

A stylized map of Southeast Asia is shown in white against a blue background at the top of the page. The map includes the Malay Peninsula, Sumatra, Java, and the Indonesian archipelago.

Beyond Boundaries in Southeast Asia: Dual-Benefit Capacity Building to Bridge the Security/Development Divide

By Brian Finlay, Johan Bergenas,
and Esha Mufti



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and the Stanley Foundation

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Acknowledgments

In 2006, the Stimson Center and the Stanley Foundation launched a multifaceted initiative designed to build interest in nonproliferation and counterterrorism across governments of the Global South. To most governments of the developing world, the threat of proliferation or the prospects for terrorism were remote possibilities—particularly when compared to the pressing needs faced by their people on a daily basis. From the human-security threats posed by conventional small arms or drug traffickers, to dire public health challenges, to infrastructure, rule of law, or educational system inadequacies, and cyclical economic underdevelopment, diverting scarce resources to the seemingly ethereal threat posed by weapons-of-mass-destruction terrorism was not only unreasonable, it was *prima facie* immoral.

An initial seed grant offered by the Finnish Ministry of Foreign Affairs in Helsinki to the Stimson Center's Managing Across Boundaries program aimed to bring together national governments, regional and subregional organizations, and nongovernmental experts in an innovative effort called The Beyond Boundaries Initiative. In cooperation with the Stanley Foundation, our initial goal was to more effectively and sustainably promote implementation of United Nations Security Council Resolution 1540 (2004), which mandates a sweeping array of supply-side efforts to prevent the proliferation of nuclear, biological, and chemical weapons of mass destruction. We believed that by breaking down the artificial barriers between the security and development communities, whose goals are often similar but whose methods rarely intersect, a more sustainable and ultimately less costly approach to proliferation prevention would result. Over time, that initiative grew into a successful multifaceted outreach effort, stretching from the Caribbean Basin and Central America to Africa, the Middle East, South Asia, and now, Southeast Asia.

The authors are grateful to the government of Finland, the Carnegie Corporation of New York, and the Stanley Foundation for their keystone support of the broader initiative from which this report emerges. We are especially indebted to Markku Virri at the Finnish Ministry of Foreign Affairs, to Carl Robichaud and Patricia Moore-Nicholas at Carnegie, and to Keith Porter and Patty Papke from the Stanley Foundation for their unwavering confidence in this initiative. The content of this particular report was significantly informed by a Southeast Asian regional workshop that took place in Kuala Lumpur, Malaysia, in April 2012, where the representatives from the governments of Malaysia, Indonesia, Vietnam, Singapore, and the Philippines participated. Special thanks also go to Christer Viktorsson, deputy director general of operations of the Federal Authority for Nuclear Regulation, United Arab Emirates, who has helped work to transplant successful engagement in one region—the Middle East—to the seeds of success in Southeast Asia. The authors also gratefully acknowledge the financial support of the Korea Foundation in concluding this research and outreach effort. We would also like to thank Emily Hill, Hunter Murray, Richard Sabatini, and Bradley Whitwell, interns with the Managing Across Boundaries program, for their extensive research and editing support in drafting this report.

Additional information on The Beyond Boundaries Initiative can be found at: <http://www.stimson.org/programs/managing-across-boundaries/>. A comprehensive source for information on UN Security Council Resolution 1540 can be found at <http://1540.collaborationtools.org/about>.

Brian Finlay, Johan Bergen, and Esha Mufti

The authors prepared this report as part of a larger project on regional implementation of United Nations Security Council Resolution 1540. The report has been informed by meeting discussions and contains the authors' views and recommendations, and not necessarily those of the Stanley Foundation.

Foreword

According to the International Energy Agency, rising incomes and a burgeoning global population will yield dramatic increases in worldwide energy demand. Over the next quarter century, it is estimated that energy needs will grow by a full third. Although the breadth of energy sources will doubtlessly expand, with coal, natural gas, and renewables occupying a growing share of the energy market, no plausible scenario is envisioned that meets immediate needs without reliance on civilian nuclear power generation.

The United Arab Emirates (U.A.E.) is no exception. Energy security is a critical component to any society's development, and in this light, the U.A.E. has embarked on an ambitious national project to develop a civilian nuclear power program. For the U.A.E., nuclear power is a proven, environmentally attractive, and cost-competitive option, which could contribute significantly to a diversified and secure basket of future electricity-generating assets.

In order to make clear its intentions, the government adopted the following policy directions for the peaceful civilian nuclear energy program in the U.A.E.:

- Exercise operational transparency.
- Uphold the highest standards of nonproliferation, safety, and security.
- Work directly with the International Atomic Energy Agency (IAEA) and conform to its standards.
- Partner with governments and firms of responsible nations, as well as obtain the assistance of appropriate expert organizations.
- Approach the program in a way that best ensures long-term sustainability.

In light of the Fukushima tragedy last year, and historical incidents of proliferation, we appreciate the challenges that come with nuclear energy. Therefore, our ongoing efforts in safety, security, and safeguards are of utmost importance for the U.A.E. civilian nuclear program, and actions have been taken to respond to the lessons learned from Fukushima. Our efforts have been well received by the international community as a model for pursuing the development of peaceful nuclear energy.

The U.A.E. recognizes that the development of a world-class nuclear safety culture takes time. Strong safety cultures evolve. They do not come to be from any one action, but rather from long-term, consistent behavior that must be exhibited by the leadership in all related organizations, including government entities, nuclear regulators, owners, operators, universities, and so forth. The U.A.E. is committed to continuing those actions necessary to build and sustain a world-class nuclear safety culture.

The U.A.E. has established an independent nuclear regulator recognizing its importance in pursuing a stable, credible, safe, and secure nuclear program. However, additional work is needed, and planned, to get a comprehensive set of nuclear regulations and the associated regulatory guidance in place. The development and operation of a civil nuclear power program must become a fully integrated component of the broader UAE infrastructure. As such, efforts to integrate and harmonize domestic efforts related to other stakeholders within the country (transmission, rate setting, land use, taxation, occupational health, and other related areas) will be a key focus, along with ensuring that any required domestic legislation is in place. We are also working closely with the international community, including the IAEA, peer foreign nuclear regulators, and international expert organizations to ensure that our policies and nuclear activities are in line with global standards.

The U.A.E. has operationalized a plan that not only meets our country's development and growth imperatives but that is explicitly linked with global nonproliferation norms and best practices. By linking development with security, we have pioneered a responsible policy that meets the needs of all constituencies and has gained the confidence of the international community. When called upon, we are also interested in sharing our ongoing experience in developing a civilian nuclear program. We were therefore pleased to participate in the workshop "Nuclear Challenges in Southeast Asia: Toward Common Understanding and Effective Cooperation," held in Kuala Lumpur, Malaysia, this April. The conference brought together a wide variety of regional stakeholders, and while the Southeast Asian nations that are currently considering developing a civilian nuclear program are not as far along in the process as the U.A.E., we stand ready to offer our example to any country that seeks to develop the capability to produce electricity through nuclear power. As we are currently developing and implementing the necessary legal, security, safety, infrastructure, and nonproliferation frameworks for our own civilian nuclear program, we recognize the value in the Stimson Center's "dual-benefit" model. It identifies important ways in which traditional "hard security" assistance and capacity building can positively impact broader security and national economic development objectives of partner countries.

The center's work in this area, as laid out in this and several preceding reports, including one on the Middle East, offers important insights on how the global community can move forward in building safe, secure, and proliferation-resistant nuclear programs, while at the same time building longer-term societal capacity. On this point, the objectives of the U.A.E. and the Stimson Center coincide, and we welcome the opportunity to continue to partner with Stimson on these important issues.

