

# Terropiracy: Topic for BIMSTEC



SWADESH M RANA

**S**OUTH and South East Asia face a probability of profit motivated pirates committing acts of terror and politically driven terrorists resorting to piracy. Unlike terrorism that emanates from South/South West Asia and piracy that originates from South East Asia, terropiracy is a probability linking South and South East Asia as a contiguous unit of operation. With the Durand Line as the epicenter of global terrorism, the Taliban on both sides of it see no barrier separating the South from South West Asia. For the pirates in and around the Straits of Malacca, the peninsular confluence between South and South East Asia is but a choke point to disrupt the supply chain of global trade. Over 90% of global trade is conducted by sea with Singapore as the world's busiest port and its largest container trans-shipment hub for a network of 250 shipping lines connecting it to 600 ports in 123 countries.

The Taliban, which has been under attack for nine years by over 110,000 US

led troops, and the pirates, who are being pushed out of business from the Straits of Malacca with joint naval operations by at least twenty countries, stand to gain by swapping their tools of combat and tricks of trade. The Taliban have light weapons to spare that pirates find handy to carry in their operations. The pirates are skilled in hijacking ships with cargo that may include materials for Improvised Explosive Devices (IED's). The Taliban find these IEDs easier to assemble, harder to detect and causes more panic when exploded than a combat with conventional light weapons.

The Afghan-Pak theatre is a virtual warehouse for bargain deals on light weapons with some going for a penny to a dollar. Tens of thousands of assault rifles, AK 47's, hand grenades and other handheld weapons were amassed during the Soviet military occupation of Afghanistan from 1979 to 1989. And since the 2001 US led military action many more weapons were added to this open armoury: stolen weapons; weapons mistaken for exploded; weapons resold

by small business contractors in the surplus industry; and weapons simply unaccounted for. A 2009 report of the US General Accounting Office estimated that over one third of the 242,000 light weapons donated by the US government to the Afghan forces were unaccounted for and might have ended up with the Taliban. The Pentagon expects its military forces to demolish, down grade as scrap, or sell the surplus to contractors who commit to destroy them. But among the nearly 400 contractors for the US weapons surplus in Afghanistan and Pakistan, some admit that they commonly find useful or new items among those discarded as scrap. Of the 30 rifle magazines removed recently from the dead insurgents more than half contained cartridges, or rounds identical to those used by some of the troops in the International Security Forces (ISAF)

The Afghan-Pak theatre is also a flea market for scrap metal: one of the handy materials for crude assembly of IED's along with ammonium nitrate and radioactive waste. With a 400 % increase in their use to become the number one

cause of death for the ISAF troops in 2010, IED's were the focus of the Joint Multinational Training Command in Germany in May 2010. Dirty bombs made with radioactive and other toxic chemical and biological substances are now seen as a deadlier IED in the making than the roadside bombs used by the Taliban with landmines, ammonium nitrate and metallic connectors from artillery shells. Earlier this year, the ISAF located a vehicle carrying more than 900 kilograms of ammonium nitrate in the Taliban stronghold of Kandahar: enough to make 2000 kg's of explosive material. More than 12,000 rounds of ammunition are fired in a day in Afghanistan by the British troops alone according to the Telegraph of London. Some, if not many, of it would still have shelf after-life for future use.

About twenty million consignments of radioactive materials in all container sizes are routinely transported worldwide each year under stringent international regulations by the International Atomic Energy Agency (IAEA) and the Dangerous Goods Code developed by the International Maritime Organization's (IMO) that is independent of the material's intended application and the end use. Consequently, there are no reported accidents in which a container with highly radioactive material was breached or leaked. That record does not preclude a probability of theft from loosely guarded or rummaging through negligently discarded radioactive medical waste. Liquid chloride, a common substance in medical use, for example, could be used for producing life-threatening clouds of gas with deadlier fall out than the shrapnel blast and fire effect of other IED's. Bosnian Serb officials acknowledge the theft of medical waste from the basement of a hospital in Banja Luka. Italian authorities are investigating whether Ndrangheta, a Somali clan, was paid to get rid of 600 drums of toxic and radioactive waste from Italy, Switzerland, France, Germany, and the US. Hospital waste was among these reported shipments to Somalia that were meant to be blown up or sent down the Calabrian Sea but might not have been totally destroyed. The possibility of it being traded by the Somali pirates for IED use through contraband traders in the Indian peninsula seemed all too real in March this year as the Directorate General of Shipping in Mumbai banned small mechanized vessels called dhows from sailing south and west of Oman and

