipe at the Bush administration and its supporters.

President Obama has given his first interview to an Arab TV channel. This has also disturbed the hardliners. He said: "My job to the Muslim world is to communicate that the Americans are not your enemy. We sometimes make mistakes. We have not been perfect. But if you look at the track record, as you say, America was not born as a colonial power, and that the same respect and partnership that America had with the Muslim world as recently as 20 or 30 years ago, there's no reason why we can't restore that. And that I think is going to be an important task."

What Barack Obama is doing is that he has started projecting a humble America before the world. For example, he said in his interview: "All too often the United States starts by dictating." He has suggested his special envoy to the Middle East for "listening" to what the Arab world has to say. Obama has also apologized for President Bush's "Islamic

the hallmark of the Obama administration's policy."

Now do all these show that Obama is giving up on the war on terrorism as the sceptics are saying? The sceptics would be very wrong if they think so. Obama may have started to change the terminology, but fight against terror and terrorist organizations and individuals would continue. Even if the new administration is making sweeping legal changes in its approach to counter-terrorism there are few indications that it will adopt a different military approach, particularly when it comes to confronting Al-Qa'eda suspects. After all, using language reminiscent of his predecessor, Obama did say: "Our nation is at war against a far-reaching network of violence and hatred."

What the new president is doing is trying to improve America's image across the world. If anyone assesses US image very carefully and honestly (without any sort of arrogance), one would find America's image is at its lowest level not only in the Muslim-majority countries, but also in other countries, except for USA itself and Israel. America badly needs to improve its image in order to sustain as the global superpower as well as the vanguard nation in the fight against terrorism.

It's worthwhile mentioning something about America's staunchest ally, the United Kingdom. The British foreign secretary, David Miliband, recently in Mumbai, argued that the use of the "war on terror" as a western rallying cry since the September 11 attacks has been a mistake that may have caused "more harm than good". Miliband delivers this comprehensive critique, saying the war on terror was misconceived and that the west cannot "kill its way" out of the threats it faces. British officials have quietly stopped using the phrase "war on terror" in 2006, but this was the first time it has been comprehensively discarded in the most outspoken remarks on US counter-terrorism strategy to date by a British minister. "Historians will judge whether it has done more harm than good," Miliband said, adding that, in his opinion, the whole strategy has been dangerously counterproductive, helping otherwise disparate groups find common cause against the west.

In its post-9/11 craze to defuse terrorism and terrorist groups across the world, America failed to realize

how aggressive it had become, especially while dealing with the Muslim population in the world. The Muslim population, possibly every country, cried their heart out not to equate terrorism with Muslims. There have been millions of statements urging to realize who the real terrorists are. Muslims have been pointing out that Al-Qa'eda network, which believes in destruction, is not Islamic. Something that believes so much in death and destruction cannot be followers of Muslim ideals and values. US administration as well as its secret organizations such as CIA, FBI, Homeland Security etc., have never paid any heed to the call of Muslim population. The Muslims across the world had become subject to various kinds of hostilities from the US-led activities.

No one should deny that America needs a facelift in its image among the global population. No one should deny that they need to re-evaluate their policy on "war on terror" which has turned out to be a "war on Muslims". No one should deny that Muslims have faced hostilities from the US-driven activities and policies.

Now it is time for America to get its image back. President Obama is trying exactly that. The whole world admits that USA is the most powerful nation on earth and also wants to see this nation survive as a powerful state. But if America fails in its behaviour to prove it is becoming more arrogant with its power, it would commit the fatal mistake of turning the wheel of power to some other state. And Barack Obama realises that. He is trying to project a human face of America because humanity matters more than military might. The post-9/11 administration has done a huge harm to that country without even realising it.

The new US president realises that Muslim world both in America and across the world matters. He realises that the gap that has been created between America and the Muslim population would have to be bridged. And so far he has shown that attitude perfectly. His critics should encourage his objective to bridge this gap earnestly. They [critics] shouldn't feel complacent, thinking that US previous policy of using force would work in the future.

The author is a freelancer.

Pranab Mukherjee's visit to Dhaka

BARRISTER HARUN UR RASHID

ALTHOUGH India's Minister for External Affairs, Pranab Mukherjee's visit on 9th February, has been called a "goodwill" one, the visit is seen as important for two reasons: it will be the first visit of an Indian senior Minister after Awami league-led government's assumption of office, and secondly he is currently discharging additional responsibilities in the absence of the Indian Prime Minister Dr. Singh.

Why the visit?

The visit may be a "sounding board" to get some response from Bangladesh on security and transit issues, while for Bangladesh, the subjects such as, maritime boundary, implementation of land border agreement of 1974, huge trade deficit and management and sharing of waters of common rivers appear to be the top priorities because they relate "bread and butter" issues for Bangladesh people. Let me discuss the Bangladesh issues in brief.