H.E. Ambassador Hamad Al Kaabi
U.A.E. Permanent Representative to the IAEA
Special Representative for International Nuclear Cooperation

Executive Summary

Over the past 30 years, globalization has revolutionized international relations. The net positive result has been soaring economic growth and burgeoning prospects for peace and prosperity around the globe. Southeast Asia, in particular, has witnessed an average economic growth rate of more than 5 percent per year over the past decade. As a result of their economic and political advances, countries in the region have made significant strides in terms of national economic development. Southeast Asians today enjoy greater access to education, clean water, and health services than ever before. Moreover, in just 20 years, the region has halved the proportion of people living on less than a \$1.25 per day.¹

Southeast Asian states have also managed better than those in most regions to rebound from the global economic crisis, returning already to precrisis medium-term growth prospects, even while much of the rest of the world remains mired in near economic stagnation.² Yet despite this remarkable progress, current and emerging obstacles threaten to prevent the region from fully capitalizing upon its potential. Notably, the region faces growing energy shortfalls, maritime security challenges including piracy, and the trafficking in humans, drugs, and small arms. Each of these problems threatens to further undermine the economic gains witnessed over the past quarter century. Moreover, these perils not only affect the most vulnerable communities and peoples of the region, but together they can overwhelm legitimate state structures and disrupt the licit flow of goods upon which the region has come to depend. In short, the very forces of globalization that have fostered growth and development now threaten to undercut and ultimately erode past gains.

To begin ameliorating these interconnected challenges, we must aim to build the human, legal, technical, and financial capacity necessary to guard against them. To that end, this report proposes an innovative approach that seeks to better leverage existing resources, identify new streams of assistance, and bridge the security/development divide. Specifically, the model presented within these pages demonstrates how international security assistance not only builds counterterrorism and nonproliferation capacity, but also facilitates capacity to address regional security and development needs. Two proven platforms for this dual-benefit approach are presented: UN Security Council Resolution 1373 (counterterrorism) and UN Security Council Resolution 1540 (nonproliferation).

The effectiveness of this initiative has been proven around the globe, including in the Caribbean and Central America. Similar steps are now being taken in eastern Africa. Developing an international security strategy based on mutual self-interest, rather than simply imposing legal mandates, will build near-term trust and yield long-term buy-in from partner states, thus ensuring sustainability. This, in turn, will strengthen the counterterrorism and nonproliferation regimes. The report concludes with targeted recommendations building a holistic approach that bridges hard and softer security objectives with development needs worldwide.

Project Report

The Security/Development Divide

As a result of growing economic integration, a strategic location that is helping to reshape global trade relations, and access to an enviable natural resource base, Southeast Asian countries have witnessed an average economic growth rate of more than 5 percent per annum over the past decade. With a population of almost 600 million people and a combined gross domestic product of \$1.9 trillion (US), the region boasts the world's ninth largest economy.³ Even as Europe continues to struggle economically, America's recovery wobbles, and China's economy shows signs of an impending slowdown, the six major economies of Southeast Asia have rebounded from the global economic crisis, with medium-term growth prospects returning to pre-crisis levels.⁴ These countries have made significant strides in national development, moving them toward achieving the Millennium Development Goals. Southeast Asians today enjoy greater access to education, clean water, and health services than ever before. Moreover, the region has halved the proportion of people living on less than \$1.25 per day, compared to just two decades ago.⁵ Access to new information and technology has expanded rapidly, and as of 2011, infant mortality rates and the maternal mortality ratios had declined by more than half from 1990 to 2010.⁶

Yet despite these remarkable advances in the human condition across Southeast Asia, an equally potent array of counterforces bred by the undercurrents of globalization threaten to stifle the benefits of our growing interconnectedness and reverse the economic gains witnessed over the past quarter century. These security counterforces are inextricably linked to regional economic progress. Piracy, human slavery, the growth of counterfeit products, and the illicit trafficking of drugs and small arms individually threaten vulnerable states. Together they can overwhelm legitimate state structures, suborn democratic governments, and disrupt the licit flow of goods that are essential for economies worldwide. While these security and development issues continue to be a high priority in developing and emerging economies, across much of the industrialized North, harder security concerns—including the proliferation of weapons of mass destruction (WMD), especially to nonstate actors, and terrorism—absorb most of the political discourse and financial resources. It was against this backdrop that the UN Security Council passed Resolutions 1373 (2001) and 1540 (2004). Promoted as part of a broader tapestry of formal and informal mechanisms to prevent terrorism and proliferation globally, the resolutions were seemingly ill-connected to the more pressing challenges facing much of the Global South.

While few can deny the disastrous consequences a WMD terrorist incident would yield, requiring developing and other economically emerging nations to divert attention from more immediate national and regional challenges to the seemingly distant threat of chemical, biological, and nuclear terrorism is a nonproliferation and counterterrorism strategy that is destined to fail—if not for a lack of political will then rather a lack of implementation capacity. Indeed, in the face of the daily threats to citizen safety and security—both economic and physical—in Southeast Asia and much of the Global South, pronouncements suggesting that WMD proliferation is the paramount regional security threat are not only inaccurate, they are *prima facie* unreasonable. In the end, without the sustained buy-in of the Global South, it is not feasible that the United Nations or others will be able to effectively exercise preventative controls over the movement of sensitive nuclear, chemical, and biological technologies, or to disrupt the malicious activities of international terrorist entities.

Therefore, bridging the divide between the hard-security interests (nonproliferation and counterterrorism) of the North and the softer priorities (development and human security) in the rest of

the world should be a central element to our common global counterterrorism and nonproliferation strategies. Absent participation of those countries viewed as increasingly prominent links in the global proliferation supply chain, either as emerging dual-use technology innovators and manufacturers, as critical transshipment points and financial centers, or as breeding grounds for terrorist sympathies, international efforts to curb the terrorist threat and prevent the world's most dangerous weapons from falling into the world's most dangerous hands will inevitably fail. An important first step to prevent this scenario is to better understand the priority concerns of Southeast Asian countries, what countries are doing to ameliorate these challenges, and where the capacity shortfalls are most acute. By better leveraging hard-security assistance to meet these challenges, the inherent divide between security and development can be bridged, and often-maligned nonproliferation and counterterrorism standards will be inculcated while addressing the most pressing concerns of our recipient partners.

Development and Security Flashpoints in Southeast Asia

Energy Needs and the Civilian Nuclear Renaissance

In response to Southeast Asia's rapid economic and demographic growth, the region's primary energy requirements are projected to triple between 2010 and 2030. Over this 20-year period, energy demand is estimated to grow an average of 4.4 percent per annum, compared to the world's average growth rate of 1.8 percent per annum through 2035.⁷ As existing sources of energy become unable to compensate for burgeoning demand, Southeast Asia is likely to experience a significant gap between demand and output, with Indonesia and Vietnam likely facing the largest disparity.⁸ Chronic electricity shortages are already endemic across most of the region, which immediately and negatively impinges upon economic prosperity and development.⁹ Ensuring a secure supply of energy for the future is therefore an overriding concern for national governments, and while there are no working nuclear power plants in Southeast Asia today, nuclear power is poised to become an important source of energy in the near future.¹⁰ Successful pursuit of these plans, however, is not without challenges, including sizable costs, safety concerns, waste-management issues, and the risk of nuclear proliferation.

For governments of the region, there are serious questions as to whether developing civilian nuclear energy makes sound financial and practical sense, particularly amid today's fiscal constraints. This skepticism was exacerbated by the accident at the Fukushima Daiichi nuclear plant in Japan in 2011. Concerns over whether uranium enrichment and spent-fuel reprocessing will pose an inherent risk of nuclear weapons proliferation, and whether it will be introduced into a region that has been at risk for illicit trafficking of WMD-related technologies and equipment, also remain central impediments to regional energy diversification strategies in the nuclear space. The threat that sensitive technologies and equipment could be diverted and used for nefarious purposes—by states and/or nonstate actors—would clearly have significant implications for regional stability. Most significantly, perhaps, the consequences of the potential disruption to regional and global trading patterns could exceed the economic impact of a WMD incident itself. Lastly, negative public opinion and political sensitivity are also key challenges for Southeast Asian national governments in pursuing these plans, particularly after Fukushima.¹¹

Despite these concerns, however, civilian nuclear technology is still a tempting source of energy for rapidly growing countries in the region.¹² None of the six countries that had previously demonstrated interest in nuclear energy has effectively ruled it out post-Fukushima. Malaysia, Thailand, and Singapore all continue to work on feasibility studies.¹³ Vietnam has already committed to building at least one nuclear power plant in Ninh Thuan Province by 2020, with additional plans to construct at least seven more.