the Maldives. Part of a centuries-old tradition of open trading between India's port state of Gujarat and the African east coast off the Arabian Peninsula, some dhows are now suspected of clandestine trading in drugs and weapons with the pirates in Kismayu in Somalia.

Chittagong port in Bangladesh, Anambas/Natuna/Mangkai islands area in Indonesia, the Malacca Straits, Tioman/Pulau Aur/South China Sea areas confluence around Malaysia; the Singapore Straits are included as high-risk locations in the 2010 piracy alert of the International Maritime Bureau (IMB). Indonesian authorities see the entire South and South East Asian region as vulnerable to piracy attacks by politically motivated Free Aceh Movement (Gerakan Aceh Merdeka: GAM) seeking independence for a gas and oil-rich region in Sumatra. Some Asian intelligence agencies reported links between GAM and Al Qaeda as the latter considered shifting its base from Afghanistan to Aceh and launch a naval offensive against its target vessels by ramming, blowing-up, air striking or torpedoing them with underwater suicide bombers aboard small, swift dinghies. Without any reported links to Al Qaeda, such dinghies were used in successful recent attacks on tankers and smaller vessels, according to the Shipping Association of Singapore.

As soft targets of terropiracy, the concerned governments in South and South East Asia need credible assurances that the arms and ammunition brought into the Afghan-Pak theatre by the ISAF do not fall into the "wrong hands" either as tools of combat or as items to swap materials for making IEDs. A key challenge is to find a forum to raise the issue. A joint SAARC-ASEAN initiative would confront two familiar hurdles:

a. Ongoing rivalry in maritime multilateralism by three categories of littoral countries: providers of port facilities like Bangladesh, India, Indonesia, Malaysia and Singapore; extra-regional users heavily dependent on the Straits of Malacca like China and Japan; and maritime powers in the Asia-Pacific sea lanes like Australia, New Zealand, Russia, United Kingdom and United States.

b. Longstanding geopolitical debate over separating South and South East Asia from the wider arc of the Indian Ocean with 41 littoral, 11 landlocked and 12 island states. The arc accounts for 42% of the world's 350 unresolved, simmering or

ongoing conflicts in various forms.

Recent conferences among the erstwhile and ongoing adversaries in the Indian Ocean arc caution that new initiatives would be more successful if limited first to the Bay of Bengal and/or the Arabian Sea. This makes room for placing terropiracy as a topic for BIMSTEC with India, Bangladesh, Myanmar, Nepal, Bhutan, Sri Lanka and Thailand as its members. The competing claims of Bangladesh, India and Myanmar over their coastlines were virtually "shelved" as BIMSTEC agreed in 2009 to work simultaneously on a regional convention for counter-terror cooperation and a pact on collaboration against international organized crime that includes piracy according to the UN Office on Drugs and Crime in Vienna. This is an opportune opening to put terropiracy as a cross cutting topic on BIMSTEC's agenda on terrorism and piracy with three specific issues for action:

i. A common position on licensing the production and permitting the sale of ammonium nitrate to keep this substance from falling into the hands of terrorists and pirates for making IED's. South and South East Asia produce close to 40% of the global supply of ammonium nitrate with direct application for fertilizers in agriculture and other uses such as refrigeration, pulp making, textile treatment, woodwork and household cleaners.

ii. A closer look at the IAEA's regulations and IMO's Dangerous Goods Code on radioactive materials to close any loopholes for applicability to the storage and disposal of medical waste by the hospitals using radioactive materials for diagnostic and therapeutic purposes. The European Union has expressed initial interest in securing radioactive materials against access by terrorists and criminals.

iii. A joint proposal for the forthcoming UN Conference on an Arms Trade Treaty in 2012 for a global standard on inventory taking of the weapons brought into and taken out of an area of insurgency by an external power directly engaged in the counter-insurgency operations. Such a proposal could close a lacuna in the UN's Program of Action on Illicit Arms Traffic and UN experience in disarmament demobilization and reintegration of former combatants into civil society.

