

**Co-Chairs' Summary Report of
the Tenth ASEAN Regional Forum Inter-Sessional Meeting on
Counter-Terrorism and Transnational Crime
Quang Nam, Viet Nam, 16-17 March 2012**

Introduction

1. Pursuant to the decision of the 18th Ministerial Meeting of the ASEAN Regional Forum (ARF) held in Bali on 23 July 2011, the Tenth ARF Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime (ISM on CTTC) was held in Quang Nam, Viet Nam, on 16-17 March 2012. Mr. Vu Ho, Deputy Director-General, Ministry of Foreign Affairs of Viet Nam and Mr. David Hamilton, Deputy Director of International Crime and Counter-Terrorism, Department of Foreign Affairs and International Trade Canada, co-chaired the Meeting.
2. Representatives from all ARF participants, except Bangladesh, the Democratic People's Republic of Korea, Pakistan, Sri Lanka, and Timor Leste attended the meeting. Representatives of the ASEAN Secretariat were also present.

Agenda Item 1: Welcome and Opening Remarks

3. Lt. Gen. Dr. Tran Viet Tan, Deputy Minister of Public Security of Viet Nam delivered his welcome remarks. He highlighted that Viet Nam is honoured to host the ARF ISM on CTTC for the second time after the 7th ARF ISM on CTTC in Hanoi on 7-9 May 2007. He further stated that the Meeting is taking place during a complicated regional and international situation, as the turbulence happening in North Africa and the Middle East has negative effects on regional and national security. He highlighted that the threats of terrorism, trafficking in persons and illicit drug trafficking pose severe threats to national development. He encouraged cooperation with various partners in addressing these issues. He recognised the ongoing activities and projects undertaken in the areas of counter-terrorism and non-traditional security issues within the ASEAN and ARF framework. He called for implementation of the Treaty of Amity Cooperation and the negotiation of the Code of Conduct of the South China Sea. On the implementation for the ARF Work Plan on CTTC, he viewed that ARF should be able to identify challenges in its cooperation and develop strategies to meet these challenges.
4. Mr. David Hamilton, the Canadian Co-Chair, in his welcoming remarks expressed appreciation to the Viet Nam Co-Chair for the excellent arrangements for the Meeting. He emphasised that Canada placed a great importance of the relations with ASEAN and mentioned that the 35th anniversary of ASEAN-Canada relations has just been celebrated. He also reiterated that Canada considered the ARF a valuable forum for peace and security. He underscored that terrorist organisations trespass international boundaries, hence the need for sharing of information among countries. He called on ARF participants to adhere to international standards and human rights while combatting international crime and terrorism. Recognising the importance of implementation of Hanoi Plan of Action to Implement the ARF Vision Statement, he encouraged the Meeting to continue making progress on the implementation of the Work Plan. The welcome remarks appear as **ANNEX A.**

Agenda Item 2: Adoption of Agenda

5. The Meeting considered and adopted the Agenda which appears as **ANNEX B**.

Agenda Item 3: ASEAN Regional Forum Priorities for 2012

6. Cambodia, as ASEAN Chair for 2012, presented an overview of ASEAN efforts in counter-terrorism and transnational crime. Cambodia highlighted the entry into force of the ASEAN Convention on Counter-Terrorism which enhances the role of ASEAN in the global strategy of counter-terrorism. To ensure comprehensive implementation of the Convention, Cambodia suggested that it should be synergised with other existing mechanisms such as the ARF and the ADMM-Plus. Cambodia informed the Meeting of the ASEAN Leaders Declaration on ASEAN Drug-Free which will be endorsed by the 20th ASEAN Summit in April 2012. Cambodia also mentioned the proposal to expand the ASEAN Maritime Forum (AMF). Cambodia emphasised the importance of the implementation of ARF Work Plan on CTTC and the Hanoi Plan of Action to Implement the ARF Vision Statement.

7. The Meeting noted that the 3rd AMF will be held in the Philippines, tentatively in the first week of October 2012. The 3rd AMF will be an expanded AMF to include the ASEAN Dialogue Partners and representatives of other stakeholders in the region.