Of course, developing civilian nuclear energy is a long-term investment, and the predicted increase in regional civilian nuclear capabilities is estimated to require about \$125 billion in capital expenditures between now and 2020.¹⁴ Even before actual construction can begin, adequate infrastructures must be in place to ensure safe and reliable use of nuclear energy. Moreover, advanced human technical capacity is also a key component of initiating nuclear power programs.¹⁵ As noted by the International Atomic Energy Agency (IAEA), the safe construction of a nuclear plant requires specialized project engineering, construction-work management, and control and surveillance activities. Operation of the facility requires staff with specialized instruction and on-the-job training, as well as staff trained in health physics, maintenance, and other technical services.¹⁶

The IAEA has also recognized that although most of the training and financing will take place domestically, foreign assistance will continue to play an important role in the near-term development and midterm operation of new power programs.¹⁷ Already, the United States and Japan are assisting in the development of sound civilian nuclear practices worldwide.¹⁸ However, this will become even more important as Southeast Asia expands its production of nuclear energy facilities.

As with other governments considering development or expansion of their civilian nuclear power capabilities, many regional authorities lack the capacities needed to build and safely operate a nuclear power infrastructure. These include:

- Awareness of implementation standards and compliance with key components of the nuclear nonproliferation regime.
- Financial and technical knowledge to develop civilian programs and adequately safeguard nuclear materials and facilities.
- Export and border controls to prevent illicit trafficking of nuclear materials or components needed for the development of nuclear weapons.
- Adequate resources to hire experienced staff and develop capacity-building efforts.
- Standards of transparency and cooperation on WMD nonproliferation programs.
- Technical capacity on radioactive waste management and long-term management of spent nuclear fuel.
- Sufficient specialized knowledge of emergency planning and response to crisis, including natural disasters.
- Security and physical protection of nuclear materials and waste.
- Specialized capacity on radiation and environmental protection.
- Adequate legal and regulatory frameworks.
- Adequate electricity grid and associated infrastructure.

In an era of financial contraction, identifying readily available sources of assistance will be increasingly challenging, throwing into question options for energy diversification and ultimately threatening economic and developmental programs across the region.

Maritime Insecurity

The Strait of Malacca, between the coasts of Sumatra in Indonesia and Malaysia, has for centuries been an important pathway for trade. Today, about 40 percent of global commerce flows through the waterway on as many as 200,000 ships per year.¹⁹ The strait serves as a conduit for half the world's oil shipments, with Japan, South Korea, and Taiwan shipping 80 percent of their petroleum imports through it.²⁰ The burgeoning economies of these countries depend on fuel imports to meet the domestic needs of industry, electricity production, and for growing use of motor vehicles.²¹ In this light, while the activities of pirates in this part of the world are clearly detrimental to Southeast Asian regional economic development and security, more broadly, piracy threatens to undermine the free flow of goods upon which our globalized economy depends.

By nature, the Strait of Malacca is a chokepoint, measuring just 1.7 miles at one point, making it an easy target for pirate attacks, ranging from small-scale robberies to organized hijackings. According to the International Maritime Bureau, although the number of attacks in Southeast Asia appeared to have decreased throughout the 2000s, in 2011, piracy incidents off the coast of Indonesia rose for a second consecutive year.²² Of the 439 attacks that took place worldwide in 2011, one-third took place in Southeast Asia, largely in the Strait of Malacca.²³ Pirates capitalize on heavy traffic and limited maneuverability in the waterway, as well as thousands of islands that serve as hiding places, conducting low- and mid-level armed robberies in Indonesian and Malaysian waters against fishing vessels, yachts, and merchant ships. In these cases, organized crime gangs often take advantage of unemployed fishermen and recruit them to carry out attacks to earn some supplemental income. Major hijackings of cargo ships, bulk carriers, and tankers have also been known to occur at the hands of international crime syndicates, such as the Japanese Yakuza or the Chinese Triads, with hijacked ships often being used for illegal trading.²⁴

Due to a lack of sound and available data, it is difficult to determine the exact costs of piracy in Southeast Asia. However, in 2010, the Oceans Beyond Piracy project estimated that the direct costs globally were \$7 billion to \$12 billion, with deterrent and security equipment costing ship owners between \$363 million and \$2.5 billion annually, in addition to the costs of raised insurance premiums. Slower vessels, which are often the main targets of pirate attacks, frequently have to take different routes, adding an estimated \$2.4 billion to \$3 billion in costs per annum. Indirect secondary costs to the economies of countries in piracy hotspots, moreover, were estimated to be \$125 billion a year.²⁵ The problem of combating these illicit activities is compounded by the perception that restricting the flow of goods with certain security measures could be damaging to the regional countries that depend on international trade for economic development.

Moreover, the strategic location of Southeast Asian waters makes them a tempting target for terrorists, and although no attacks have been carried out to date, terrorism in the waters has the highest potential for security and economic devastation. Despite lack of well-documented efforts of terrorist activity, evidence has surfaced that some groups have explored the idea of attacking in the maritime space in the past. Al Qaeda has shown video footage of Malaysian patrol ships in the Strait of Malacca, which suggests that it has been tracking their movement and potential areas of weakness to target.²⁶ In 2004, investigations conducted by Singapore's Ministry of Home Affairs into thirteen arrested members of Jemaah Islamiyah, a terrorist organization operating in Indonesia, Malaysia, Singapore, and the Philippines, revealed the group had identified attacking US naval vessels in the Johor Straits as a major tactic to employ, but lacked the capacity in terms

of personnel and equipment necessary to carry out the attacks.²⁷ More recently, in 2010, Singapore's navy issued a warning that a terrorist group might be planning attacks on oil tankers in the Strait of Malacca.²⁸ The possible scenarios ranged from terrorists sinking a ship in a narrow part of the strait to stifle international trade flow and cause significant losses to the global economy, to causing a docked oil tanker to explode, potentially destroying parts of cities and seriously harming the global trade flow and regional stability and security. For instance, closure of the Singapore harbor would cost an estimated \$200 billion per annum.²⁹ In addition to the economic cost, an attack such as those mentioned would be highly likely to generate serious panic in the region and beyond, causing insecurity and instability. Therefore, the United States and Japan have aimed to enhance security in the waterway.

In addition, maritime stability in the South China Sea has been increasingly jeopardized as China's maritime and air power expand vis-à-vis its Southeast Asian neighbors. Regional confrontations have, at times, manifested in violent exchanges on the sea. For instance, in March 2011, the Philippines protested repeated intrusions by Chinese naval gunboats around the Spratly Islands.³⁰ In response, Southeast Asian countries have prioritized security enhancements to bolster maritime security. Indonesia, for example, is presently modernizing its naval capabilities and is planning to have military spending rise 46 percent from 2011 to 2015.³¹ Unfortunately, efforts to establish a rules-based maritime order structure in the South China Sea have made little to no progress; instead, tensions have risen as China and the United States vie for dominance there. China's stated preference is for such discussions to be limited to relevant regional actors, thereby excluding parties such as the United States, which in early 2012 released new defense-strategy guidelines rebalancing the regional focus toward the Asia-Pacific region due to economic and security interests closely linked to developments there.

Still, regional and international cooperation remain the most promising means of preventing maritime piracy and insecurity at large, as countries such as the Philippines and Indonesia remain too weak to effectively defend vulnerable waters and ports alone.³² To this end, bi- and/or multi-lateral contracts, including, for instance, Indonesia and Malaysia deploying warships as part of a joint patrol to prevent and combat pirate attacks in the Strait of Malacca, demonstrate significant potential. Both countries have also developed an Eye in the Sky operation to carry out air patrols above the strait with Singapore and Thailand.³³ Japan, too, has been significantly involved in efforts to improve regional security, engaging in joint military exercises and training as well as using its coast guard to build regional capacity against piracy and helping establish initiatives such as the Heads of the Asian Coast Guard Agencies meetings, the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, and the Cooperative Mechanism for Maritime Safety and Environmental Protection in the Malacca and Singapore Straits.³⁴ Most significantly, Japan is supporting security capacity building in the region through strategic use of its official development assistance. In 2011, Tokyo pledged \$25 billion to promote initiatives for increasing cooperation between members of the Association of Southeast Asian Nations (ASEAN) and \$7.4 billion for infrastructure projects in the five Mekong states: Cambodia, Laos, Myanmar, Thailand, and Vietnam.³⁵

Japan's shift to the strategic use of official development assistance to develop regional security complements the United States' strategic shift to the Asia-Pacific region. While these policy shifts are largely seen in the context of counterbalancing China, this kind of support would also mitigate a range of shared security-related problems, increase defense capabilities in Southeast Asian waters, and ultimately address other issues of local concern such as piracy and counterterrorism.