The author is a Senior Fellow at the World Policy Institute, New York and former Chief of Conventional Arms Branch, Department of Disarmament Affairs, UN.

## Combating terrorism together: South Asia towards new pragmatism

South Asia's security is challenged by socio-economic and politico-religious ideologies. Regionally, the menace of radicalization and terrorism has caused strains in bilateral relationships in South Asia. These created war-like situations and often puts break on regional cooperation.

IFTEKHARUL BASHAR

**S**AARC Ministers for Interior/Home have called for a comprehensive regional strategy to fight against terrorism. The third meeting of the SAARC Ministers for Interior/Home held in Islamabad adopted the SAARC Islamabad Statement on Cooperation against Terrorism, which reaffirms the commitment to further strengthen cooperation to fight and eradicate terrorism in all forms and manifestations.

Adopting the Islamabad Statement is indeed a positive move, which has created a new momentum for South Asian states to contribute towards developing a peaceful, secure and prosperous region.

In a statement issued at the end of the meeting, the SAARC home ministers pledged to step up cooperation in real time intelligence sharing and to consider Pakistan's proposal for the creation of a regional institution on the lines of INTERPOL.

It is worth mentioning that INTERPOL sub-regional bodies in East, West and Southern Africa, for example, have proved effective in strengthening practical cooperation among police chiefs and in building support for the expansion of the organization's continued communication network beyond capitals.

Pakistan, the host country of the meeting, has reportedly submitted a proposal also for setting up an institute of criminology in the country to keep the security personnel of the member countries abreast of the latest techniques of crime prevention and detection.

This meeting of SAARC home ministers comes at a time when global and regional security landscape is going through a rapid change marked by non-traditional security threats. Terrorism in South Asia has already reached the post-Westphalian age where no borders really matter to the terrorists.

The shape of counter terrorism is also taking a new shape globally. There is a growing awareness in the global policy circles that the war on terrorism must be fought in two fronts, the global and the regional.

The traditional complete-reliance on hard power is no longer a smart match in today's complex threat pattern. There are two battlefields now in front of us: one is the operational and the other one is strategic; in the words of Rohan Gunaratna, it is the "battlefield of mind." South Asia has reached a critical security juncture and needs to consider an effective multi-pronged approach to combat terrorism in the long run.

Despite declarations regarding the need for greater collaboration among states on issues related to border security, mutual legal assistance, and law enforcement, this cooperation has been slow to materialize in South Asia. Before moving forward South Asia must look back and critically analyze why such declarations often ended up with no substantive outcome.

Any inquisitive study will reveal that South Asia has a myopic perception of terrorism; most of the regional

states look at terrorism through their very own "national" prism and consider transnational ideological threats almost as non-issue.

It must be acknowledged that radical ideologies play a central role in terrorism. Many of the terror threat that South Asia is facing today emanate from a global movement underpinned by a violent politico-religious ideology. The global radical ideology has regional characteristics and dimensions, and South Asia is no exception.

In my view, radical ideologies set the political goals, (try to) justify the means to attain them, define the 'enemy' to fight with, and mobilize support to survive and sustain. All these inputs cumulatively influence the acts of terror.

Any in-depth analysis will reveal that the ideological, motivational and propaganda ability of South Asian threat groups are increasing. As we focus exclusively on the surface of terrorism, the roots remain undisturbed and are spreading at a dangerous pace. It has been found that most of the terrorists were enshrined into radical ideology at some point of time.

South Asia's security is challenged by socio-economic and politico-religious ideologies. Regionally, the menace of radicalization and terrorism has caused strains in bilateral relationships in South Asia. These created war-like situations and often puts break on regional cooperation. Globally radicalization and terrorism in some South Asian countries have stigmatized them, negatively reflecting on their international image and clout, as well as aid and investment opportunities.