Agenda Item 4: Country Statements on the Regional Situation Pertaining to Terrorism and Transnational Crimes in the Maritime Domain

8. The thematic country presentations on maritime security were prefaced by an introduction reminding participants that crime and terrorism in the maritime domain is a serious security threat for the vast majority of ARF participants and that the session is intended to identify threats and responses. The Meeting acknowledged the importance of ARF as a forum to promote cooperation and strengthen collective efforts in addressing threats to counter-terrorism and transnational crimes. A summary of the discussion will be consulted with participants and submitted to the ISM on Maritime Security.

9. The Meeting acknowledged successful efforts undertaken at the national, regional, international and diplomatic levels to combat piracy in the region. The Meeting was of the view that lessons learned from these efforts should be shared with other regions, where countries are now struggling with piracy in the Indian Ocean, the Gulf of Aden and the Gulf of Guinea.

10. The Meeting reiterated that most ARF countries, except two landlocked countries, Lao PDR and Mongolia, rely heavily on maritime trade and other sea-based economic activities such as oil and gas extraction. Thus any disruption on the security of their maritime domain will be a huge threat to the economy and security of the region.

11. Several of the major security threats were identified, namely illegal smuggling of contraband goods including arms smuggling, illegal drug trafficking, illegal immigration including human trafficking and CBRN in the maritime domain. In particular, piracy and armed robbery against ships have been identified as becoming a source of funding for terrorist activities. Other illegal activities that were mentioned include oil spills and illegal dumping of toxic and chemical waste and illegal unreported and unregulated (IUU) fishing.

12. On a related note, the Meeting highlighted maritime terrorism, i.e. the use of sea and river waterways to knowingly support terrorism in any manner, including the use of ships to transport illegal arms and ammunitions, the use of small boats in suicide terrorisms using the vulnerability of oil refineries at sea, and the threat of explosives carried by ships.

13. The Meeting identified challenges in addressing counter-terrorism and transnational crimes in the maritime domain. Limited access for information sharing, lengthy process of ratification of conventions and agreements, complexities in reconciling the national capacity with the international commitments were among the challenges highlighted by the ARF participants.

14. The Meeting exchanged experiences tackling transnational crimes at sea. The Meeting noted measures undertaken at the domestic and international levels in this respect. The domestic responses which have been undertaken by the ARF participants include establishment of inter-agency coordination, development of maritime security operation centres and the passing of new laws against counter-terrorism and transnational crime. On inter-agency coordination, the Meeting viewed that enhanced inter-agency coordination entails domestic sharing of information. A strong information sharing culture at the national level will contribute to the custom of information sharing at the regional and international level. Some participants highlighted counter-terrorism strategies which focus on winning the hearts and minds of the people. The Meeting viewed that improving economic condition and education of the people as among the measures in line with this strategy.

15. At the international level, the ARF participants have been actively participating in international fora. In addition, measures such as establishment of international standards, expanded access to existing multilateral information sharing centres, enhancement of intelligence and physical security infrastructure, accession to international agreements and conventions, and joint patrols have been undertaken.

16. The Meeting also called for effective enforcement and compliance with the international conventions and legal agreements to further enhance cooperation in countering terrorism in maritime domain. The Meeting also encouraged active participation in both regional and international fora in order to achieve common understanding.

17. The Meeting recognised the existing regional security fora addressing maritime security issues including the ARF, the ASEAN Defence Ministers' Meeting Plus (ADMM-Plus) and the ASEAN Maritime Forum (AMF). The Meeting viewed that these fora should complement each other and should avoid duplication of efforts. The Meeting also pointed out non-traditional security issues have been addressed by

the ARF ISM on Maritime Security (ISM on MS) which could result in some overlap with the work of the ISM on CTTC. Therefore, the Meeting called for close coordination between these ISMs to prevent redundancy in their deliberations.

18. The Meeting recommended that the ARF should enhance cooperation in information and intelligence sharing, in line with the measure stipulated in the Hanoi Plan of Action to Implement the ARF Vision Statement. The Meeting also noted the suggestion to review the implementation of international commitments on the prevention and suppression of terrorism and transnational crime. Regarding the practical cooperation, the Meeting called for training and transfer of technologies to enhance capacity of the law enforcement agencies.