Virtually all regional governments and donor states committed to Southeast Asia recognize that the following areas require capacity-building assistance:

- Sharing of intelligence conducted by each country, joint military exercises, construction of a regional database to identify and track down known pirate organizations.³⁶
- Hardware assistance and technical and training support in terms of communications systems and patrol and/or defensive capabilities.³⁷
- Technical cooperation to maintain compliance with international commitments.
- Harmonization of national maritime regulations and laws.
- Development of training programs that will strengthen coordination and cooperation among national law-enforcement agencies and actors.
- Cooperation opportunities between public and private sectors related to maritime security and safety.
- Bilateral or multilateral agreements that expedite apprehension, investigation, pursuit, prosecution and extradition, witness exchange, evidence sharing, inquiry, and seizure and forfeiture of the proceeds of maritime crime.³⁸
- Border-control arrangements among neighboring countries on common measures involving certain activities that may occur at sea within or across their maritime boundaries.³⁹

Illicit Trafficking in Humans, Small Arms and Light Weapons, and Drugs

As mentioned in the previous section, Southeast Asia is an essential conduit of global commerce. However, widespread illegal activity in the global supply chain significantly threatens Southeast Asian countries' economic development and security. Trafficking issues include the spread of forced human laborers and sex slaves, weapons, and illegal drugs.

Transnational organized criminal groups operating in the region, such as the Japanese Yakuza and the Chinese Triads, and those headquartered in the region, such as the Thai Red Wa and other insurgent groups, are involved in a range of illicit trafficking activities not limited by product type. These activities rely on complex, interconnected networks that leverage each other to update equipment and on corrupt government personnel and officials, including police and border security.⁴⁰

These trafficking challenges are pervasive. For instance, some estimates suggest that upwards of a quarter of a million women from Southeast Asia are trafficked annually.⁴¹ Of those, the vast majority are trafficked within the region, however, this number is difficult to verify and often based either on irregular/illegal migration numbers or on the estimated number of prostitutes in the region. Moreover, trafficking and other forms of exploitation, including forced labor, take place in correlation with increased migration. Beginning in the 1980s, rapid economic growth in some Southeast Asian countries, and continued disparities in employment conditions in others, sparked high levels intraregional migration that continue to this day.⁴² Although human trafficking is not a new concern, it has grown particularly significant in Southeast Asia since the 1980s, as the sex sector boomed and sex tourism became a thriving industry. In Thailand, women and girls were recruited from the northern and northeastern provinces, where poverty rendered them

particularly vulnerable. Rather than curbing the trade, the economic crisis of the 1990s hastened an increase in irregular migration. During the 1990s, heavy international human trafficking became especially prevalent, with women being trafficked as sex workers from Myanmar, Cambodia, Laos, and the Yunnan Province of China. Children are also often trafficked as beggars, and women and children trafficked into domestic servitude or other services.

The Philippines and Indonesia are also significant sources of trafficked persons as well as being major sources for labor immigrants.⁴³ Indeed, being forced into labor is the major form of exploitation facing Indonesians, with government estimates indicating that about 20 percent of people leaving Indonesia are being trafficked. Many initially think they are being smuggled to countries with better economic prospects, only to later find out that they have been deceived.⁴⁴ In addition to the obvious human-security threat posed by human trafficking, it is increasingly viewed as a threat to national, regional, and international security, allowing transnational criminal organizations to hone in on the demand for commercial sex and/or cheap labor, earning huge profits by taking on comparatively low risks. Of the \$31.6 billion generated annually by this nefarious crime, 30.6 percent is in the Asia-Pacific region.⁴⁵ According to the United Nations Office on Drugs and Crime, “Trafficking victims have become another commodity in a larger realm of criminal commerce involving other commodities, such as narcotic drugs and firearms or weapons and money laundering, that generate illicit revenues or seek to reduce risks for traffickers.”⁴⁶

Like human trafficking, trafficking in small arms and light weapons (SALW), including pistols, revolvers, assault rifles, hand grenades, machine guns and land mines, has been prevalent for decades in Southeast Asia.⁴⁷ Due to internal conflicts and insurgencies in Myanmar, the Philippines, and Thailand, and post-conflict states such as Cambodia and Vietnam with substantial leftover weapons stockpiles, SALW trafficking has become a lucrative industry for smugglers, arms dealers, and insurgents alike.⁴⁸ For instance, the Indonesia Police Watch estimates there are 17,000 illegal firearms in circulation in Indonesia, 8,000 of which are in Jakarta; in the Philippines, there are an estimated 1.1 million illegal firearms; and in Thailand, the number is 6.13 million.⁴⁹ SALW pose a clear human-security threat. They are not only used to kill but also to cause long-term injury and maim. Equally important, however, are the broader security, social, and economic implications of widespread arms proliferation: arms facilitate and exacerbate violent crimes and conflict, creating political instability and a culture of violence in affected countries. These conditions significantly undermine countries’ development objectives by reducing the labor force through death and injury, destroying physical capital such as infrastructure, disrupting activities and business, and increasing the risk and cost of doing business.⁵⁰ It is estimated, for instance, that since 2004, southern Thailand has suffered economic losses amounting to \$3.1 billion because of conflict and lack of security.⁵¹

Lastly, drug trafficking has raised renewed concerns among Southeast Asian nations, with recent trends showing increased drug production, development of new trafficking routes, and a spillover into increased drug abuse in the region.⁵² In particular, poppy cultivation, which had declined during the early 2000s, started bouncing back in 2006, increasing by an estimated 70 percent between 2006 and 2010. As of 2011, Myanmar was the world’s second-largest source of opium, with production concentrated mainly in the northern and northeastern states of Kachin and Shan.⁵³ Opium cultivation has also increased in Laos and remains an issue in Thailand and Vietnam. In addition to the traditional opium market, the production, trafficking, and consumption of amphetamine-type stimulants have markedly increased in Southeast Asia, with Myanmar being a main source of manufacturing. Together with East Asia, the region has an estimated 3.4 million to 20.7 million

amphetamine-group users—the most of any region in the world.⁵⁴ Thus drug production and trafficking have become another reliable source of profit for transnational crime groups and gangs, fueling corruption, undermining the rule of law and security, and threatening sustainable development.⁵⁵ Traffickers in Myanmar, for instance, earn the majority of the reportedly \$1 billion to \$2 billion that flows into the country from illicit drug exports per year.⁵⁶ Increased drug use, furthermore, also has had grave social consequences, perhaps most significantly by increasing the risk of HIV among heroin users. Indeed, of the 80,000 Thais infected by HIV, approximately 10 percent were exposed through heroin use.⁵⁷

Southeast Asia in particular is vulnerable to illicit trafficking activities because of its long and difficult-to-monitor maritime and continental borders, and the high volume of land and maritime trade flowing through the region. These factors allow criminal networks to exploit the licit global trade supply chain to meet their nefarious ends. Singapore is one of the busiest ports globally, with 15.3 million containers passing through per year.⁵⁸ And it is estimated that 30 to 40 percent of all migration in Southeast Asia is undocumented, with approximately 3 million undocumented migrants in Malaysia and Thailand alone.⁵⁹ Moreover, countries in the region recognize the threat posed to intraregional cooperation posed by trafficking in humans, SALWs, and drugs, and they have drafted numerous plans and enacted numerous laws designed to achieve such cooperation. In particular, through ASEAN, countries adopted the 2004 Declaration Against Trafficking in Persons Particularly Women and Children, and developed the Plan of Action to Combat Transnational Crime, which focused on drug trafficking and abuse. However, weak implementation of these measures due to lack of state capacity and corruption has allowed major trafficking issues to persist.⁶⁰