True that, some of the terror groups in South Asia are clearly homegrown and indigenous but the contiguous geography, historical grievances, extraterritorial allegiance of some non-state actors, global rise of extremist ideology, technological innovations, transnational crime, malignant border and mismanagement of inter-state relations make it evident that the line between indigenous and transnational terrorism is thin. This makes a case where terrorism in South Asia needs to be studied both at indigenous and transnational dimensions. Therefore, counterterrorism strategy of all the regional states in South Asia needs to be refocused on the unfolding developments in the region.

The latest trends in South Asia, specially the 2008 attacks in Mumbai, make it evident that the terror groups have attained capability to carry out complex, large scale and technologically sophisticated terror attacks. This means South Asian states will have to fight a threat in a complex strategic matrix.

The relatively recent attacks clearly indicate that some South Asian terrorist groups have cross border linkages and mobility and they have developed an independent capacity to plan and prosecute transnational operations. Hostage taking in large numbers and dramatic engagement with the security forces is a comparatively new trend. The regional ideological

and organizational links of extremists require countering through adoption of a regional perspective. This has been absent so far.

Although the SAARC secretariat is currently under-resourced, its existing offices and desks could be more effectively utilized if there were increased political will among SAARC members.

South Asia needs to create a new academic and policy space to converse and to develop such regional perspective through joint, collaborative and multilateral research, interaction, and networking. A common regional perspective will make it possible to innovate and devise a solution.

Inseparable by geography, South Asian states need to move forward with a better understanding of each other's concerns. It has been noted with concern that even though South Asian countries share a common cultural heritage, inter-state relations in the region is characterized by mutual suspicion, mistrust and threat perception. In addition to the activities carried out by various terrorist organizations, there are also allegations of 'state-sponsored terrorism.'

Being an economically underdeveloped region, there were enough economic and social compulsions in South Asia to create a stimulus for collective action. However, it was the deep-seated political conflicts between India and Pakistan, which delayed regional cooperation in South Asia for a considerable period of time.

But SAARC has always been a good platform to shorten the gulf of perceptual difference and distance that India and Pakistan has. The fact that regional resources must be combined to address terrorism had been acknowledged long ago when SAARC Convention on Terrorism was adopted in 1987.

With regard to the adoption of legal instruments, SAARC was ahead of many regional bodies. SAARC's 1987 Regional Convention on Suppression of Terrorism includes "terrorist acts" and calls for greater regional cooperation on legal issues including evidence sharing, extradition, and information and expertise exchange. This was updated in the 2002 Additional Protocol, which incorporates into the original convention on the obligations of the states under UN Security Council Resolution 1373, adopted in the aftermath of 9/11.

The 16th SAARC Summit recognized the value of the proposed UN Comprehensive Convention on International Terrorism and called for its early conclusion. Speaking to the press in Islamabad, Indian Home Minister P. Chidambaram has urged all member states to work together to implement this directive of SAARC head of states.

Partly as a result of Indo-Pak tensions, few of the counter terrorism instruments and commitments adopted by SAARC in its nearly 25 years of history have translated into action by members. Most significantly, the 1987 SAARC Suppression of Terrorism Convention and the 2002 Additional Protocol generally have not been implemented in the region. The SAARC instruments and the UN strategy which all countries in the region endorsed can become an effective mechanism to combat terrorism provided there is a strong political will among the SAARC members to implement them. Unless we start a new, stimulating, and frequent political conversation we might not be able to develop the required political will.

The author is a Research Associate at Bangladesh Institute of Law and International Affairs. E-mail: ibashar.freds@gmail.com

## Has Indo-Pakistan ministerial meeting made headway?

ZAGLUL AHMED CHOWDHURY

**T**HE just-concluded ministerial meeting between the two perennially hostile south Asian neighbours India and Pakistan was the focus of many eyes for a variety of reasons. The meeting in Islamabad, was the first of its kind since the Mumbai attack in November, 2008 that sent their topsy-turvy bilateral ties to the lowest level in many years. When India's Home Minister met his Pakistani counterpart they faced an uphill task to take the spirit of the New Delhi-Islamabad ties to a scale often described by both sides as "normal". Indo-Pakistan ties are generally characterized by enmity and belligerence, but this relationship also produces bilateral cooperation in many areas notwithstanding their differences owing to several disputes.