19. The Meeting noted the presentations by Australia, Brunei Darussalam, Canada, China, European Union, India, Indonesia, Japan, Laos, Malaysia, New Zealand, Russia, Singapore, Thailand, the United States and Viet Nam under this agenda item. The presentation papers from Brunei Darussalam, Canada, China and New Zealand appear as **ANNEXES C to F.**

Agenda Item 5: Expert Presentation on the Regional Situation Pertaining to Terrorism and Transnational Crimes in the Maritime Domain

20. Mr. Nguyen Thai Giang, representative of the Diplomatic Academy of Viet Nam presented on the situation in the East Sea of Viet Nam. He pointed out that the threats of illegal drug trafficking at the maritime boundary areas, illegal immigration into Viet Nam and onward transit to third countries as well as the illegal transport of Vietnamese to foreign countries, piracy incidents in the areas between Viet Nam, Cambodia and Thailand, and goods smuggling have been the main challenge facing Viet Nam in the area of counter-terrorism in the maritime domain. There are numerous international agreements to address these challenges. Nevertheless, Viet Nam also encounters difficulties in preventing marine crimes, including slow process of sharing of information, sensitivity of the issues particularly during investigations and joint patrols, disputed areas and overlapping claims in the East Sea which have hampered law enforcement efforts and the capacity of personnel of the law enforcement agencies. In order to address these challenges, Viet Nam has developed the 'groups of ships' and community and resident bloc participated by the people. Viet Nam has been increasing cooperation among anti-marine criminal force, conducts joint patrols with China, Thailand and Cambodia, implements existing agreements such as UNCLOS, Declaration of Conduct of Parties in the South China Sea (DoC) and Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia (ReCAAP). In conclusion, he put forward the following recommendations for future cooperation including: 1) promote awareness for maritime security in the region; 2) continue information sharing; 3) conduct joint patrol, improve capacity of marine personnel through training and joint exercises, implement existing agreements; 4) develop mutual legal assistance agreements and anti-marine agreements.

21. Ms. Jolene Anne Jerard of the International Centre for Political Violence and Terrorism Research S. Rajaratnam School of International Studies presented on Maritime Threats Amidst Current and Emerging Developments in Southeast Asia. She described the changing landscape of terrorism in Southeast Asia. She

suggested that there have been shifts occurring in Indonesia, Malaysia, Philippines and Thailand. These shifts include focus on religious outreach/Jemaah Islamiyah's (JI) linked school, JI's linked publications and website, and active participation in political realm. She also explained that the targets of attacks have been shifted to the political figures in the government. She argued that there has been high interest of the terrorist groups to expand the battle from the land to the sea. In terms of capabilities, however, the terrorist groups do not yet have capability to conduct maritime attacks. The ability to use the maritime waterways has currently been seen to be limited to a means to transport weapons and members of the group. She also recommended counter-ideology, counter-financing, appropriate legislation, dealing with the media, addressing root causes, cooperation between agencies as way forward in dealing with the current threats.

Agenda Item 6: Review of Implementation of ARF Work Plan on CTTC

Illicit Drugs (Thailand)

22. The Meeting took note of the briefing by Thailand on the national anti-drug measures. Thailand reaffirmed its commitment to fight against drugs. Thailand has conducted anti-drug campaign in collaboration with relevant national agencies. In March 2012, the Prime Minister Yingluck Shinawatra launched the national anti-drug campaign among the young people. Thailand been active in promoting anti-drug through active participation in the ASEAN Senior Officials on Drug Matters (ASOD) and projects conducted with the support of the ASEAN Dialogue Partners. Thailand is preparing for workshop on cross-border management in line with the ongoing efforts towards ASEAN connectivity on 13-14 June 2012. Co-chairs note the need for a non-ASEAN country lead on this priority area.

Chemical, Biological, Radiological and Nuclear (Philippines and US)

23. The Philippines and the United States reported on the ARF Workshop on Diseases Detection and Surveillance which was held in Manila on 13-15 September 2011, co-chaired by the Philippines and the United States. The Meeting noted that the Workshop focused on the human and veterinary health networks and discussed strategies to constrain infectious diseases and establish early-warning system for disease outbreaks, whether from accidental or intentional origins. The Workshop generated the draft Best Practices for Implementation of Diseases Surveillance System. The draft will be circulated prior to the ARF ISG on CBMs and PD in Wellington on 7-9 May 2012.

24. The Philippines and the United States informed the Meeting on the proposal for the 4th Workshop on Biorisk Management in Manila in September 2012 to be co-chaired by the Philippines, Australia and the United States. The Workshop will focus on completing the 4 pillars of biorisk management, namely threat assessment, biological threat reduction/prevention, production and surveillance, response and recovery.