The breadth of these threats suggests that bilateral, multilateral, regional, and international cooperation is necessary for any successful remediation strategy. A hopeful indicator that such measures are being taken is present in Cambodia, where in 2010, the National Authority for Combating Drugs partnered with the United Nations Office on Drugs and Crime to fight illicit trafficking in the region. The effort will aim to increase border security by providing a variety of technologies, from computers to communication devices for the border liaison in Preah Vihear Province. The region is a notorious host of transnational crime and trafficking, and the initiative seeks to curb a variety of these trends, from wildlife smuggling to the trafficking of migrant workers. New offices and communications systems will not only improve Cambodian capacity but link relevant authorities to others around the region in China, Thailand, and Myanmar.⁶¹ In addition, while Indonesia's specific trafficking problems are wide ranging, they are most heavily concentrated in the exploitation of ports and freight transportation by illicit groups. The United Nations Office on Drugs and Crime in Indonesia seeks to combat trafficking with a stronger connection to the Global SMART Program, which aims to enhance the capacity of member states and authorities in priority regions to generate, manage, analyze, and report synthetic drug information and apply that knowledge to the design of policy and program interventions. Moreover, the UN Office on Drugs and Crime is also working toward intensified port security measures through capacity building and technical training across Southeast Asia.⁶² Lastly, in 2012, Myanmar was praised for finally repealing a law that had allowed forced labor. The 1907 law previously allowed the country to employ state-sponsored forced labor, a factor that greatly increased the propensity for an influx of illicit human trafficking in the region. The country additionally has engaged in increased information sharing in the region, and has sought to address the systemic internal political and economic factors that encourage human trafficking across its borders.⁶³

Governments of the region have very clearly prioritized the prevention of trafficking. Yet while they have developed the political will, many continue to fall short in operational capacity in key areas:

- Technical capacity at border points, seaports, and airports, such as more and better-trained and equipped guards, improved narcotics- and SALW-detection gear and techniques, as well as surveillance systems and scanners.
- Judicial and law-enforcement systems to deter and respond to illicit drug and arms trafficking.
- Policing and patrolling at key border hot spots.
- Export and transshipment laws and controls.
- Systems, hardware, and software to facilitate the marking, tracking, and monitoring of small arms, with a view to improving prospects for detections and enforcing national laws.
- Regional harmonization of legal and enforcement systems, as well as improved systems for and greater frequency of information exchange, and joint strategies to combat illicit trafficking in SALW and drugs.
- Interdepartmental cooperation at the national level, and better coordination at the regional and international levels, with regard to border security, law-enforcement cooperation, and intelligence sharing.
- Anti-corruption mechanisms and training for demotivated staff to implement current legal and enforcement structures to inhibit the small-arms trade.

UN Security Council Resolutions 1373 and 1540: Proven Platforms for Bridging the Security/Development Divide

The terrorist attacks of September 11, 2001, irrevocably altered the global security landscape. The catastrophic attacks in the heart of the United States awakened Washington and other governments across much of the industrialized North to the threat posed by committed terrorist groups. In response, these governments began allocating significant new resources toward denying safe havens and cutting off financial streams of assistance to malevolent nonstate actors. New initiatives designed to facilitate the sharing of relevant information within and between governments were promoted. And new mandates requiring all governments to criminalize active and passive assistance for terrorism in domestic law and bring violators to justice have been promulgated. Today, governments are seeking an unprecedented degree of cooperation in the investigation, detection, arrest, extradition, and prosecution of those involved in acts of terrorism.

While 9/11 sparked a new commitment and pool of resources to combat global terrorism across the Global North, the prospects of a WMD terrorist incident became an increasingly worrying possibility. Globalization and the resultant easier flow of information and technology have underscored the threat of an increasing number of companies and individuals having the capability to innovate, manufacture, finance, transship, or otherwise contribute to the development of a weapon of mass destruction. In response, governments have levied significant new financial resources to ensure the nonproliferation of nuclear, biological, and chemical weapons of mass destruction. For instance, since launching the G-8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction in 2002, the member governments (Canada, France, Germany, Italy, Japan,

Russia, the United Kingdom, and the United States) have allocated more than \$20 billion toward targeted nonproliferation programs in former Soviet Union states, a region historically considered the epicenter of illicit proliferation.⁶⁴ Moreover, in 2004, the revelation that rogue Pakistani nuclear scientist A. Q. Khan had been operating an illicit nuclear network supplying state and non-state actors with WMD technologies highlighted the geographic scale of the threat today. Thus, when the member governments decided at the Deauville Summit in May 2011 to extend the Global Partnership beyond 2012, they agreed on the need to expand the partnership's focus to include new regions in need of assistance in order to successfully address the evolving global proliferation and terrorism threats.⁶⁵

But while these hard-security challenges have taken priority in the Global North, the developing and emerging states of the Global South continue to prioritize softer security threats and development needs that are the more pressing day-to-day challenges. These governments seek capacity-building assistance that addresses more critical national needs, such as improved border control, policing, and judicial capabilities that more directly address the daily threats to their citizens.⁶⁶ This North-South division is especially well evidenced when considering the disparity between global security and development spending. Annual worldwide military spending and foreign security assistance total about \$1.5 trillion, compared to the \$127 billion allocated for global development assistance.⁶⁷ The latter number represents less than 9 percent of the former, even though over one sixth of the world's population lives in poverty, and millions of children die every year of preventable ailments such as pneumonia, diarrhea, and malaria.⁶⁸

The inability to more effectively reconcile priorities between the Global North and South has yielded an increasing number of governments that are unwilling or unable to fully participate as active partners in global nonproliferation and counterterrorism efforts. Moreover, despite a few promising innovations and pilot projects aimed at better integrating the security and development components of national policy, a survey of these whole-of-government approaches finds that governments across the Global North continue to struggle in promoting policy integration, formulating a cohesive strategic vision, creating robust structures of coordination, and initiating new funding streams to ensure sustainability of effort.⁶⁹

For instance, nonproliferation strategies designed to address the spread of weapons of mass destruction have traditionally focused on technology-denial efforts, including export controls, strengthened and expanded safeguards, sanctions, and even regime change. Consequently, for many recipient partners, it appears that donor governments have given little thought to the need for a more comprehensive outreach that would benefit more pressing regional security concerns and development needs. As a result, much of the well-intentioned nonproliferation assistance is viewed, at best, as an impediment to growth and development, and at worst, as a deliberate effort to stymie innovation and competition. The failure to better integrate hard-security, supply-side programming with soft-security, demand-side incentives has thus far prevented the requisite buy-in from recipient partners that would ensure the sustainability of current efforts.

What is clear is that the perceived lack of enthusiasm in implementing hard-security obligations connected to global counterterrorism and WMD nonproliferation among governments of the Global South is not a rejection of the threat but rather a result of the delicate balancing of financial and human-capacity priorities among most of our partners in the Global South. Using scarce resources to implement strategies solely focused on assuaging terrorist activity in the West and WMD proliferation around the globe—in many instances seen as distant threats by partner governments—has little relevance for leaders in developing or emerging economies. However, considering the dual-benefit

applicability of much of the existing nonproliferation and counterterrorism assistance, untapped opportunities for synergy exist to bridge the gap between the policy objectives of developing and emerging economies and developed states. To this end, UN Security Council Resolutions 1373 (counterterrorism) and 1540 (nonproliferation) are two mechanisms that offer opportunities to leverage international security assistance to also benefit national development needs and security priorities, such as preventing money laundering or the trafficking of conventional weapons.

Resolution 1373, adopted unanimously in September 2001, calls on UN member states to deny safe havens to those who finance, plan, support, or commit acts of terrorism.⁷⁰ Specifically, it mandates that all member states:

- Criminalize the financing of terrorism.
- Freeze without delay any funds related to persons involved in acts of terrorism.
- Deny all forms of financial support for terrorist groups.
- Suppress the provision of safe haven, sustenance, or support for terrorists.
- Share information with other governments on any groups practicing or planning terrorist acts.
- Cooperate with other governments in the investigation, detection, arrest, extradition, and prosecution of those involved in such acts.
- Criminalize active and passive assistance for terrorism in domestic law and bring violators to justice.