The incident came as a big setback in the process of normalisation of ties between the two neighbours as it practically disrupted all links. However, slowly and gradually the situation improved to a point that made the Indian home minister's trip to Pakistan possible. Fortunately, the ministerial meeting was preceded by a meeting of the foreign secretaries of the two countries, also in the Pakistan capital, and parleys among the top diplomats helped make the atmosphere of the talks of the ministers conducive to discussing complex issues.

Incidentally, the timing of the Indo-Pakistan talks coincided with a meeting of the interior ministers of the SAARC nations and this also cast a favourable impact on the arduous discussions of Mr. Chidambaram and Mr. Malik as they took up sensitive and thorny issues. At the end of the discussions, both ministers termed the outcome of the talks, "positive" even though the two sides reiterated their positions on some vexing issues related to the "Mumbai" episode. True, the first ever visit of an Indian minister to Pakistan since 26/11 went off fairly well, given the complexity of the matters involved. It will certainly help thaw the somewhat tense relationship, but the question remains, has it really made a headway in improving bilateral ties?

After months of accusations and counter-accusations after the Mumbai attacks, Pakistan agreed to punish the mastermind behind it. It has taken several suspects into custody. Hafeez Mohammad Saeed, a leader of "Laskar-e-Taiba" has been singled out by New Delhi as the main planner who demanded his punishment by Pakistan. Islamabad put him under house arrest but the Lahore high court ruled his detention illegal, which was subsequently upheld by the Pakistan Supreme Court.

This has dampened efforts towards normalizing of ties. Pakistan says it wants to take Hafeez into custody but has no control over the judiciary. Besides, Pakistan feels that New Delhi has not provided sufficient evidence of the involvement of Hafeez and others in the attack a contention India firmly denies, saying all the evidence have been submitted to Islamabad. These differences undoubtedly clouded the environment of the Chidambaram-Malik talks and as such much progress could hardly be expected from the discussions. The Indian minister has urged Pakistan to take more adequate measures against the mastermind of the attack since the steps taken so far is considered by New Delhi to be too little. Several accused are on trial in Pakistan for planning the attacks while the attacker, Ajmal Kashab, who survived and faced a long trial in Mumbai, was given death sentence.

As expected, all these issues came up for discussion between the two home ministers and it is also understood that the two sides stuck to their grounds on several other bilateral issues as well the old and intractable "Kashmir" problem not excluded.

The Indian Prime minister Dr. Manmohan Singh has said that his country wants to improve ties with its neighbour and stresses that New Delhi's overtures must be adequately matched by Islamabad by taking appropriate actions in different fields mainly against perpetrators of terrorism in India including that in Mumbai. His Pakistani counterpart, Yousuf Raja Gilani, reciprocated saying Islamabad would spare no efforts in that direction, but it has its own points of view that need to be understood by New Delhi.

Against this background, nothing substantial was expected from the Islamabad meeting. But there is no denying that this has definitely improved the existing climate in bilateral relationship that was badly shattered following the 26/11 incident. India obviously is bitter against Pakistan following the Mumbai attack and Pakistan needs to help heal this wound, although it denies any complicity by its government agencies in the attack.

Chidambaram-Malik meeting may not have produced anything tangible, but this will certainly contribute to developing confidence building, an imperative at this particular time.

The two countries have other problems to discuss including differences on the mechanism of sharing the waters of the Indus. When Indian external affairs minister S.M. Krishna visits Pakistan at the invitation of his Pakistani counterpart Mehmoood Shah Qureshi for an important trip in mid July, the entire gamut of bilateral issues is expected to come up for review with a view to removing the impediments standing in the way of better ties.

It may be also asking too much to expect anything remarkable to emerge from that meeting because of the complex nature of their bilateral disputes. Nevertheless, discussions are indications of "progress" and these help minimise misunderstanding regardless of the lack of resolution of the contentious matters. When viewed from that perspective, the Indo-Pakistan home ministers' meeting may be viewed as useful for both the countries towards confidence building measures.

The author is a senior journalist and columnist on international affairs.