Maritime Boundary

Bangladesh-India maritime boundary has been pending since 1974. The discussion on the maritime boundary should commence at a political level and it is suggested that the Foreign Ministers of the two countries may meet and take the thread from the discussions of former Foreign Ministers in 1975.

At the political level, the government leaders should look at the problem from a broader view of bilateral relations and are not confined to legal and technical niceties.

The bottom line is that India's political leaders must decide as to whether Bangladesh would get a fair and equitable share of the economic zone and continental shelf of the Bay of Bengal. If bilateral negotiations fail to resolve the issue, it is appropriate to refer the issue to an International Tribunal for arbitration as India and Pakistan referred the Rann of Kutch boundary issue to an International Arbitration Tribunal in 1966.

Implementation of the Land Border Agreement of 1974

The Sheikh-Mujib Land Boundary Agreement of 1974 has not yet been implemented because India has not ratified it. Under the Agreement, the Indian enclaves in Bangladesh and the Bangladesh enclaves in India "should be exchanged expeditiously".

There are 111 Indian enclaves in Bangladesh with 17,158 acres with a population of 200,000 people, whose sufferings know no bounds. It was reported sometime ago that one inhabitant said that "We want to be Bangladeshis as early as possible. We cannot express in words about the sufferings we tolerate from the India Border Security Force". This is a humanitarian problem and it needs to be resolved quickly.

Furthermore, the uncertain borders, in particular, the river boundaries, have often resulted in clashes between the two security forces and the un-demarcated 6.5 miles border in the east needs to be resolved as soon as possible.

Trade deficit

India's informal and formal exports to Bangladesh stand at around \$5 billion dollars while Bangladesh's exports are about \$358 million during the financial year of 2007-08. It is quite true that India's economy is large and there could be a reasonable size of trade deficit with India.

The deficit is so large that it may be perceived by majority of people in Bangladesh,

rightly or wrongly, as "economic exploitation" of Bangladesh by India.

Free Trade Agreement with India is not the answer because the devil is in the details of the agreement. The question is to what extent and how severely India's import restrictions constrain the exports to India?

If the threat is from illegal imports from India to Bangladesh, a Free Trade Agreement will intensify the scope and extent of the competition. Furthermore would the gain in increased exports to India be large enough to compensate the losses in domestic production from increased import competition from India? Empirical evidence suggests that the 2000 Sri Lanka-India Free Trade Agreement has not worked in favour of Sri Lanka.

SAFTA (South Asia Free Trade Agreement) is not being executed properly and according to Shafiq Munir, President of the Journalists for Democracy and Human Rights, said on 2nd February in Dhaka that the free trade concept would not be materialised unless a free movement of people was allowed.

In the past, the representatives of the Federation of Chambers of Commerce and Industry of Bangladesh met their counterpart from India in Dhaka. The non-tariff barriers were high on the agenda. For the first time, the two apex bodies discussed formally, among others, the removal of non-tariff barriers relating to trade and investment.

The recommendations of the meeting include setting up new land customs setting up of testing laboratories close to the border areas, simplification of licensing system, documentation and procedural requirements and efficiency development of the banks of northeastern states of India (NEI).

The bottom line is what we need is not free trade but fair trade. Fair trade will be a "win-win" situation for both countries.

Management and water sharing of common rivers

The direct effects of trans-boundary control of rivers in India (54 are rivers with India) are drying up the rivers downstream in Bangladesh and causing drought, particularly in the western and northern region in Bangladesh.

Sharing of trans-boundary rivers in Teesta, Dharla, Dudkumar, Monu, Khowai, Gomti and Muhuri rivers is still pending. The proposed Tipaimukh Multipurpose Hydroelectric Project in the east in India, conceived to generate 1500 MW by building a dam on the Barak River, will adversely affect the flows of Meghna, the life-line in Bangladesh, besides the dam would have adverse environmental impact on Bangladesh that share the same river basin.

The IRC has not functioned on the management of common rivers among the co-riparian countries because of the absence of political will of India because India wants deal with each country bilaterally.

Conclusion

The Hasina government wants mutually beneficial relations with India but India has to come up with sincerity and fairness to resolve the long-standing aforesaid bilateral issues. There is a view that dealing with a single bilateral issue separately with India does not make sense because all pending issues are inter-linked and affect directly people in Bangladesh. Bangladesh needs to negotiate on a package of issues with India for settlement.

The author is former Bangladesh Ambassador to the UN, Geneva.



istration's favourite coinage "war on terror." He has also been criticized for this. But the US editorialists themselves said this position is meant for healing American reputation abroad as well as when he ordered the Guantanamo Bay prison to close. Obama's order to close the detention facility within a year, end coercive interrogations and shut secret overseas CIA prisons sent a strong signal to the world and pre-

fascism" terminology, when he said: "The language we use matters. And what we need to understand is, is that there are extremist organizations - whether Muslim or any other faith in the past - that will use faith as a justification for violence. We cannot paint with a broad brush a faith as a consequence of the violence that is done in that faith's name." There was no call for the Muslim world to actively fight terrorism -- honesty is