Resolution 1373 also highlights the link between international terrorist groups and transnational criminal syndicates involved in myriad illicit activities, including trafficking in drugs, SALW, and people; money laundering; and the proliferation of WMD materials. Finally, it established the Counter-Terrorism Committee, which monitors implementation of the resolution. The committee's executive directorate, which carries out the policy decisions of the committee, was established in 2004.⁷¹ Five technical groups working horizontally across the executive directorate are responsible for engaging countries on security and development issues, including technical assistance, border control, arms trafficking, and law enforcement.⁷²

In April 2004, the Security Council unanimously adopted Resolution 1540, which mandates that all member states implement a set of supply-side controls with regard to the nonproliferation of chemical, biological, and nuclear weapons. Specifically, UNSCR 1540 calls upon states to:

- Adopt and enforce laws that prohibit any nonstate actor from manufacturing, acquiring, possessing, developing, transporting, transferring, or using nuclear, chemical, or biological weapons and their means of delivery.
- Develop and maintain measures to account for and secure such items in production, use, storage, or transport.
- Develop and maintain effective physical protection measures.
- Develop and maintain effective border controls and law-enforcement efforts to detect, deter, prevent, and combat illicit trafficking.

- Establish, develop, review, and maintain appropriate effective national export and transshipment controls over such items.⁷³

The resolution also established the 1540 Committee to monitor implementation, as well as a group of experts to assist member states in raising awareness and executing decisions made by the committee. In addition, the experts aim to facilitate technical assistance to countries in need.

The 1373 and 1540 Committees recognize the inherent overlap in their work and cooperate in various ways, including holding meetings between their experts and exchanging information, as well as through joint participation at formal UN workshops and regional and subregional meetings.⁷⁴ However, although significant progress has been made toward implementing both resolutions, neither has even come close to achieving global compliance, as evidenced by the paucity of country reports on progress (mandated by both resolutions) submitted.⁷⁵ At the heart of this limited fulfillment lies an underlying Global North/South divide with regard to priority objectives. For instance, one survey commissioned to provide a comprehensive consideration of the work of the Counter-Terrorism Committee's executive directorate found that

the positive contribution of the United Nations to global counterterrorism efforts is poorly appreciated outside New York and Vienna. Many people we interviewed told us that there remains a need for the United Nations to articulate to communities around the world a clearer vision of counterterrorism, differentiating its work from more militaristic, coercive approaches to counterterrorism. Absent such an articulation, we were told, the United Nations will continue to face resentment and litigation—or worse. In particular, we were told time and again, there is a need for a clear articulation of the United Nations' commitment to human rights and the rule of law while countering terrorism—which unfortunately remains much doubted in some corners of the globe.⁷⁶

Similar criticisms have been leveled at the 1540 Committee in New York. Early in its tenure, the committee faced sweeping legitimacy questions, with several states expressing their disapproval that the permanent five members of the Security Council were the primary negotiators of the resolution.⁷⁷ Since then, these issues have been largely resolved, although inculcation of 1540 standards has varied markedly across all 193 member states of the United Nations to whom it applies.

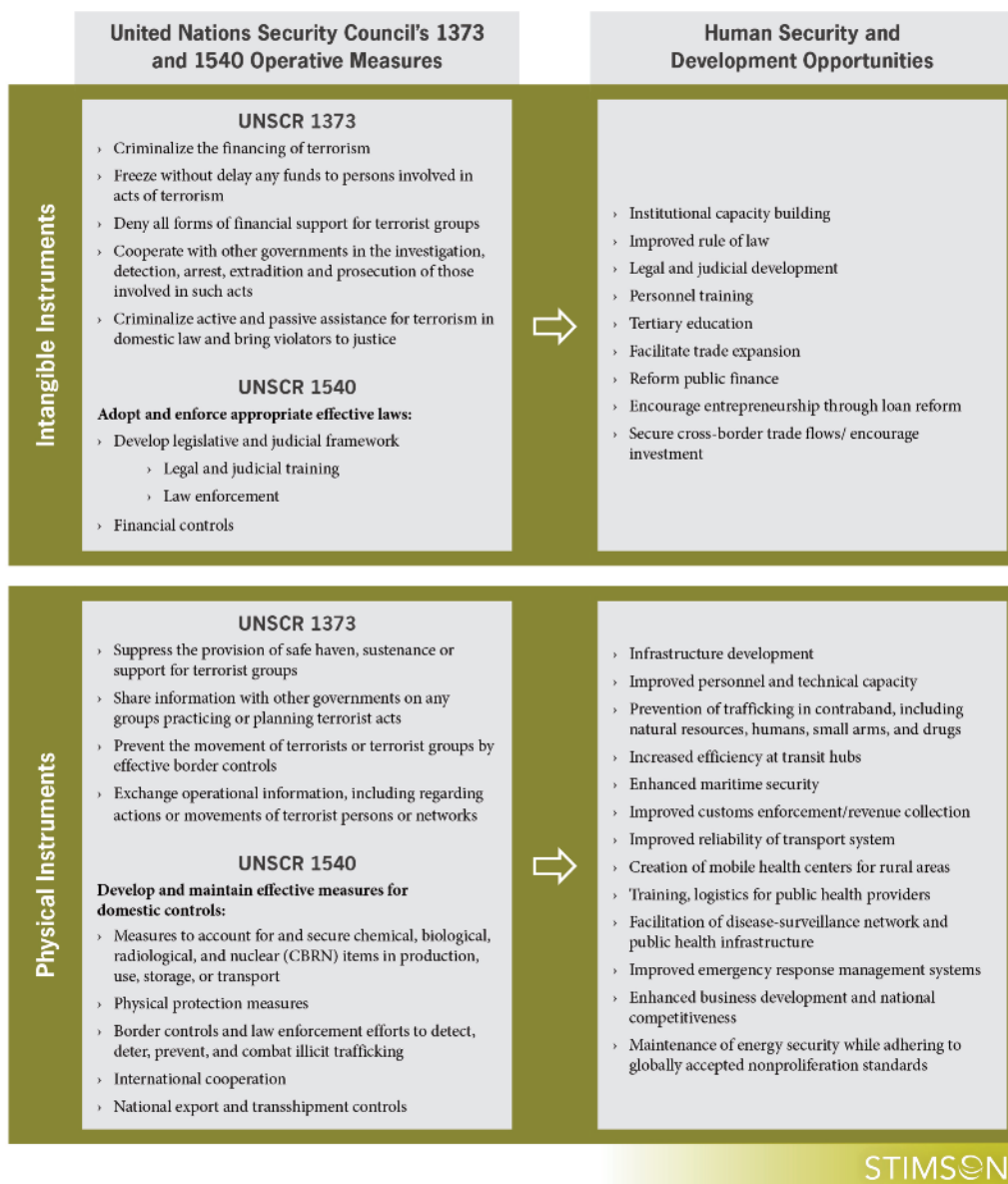
In spite of these political disagreements, growing evidence suggests that common ground between donor states and partner states can be found beyond rhetorical commitments to the broad aims of both resolutions. Recognizing that many states will require technical and financial support to implement 1373 and 1540, both resolutions include language for assistance mechanisms: states in need request assistance, and states with the relevant capacity provide it. A detailed assessment of the capacities necessary to implement UNSCR 1373 and 1540, moreover, would suggest that much of the available assistance is inherently dual-benefit. That is, counterterrorism and nonproliferation assistance can provide a significant opportunity for poorer countries to tap into traditional security-related support to help them meet their higher priority internal-development and human-security objectives, while simultaneously satisfying their international counterterrorism and nonproliferation obligations. The net result is a durable and sustainable partnership that better meets the needs of the recipient and the objectives of the donor. For instance:

- Detecting and responding to biological weapons requires a functional disease-surveillance network and a public-health infrastructure.