25. The Meeting called for close coordination between the ARF ISM on CTTC and the ARF ISM on Non-Proliferation and Disarmament (ISM on NPD), taking into account the cross-cutting issues discussed by both ISMs.

Cybersecurity and Cyberterrorism (*Australia, Russia and Malaysia*)

26. The Meeting noted the briefing by the United States on the outcomes of the ARF Workshop on Proxy Actors in Cyber Space, held in Quang Nam on 14-15 March 2012, co-chaired by Viet Nam and the United States. The recommendations of the Workshop will be submitted to the ARF ISG on CBMs and PD in Wellington on 7-9 May 2012.

27. Australia briefed the Meeting on the preparation for the ARF Workshop on Cyber Security Incident Response to be held in Singapore in August 2012. Singapore and Australia will co-chair the Workshop.

28. The Meeting welcomed the proposal by the Republic of Korea on the ARF Seminar on Confidence-Building Measures on Cyber Security to be held in Seoul in late 2012. The Republic of Korea is seeking an ASEAN Member State to co-chair the Seminar.

29. The Meeting took note the suggestion by Australia on the development of an ARF Work Plan on Cyber Security.

Counter-radicalization (*Japan and Malaysia*)

30. The Meeting noted that Japan and Malaysia are now preparing for ARF projects on counter-radicalisation. Japan and Malaysia invited ARF participants to provide inputs on concrete activities to be implemented in the near future. Japan mentioned that the issue of counter-radicalisation has been addressed under ASEAN-Japan Counter-Terrorism Dialogue. The Meeting was informed that in May 2011, Japan assisted the South East Asia Regional Centre for Counter-Terrorism (SEARCCT) in hosting a workshop on the topic of youth and terrorism.

Agenda Item 7: Summary of Country Statements on the Regional Situation Pertaining to Terrorism and Transnational Crimes in the Maritime Domain

31. The Co-Chairs presented the summary of the country presentations on regional situation pertaining to terrorism and transnational crime in the maritime domain discussed on the first day of the Meeting. The summary of the discussion appears as **ANNEX G**.

Agenda Item 8: Linkages with other Mechanisms/Forums

ARF ISM on Maritime Security (*United States, Republic of Korea and Indonesia*)

32. The Meeting discussed ways to create complimentary linkages between the ISM on CTTC and the ISM on Maritime Security (ISM on MS) as issues of transnational crime in the region often are cross-cutting and have a maritime security aspect. The Co-Chairs will send their statement of this meeting to the ISM on MS to inform discussions at that Meeting. The Meeting noted that the next ISM on MS will

focus on the civil maritime law enforcement aspects of maritime security and welcomed the coordination between the two ISMs. The tentative date of the ISM on MS is 30 April to 1 May in San Francisco, CA. Time and date are tentative and the ISM on MS Co-Chairs will keep the ARF participants informed as planning develops.

Global Counter-Terrorism Forum (*Australia and Indonesia*)

33. The Meeting welcomed the launching of the Global Counter-Terrorism Forum Southeast Asia Working Group, which was convened in Semarang, Indonesia on 6-7 March 2012, co-lead by Indonesia and Australia. The Meeting welcomed the formation of the GCTF and its various regional and thematic sub-groups and took note of the opportunity to contribute to and benefit from the work of the GCTF, including on violent extremism and criminal justice. The activities of the Working Group will complement the broad array of activities undertaken at the international level including at the United Nations. The Working Group discussed the theme of "The Management and Custody of Terrorist Detainees in Prison". The Working Group has developed a draft of activities on the issues of prison management, counter-radicalisation and terrorist financing.

UN Counter-Terrorism strategy (*Co-chairs*)

34. The Co-Chairs highlighted that the UN Counter-Terrorism Strategy, which was adopted in 2006, is a unique document because all UN Member States have agreed to a common strategic approach to counter-terrorism. The Meeting noted the four pillars of the Strategy, namely (i) measures to address the conditions conducive to the spread of terrorism; (ii) measures to prevent and combat terrorism; (iii) measures to build states' capacity to prevent and combat terrorism and to strengthen the role of the UN system in this regard; and (iv) measures to ensure respect for human rights for all and the rule of law as the fundamental basis for the fight against terrorism. It was also underlined that the Strategy is made as reference to any other new documents on CT. Member States are scheduled to renew their commitment to the Strategy in 2012 and participants are encouraged to share their experiences in combatting terrorism nationally and regionally.