- Preventing trafficking and illicit trade of SALW, drugs, and humans relies upon many of the same resources and capacities necessary to detect and prevent nuclear proliferation and to combat terrorist activities.
- Trade expansion and business development cannot occur unless borders and ports are safe, efficient, and secure, a key component to prevent the spread of WMD, as well as SALW.
- Denying terrorists safe havens requires an effective and functioning police capacity operating under the rule of law.

The figure below illustrates how security assistance proffered under Resolution 1373 and 1540 can help meet softer development and human-security priorities that threaten the Global South.

Dual-Benefit International Security Assistance



A growing number of countries have demonstrated the applicability of this model of engagement. Countries of the Caribbean Basin and Central America have most notably capitalized on this dual-benefit model. Caribbean countries have gone from being a 1540 black hole to a model for implementation of the resolution around the globe. By modernizing their own emergency responsive infrastructures, these countries have promoted greater efficiencies in their trade and transportation infrastructures that will yield long-term benefit not only to security, but to development and economic diversification. This progress is not the result of the Security Council's dictating legal nonproliferation and counterterrorism mandates, but rather is a reflection of the countries' realizing, through a cooperative approach facilitated by the Caribbean Community UNSCR 1540 regional coordinator, that implementing the resolutions is perhaps as helpful in achieving national priority objectives as it is in helping bring new streams of assistance to address endemic security challenges related to the flow of drugs and small arms, as well as to promote national plans for economic diversification through port security and other enhancements to trade.⁷⁸

Dual-Benefit Assistance in the Caribbean Basin: A Model for Success

In the 1990s, governments of the Caribbean recognized the need to diversify their tourism-based economies. Considering their strategic location at the mouth of the Panama Canal and at the "third border" of the world's largest market, the United States, governments around the region began making significant investments in their port and related transportation infrastructures. The initiatives aimed to capitalize on global trade flows as a central component of economic development.

However, in the wake of the terrorist attacks on the United States on September 11, 2001, these plans were immediately put in jeopardy when the international community elevated mandatory security standards for cargo traffic. As a result, Caribbean governments, whose ability to invest in further infrastructure enhancements was exhausted, saw their economic development strategies eviscerated in a changing international security environment.

Assistance available under UN Security Council Resolution 1540, however, has provided these governments with new access to financial and technical resources that comply with UNSCR 1540 while also hopefully salvaging their economic development plans. Thus, new streams of nonproliferation funding promise to help provide much-needed infrastructure support in an era of fiscal restraint, allowing Caribbean states to remain internationally competitive.

A similar model has been implemented in Central America.⁷⁹ The Central American Integration System has successfully requested assistance to hire a full-time regional coordinator to assist members with reporting, devising national implementation strategies, and, where necessary, identifying novel streams of assistance to meet in-country needs related to small-arms trafficking, the drug trade, youth gangs, and other high-priority security and development concerns.

In East Africa, the near unhindered flow of small arms and light weapons poisons opportunities for human-security and economic development in the subregion. In this part of the world, a cornerstone of any poverty-reduction strategy includes a commitment to shoring up security capacity at borders. Porous national boundaries and weak infrastructure and institutions are the common

denominators for an array of security challenges, ranging from small-arms trafficking and proliferation to growth in organized crime and terrorist activity with global ramifications. Local populations view these security problems equally as development challenges because they weaken the business climate, threaten the stability of the labor market, undermine access to education and health care, diminish revenues from tourism, and imperil foreign direct investment, all of which are crucial for social and economic progress. Resources to address these problems have primarily come from traditional development aid. However, as previously noted, those funds are becoming increasingly scarce. According to the Survey on Donors' Forward Spending Plans 2012-2015 compiled by the Organisation for Economic Co-operation and Development-Development Assistance Committee, global country programmable aid has declined 2.4 percent compared to 2010, affecting countries in Southeast Asia, including Indonesia and the Philippines.⁸⁰ Dwindling resources mean that innovative forms of assistance that benefit all partners involved must be identified if we are to prevent economic rollback. The value of this approach was perhaps best articulated by Ambassador Ochieng Adala, former Kenyan permanent representative to the United Nations:

We Africans can view our mandates under UNSCR 1373 and 1540 as a burden on our limited resources, or as a blessing—an opportunity to meet our high-priority needs while simultaneously adhering to our international obligations. The onus is on both the international donor community to think creatively and upon us Africans to act pragmatically. In so doing, we can circumvent many of the North/South challenges that have plagued effective implementation of these international measures by appealing not only to the legitimate concerns of the global community surrounding the proliferation of weapons of mass destruction and global terrorism, but equally to the high-priority challenges facing many Africans: the proliferation of small arms and light weapons, poor public health, and regional terrorism. In short, the interconnections between these issues and UNSCR 1373 and 1540 yield not only challenges for the coherent implementation of government policies, but opportunities to identify and better coordinate new streams of financial assistance.⁸¹

Just as in the Caribbean Basin, Central America, the Middle East, the Andean region, and East Africa, important dual-benefit opportunities exist for win-win progress in Southeast Asia.

Development and Regional Security Capacity Building in Southeast Asia with Dual-Benefit Assistance

Since 2001, all Southeast Asian countries have complied with the most basic implementation step of Resolution 1373 and submitted at least two reports to the Counter-Terrorism Committee in New York.⁸² In 2011, the committee made the following Southeast Asian regional implementation assessment:

States of the subregion have moved well beyond mere law enforcement approaches to address the challenge posed by terrorist groups. They have actively promoted interfaith dialogue and public-private partnerships; set up community policing initiatives; and experimented with prison rehabilitation programmes in an effort to address violent extremism at its roots. Indonesia, Malaysia and Singapore have gathered experience and good practices in this area and may be in a position to provide technical assistance to States in need. All States except one have established special counter-terrorism bodies at the policy and/or operational levels. Overall, law enforcement capacity has been greatly enhanced. However, the criminal justice system in at least five States could be improved in order to bring terrorists to justice more effectively. Four States employ preventive (administrative)

detention without charge or judicial commitment in peacetime, and this has been the subject of human rights concerns. However, some States are increasingly recognizing the relevance of a human rights-based approach to effectively countering terrorism.⁸³

This assessment was based upon an evaluation of five programmatic areas connected to Resolution 1373 compliance: legislation, counterfinancing of terrorism, law enforcement, border control, and international cooperation. The Counter-Terrorism Committee offered priority recommendations on how countries of the region can advance implementation of Resolution 1373, including shoring up the legal framework for counterterrorism offenses and enhancing border security through regional policing and closer coordination.⁸⁴

Similarly, comprehensive implementation of Resolution 1540 continues to be a work in progress in Southeast Asia. All countries in the region but one, Timor-Leste, have submitted 1540 national reports showing varying degrees of compliance. Cambodia, the Philippines, Thailand, and Vietnam have requested technical assistance in seeking full implementation of Resolution 1540.⁸⁵

Yet despite this progress, it remains clear that the full and effective implementation of these resolutions has not taken precedence over higher priority concerns of Southeast Asian governments. To ensure effective implementation of both resolutions around the globe, there is a need to demonstrate the potential benefits of the resolutions by linking assistance with urgent domestic concerns of partner states in order to build a foundation for effective and sustainable buy-in. Of course, helping to meet states' national security and development objectives should not be a quid pro quo arrangement but a starting point for developing a package of assistance and partnerships that will strengthen states internally and simultaneously enable them to support broader counterterrorism and nonproliferation objectives.

As outlined in the preceding sections, for Southeast Asian countries, the challenges associated with pressing energy needs, maritime insecurity, and human, small-arms, and drug trafficking cannot be understated. Together, these phenomena threaten to directly or indirectly inflict relentless levels of violence and suffering, and facilitate perpetual cycles of poverty. Identifying novel means of building capacity to protect and fortify Southeast Asian societies will be critical to ensuring regional security and promoting holistic economic growth.

Assistance extended under Resolutions 1373 and 1540 is not a panacea for all Southeast Asian security and development challenges. However, if implemented more innovatively using a whole-of-society approach that goes beyond government interventions and draws upon assistance from government, nongovernmental, and private sources, such assistance can be used to develop processes and capabilities that will remedy global concerns regarding terrorism and proliferation, while simultaneously promoting national energy diversification strategies, combatting piracy, and curbing the trafficking in illicit items.