Agenda Item 9: Future Direction of ARF ISM on CTTC

New Priority Areas Discussed during the 9th ARF ISM on CTTC

Trafficking in Persons (*Philippines*)

35. The Meeting noted the presentation by the Philippines on the issue of trafficking in person (TIP). The Philippines highlighted that TIP is a global challenge and constitutes the second largest international criminal activity after drug trafficking 55% of the victims of the trafficking are women and children originating from Southeast Asia. The issue of TIP has been in the agenda of ASEAN since early 1990s. Several ASEAN Sectoral Bodies have been involved in addressing the TIP, namely, Director-General of Immigration Department and Heads of Consular Affairs Divisions of the Ministries of Foreign Affairs (DGICM), ASEAN Committee on Women and Children, and the ASEAN Senior Law Officials' Meeting (ASLOM). Under the ASEAN Senior Officials' Meeting on Counter-Terrorism (SOMTC), two

Working Groups have been convened on the TIP. Aside from the national laws, ASEAN has adopted declarations and treaty to affirm ASEAN's commitment on tackling the TIP. A number of capacity-building projects pertaining to TIP have been implemented. The Asia Regional Trafficking in Persons (ARTIP) project and its activities were also mentioned. The Philippines proposed that the TIP be included as new priority area in the ARF Work Plan on CTTC.

36. The Meeting noted the information from Cambodia that ASEAN is developing the ASEAN Convention on Human Trafficking to be adopted by the Leaders. The SOMTC is now working towards the finalisation of the Agreement. Mindful of the importance of the TIP, the Meeting noted the suggestion to conduct workshops on this issue, involving elements of the grassroots and law enforcement.

Terrorist Financing (*Russia*)

37. The Meeting noted the clarification from Russia that the ARF ISM on CTTC should look into terrorist financing in the future rather than immediately add the issue as priority area of the ARF Work Plan on CTTC. The Meeting recalled the decision of the 9th ARF ISM on CTTC in Kuala Lumpur in 2011 to include new additional priority area only if there are countries volunteered as Lead Countries. Russia suggested that this issue be kept on the surface until ARF participants are ready to lead in this area in the Work Plan. The Meeting took note that this issue will be further discussed in the future ARF ISM on CTTC. It was suggested that terrorist financing could serve as subject for a thematic discussion at the next CTTC meeting.

Review and Further Implementation of Hanoi Plan of Action to Implement ARF Vision Statement (*Co-Chair*)

38. The Co-Chair presented an overview of the implementation of the Hanoi Plan of Action to Implement the ARF Vision Statement. The Meeting took note the achievements made by the ARF in the area of CTTC.

Agenda Item 10: Other Matters

ARF Transnational Threat Information Sharing Centre (ATTIC)

39. The Meeting noted the update by the United States on the proposal to convene the series of workshops on the concept development of the ATTIC, pursuant to the adoption of the ATTIC Concept Paper by the 18th ARF Ministerial Meeting on 23 July 2011. The United States is inviting other ARF participants to co-chair the workshops. Furthermore, the United States also highlighted the plan to develop information sharing agreement under ATTIC framework. This initiative requires discussion on the details of the preparation. The Meeting encouraged all ARF participants to be actively in the process to ensure the progress of this initiative.

Draft ARF Statement by the Ministers of Foreign Affairs on Cooperation in Ensuring Cyber Security (*Russia*)

40. The meeting noted Russia's flexibility in accommodating the interests of the ARF countries. The United States noted the addition of language in Russia's draft

statement regarding state sovereignty over national information space and non-interference, and the meeting agreed that more time was necessary for national responses to the Russian initiative.

41. With regard to the next Co-Chairs of the ARF ISM on CTTC, Meeting noted that the matter will be decided in the due course. Co-chairs will actively seek agreement from an ASEAN and non-ASEAN country to serve as Co-chairs.

42. The Meeting also took note that the Lead Countries of the priority areas of the ARF Work Plan on CTTC should submit the updates under their respective priority area to the Co-Chairs by March 31 to allow for updating of the Annex to the Work Plan.

Agenda Item 10: Closing Remarks

43. The Meeting expressed gratitude to Viet Nam and Canada for their effective co-chairmanship. They also thanked the Government of Viet Nam for the generous hospitality and excellent arrangements in hosting the 10th ARF ISM on CTTC.

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