Security Assistance: Energy Needs and the Civilian Nuclear Renaissance

Many countries in Southeast Asia lack tough enforcement standards and capabilities in terms of nuclear proliferation. This is particularly worrisome, as several countries in the region are hoping that nuclear power will be the solution to their burgeoning energy needs. Successful pursuit of nuclear plans will introduce increasingly sensitive technologies and equipment to the region, creating a need for strict attention to export controls and nuclear security in order to prevent diversion. Rapidly developing states in the region will need substantial financial, technical, and human support from the international community to encourage robust self-regulation by industry. By

appealing to international collaboration in key technical sectors under the auspices of UNSCR 1540 and the assistance provision therein, governments of the region could not only backfill shortfalls in pursuit of nuclear power, they could do so while simultaneously providing affirmation to the international community of their willingness to adhere to globally accepted nonproliferation standards.

In this regard, Southeast Asian states could follow the example set by the United Arab Emirates, whose policy places great emphasis on working directly with the IAEA and nations with the relevant expertise in order to develop its nuclear energy program as well as regional cooperation through the Gulf Cooperation Council. The United Arab Emirates' program, which uses international peer reviews and aims to be transparent, has been well received by the international community as a model for pursuing the development of peaceful nuclear energy.

Security Assistance: Maritime Insecurity

Global responses to the potential proliferation of WMD technologies and terrorism are inherently linked to ensuring maritime security in terms of the sensitive nature of certain maritime cargo, such as dual-use technologies and materials, as well as the threat of terrorists attacking a vessel or transporting a dirty bomb on a ship. Therefore, in pursuing a dual-benefit strategy, donor nations could use their security assistance funds and bilateral cooperation to simultaneously address mutual security challenges and regional development needs. Philippine President Benigno Aquino, for instance, last year met with Japanese Prime Minister Yoshihiko Noda in Tokyo to discuss maritime security issues and economic growth strategies.⁸⁶ Japan is considering using its official development assistance to provide communication systems and patrol ships to the Philippine coast guard, which would help to secure the interests of both the Philippines and Japan in mitigating maritime security risks. Additionally, the increased safety of regional waterways would benefit economic development by facilitating safe trade routes as well as ensure maritime stability vis-à-vis China. Tokyo's collaboration with Manila is merely the most recent example of Japan's approach, as it has been working with governments around the region to improve port security and the safety of regional waterways.

Security Assistance: Illicit Trafficking in Humans, Small Arms and Light Weapons, and Drugs

Preventing the illicit flow of contraband within and across national boundaries in Southeast Asia is inherently interconnected with global efforts to prevent the proliferation of nuclear, biological, and chemical weapons. Consider, for instance, the strengthened border capacity necessitated by Resolutions 1373 and 1540. Meeting this objective requires improved personnel and technical capacity, such as more and better-trained and equipped guards and police, surveillance systems, and scanners—all of which help check the illicit flow of humans, arms, and drugs. Similarly, requisite training for police, judges, and prosecutors to effectively address the regional priority issues identified in this report would provide clear knock-on benefits to overcoming the challenges of global terrorism and WMD proliferation.

As noted above, countries in Southeast Asia already have well-developed action plans to combat the region's higher priority concerns. Committing some time and resources in order to tailor those strategies into 1373 and 1540 requests for assistance would significantly increase the flow of technical, human, and financial assistance to implement them via a dual-benefit approach.

Prospects for Southeast Asian Regional Burden and Capacity Sharing⁸⁷

Resolutions 1373 and 1540 stress the value of regionwide implementation efforts. Support for such an approach to both resolutions resides in the Counter-Terrorism and 1540 Committees,

and there is a record of endorsement among many UN member states and the Secretariat. Regional implementation is logical because of the transnational nature of several of the resolutions' provisions, which necessarily entail cooperation between neighboring countries. The regional perspective can help ensure consistency so that efforts are not duplicated, scarce resources do not go to waste, and individual country advances are not immediately undercut by a variance in a neighbor's implementation. Lastly, the regional context provides an opportunity for states to, among other things, settle and establish cost-sharing plans, exchange model legislation, and collaborate on enforcement mechanisms.

For any given regional organization to be able to assist its members with implementing Resolution 1373 and 1540, it is advantageous if: (1) the body's scope and work include a mandate for international and/or regional security; (2) the regional organization has, or is willing to build, infrastructures to support 1373 and 1540 implementation work; and (3) the regional organization has some experience connected to the work required to implement Resolutions 1373 and 1540, most notably in the areas of nonstate actors or the proliferation and trafficking of small arms and light weapons, although capacities related to public health, legal development, financial networking, or any other of the array of dual-benefit capacities relevant to 1373 and 1540 are clearly beneficial.

There is no one-size-fits-all template when considering a regional approach, but there are clearly precedents and opportunities to better leverage interests and capabilities. A regional approach in both the Caribbean (by the Caribbean Community) and in Central America (by the Central American Integration System) made particular sense because many governments in those regions lack significant financial, technological, and human capacity to take steps toward meeting the full mandates of Resolutions 1373 and 1540. The Caribbean Community and the Central American Integration System are useful analogies for how even relatively small regional bodies can use increased and novel streams of security assistance to build capacity toward meeting parallel regional priorities, while at the same time fulfilling international counterterrorism and nonproliferation obligations.

ASEAN can also play a positive role in implementing a dual-benefit model in Southeast Asia, especially considering that since its inception, ASEAN has played an important role in regional stability. In 2008, Tanya Ogilvie-White, an expert on nonproliferation and counterterrorism cooperation among ASEAN members, suggested that "Resolution 1540 may provide the Regional Forum with an opportunity to prove that it has a meaningful role to play in promoting regional security cooperation, even in the realm of hard security."⁸⁸

To this end, in July 2004, the ASEAN Regional Forum delivered its Statement on Nonproliferation, which identified the growing challenge of WMD materials and related technologies proliferation, as well as the need to work within international cooperative mechanisms and take advantage of the technical assistance mechanisms available under Resolution 1540.⁸⁹ In July 2009, the Regional Forum brought together government representatives from ASEAN and other key players in the Asia-Pacific region to the first Inter-sessional Meeting on Nonproliferation and Disarmament. The meeting prioritized the implementation of Resolution 1540 and strengthening regional export controls. Participants in the meeting reaffirmed their commitment to the resolution. Likewise, the ASEAN-Japan Joint Declaration for Cooperation to Combat International Terrorism noted the importance of developing a cooperative framework to combat terrorism in a comprehensive manner. The ASEAN Regional Forum continues to hold regular intersessional meetings on nonproliferation and disarmament, counterterrorism, and transnational crime.

In 2010, ASEAN established the Maritime Forum to address issues concerning maritime security. Two years later, ASEAN foreign affairs ministers agreed to use the Maritime Forum as a setting to discuss maritime cooperation in the region. In addition to promoting regional cooperation on the issue, the forum could be used as a platform for identifying the direct links between Resolutions 1373 and 1540 and maritime insecurity. This might include identifying novel streams of international assistance to address the potential threat of pirates' and/or terrorists' diversion of sensitive dual-use materials and technology for nefarious purposes.

Similarly, the ASEAN Nuclear Energy Regulators Network was created to address complex issues related to nuclear energy development. This forum could likewise be used as a venue to identify best practices in terms of Southeast Asian states pursuing nuclear energy for civilian purposes while curbing the threat of potential nuclear proliferation and terrorist acquisition of WMD materials and technologies.

As noted above, since the adoption of UNSCR 1373 and 1540, the ASEAN Regional Forum has on numerous occasions, through statements and workshops, indicated its willingness to play a role in the implementation of both measures.⁹⁰ If provided with the right incentives, such as a commitment to viewing the resolutions through a wider lens, this regional organization can make important contributions to further improve the security and development environment in Southeast Asia.

How ASEAN or its Regional Forum chooses to engage its membership is up to the state parties, but eschewing the notion that Resolutions 1371 and 1540 are obligations imposed on Southeast Asian states from afar will be important in terms of ensuring buy-in from states. This report has attempted to provide an alternative perspective and view the resolutions not as burdens but as an opportunity to come to grips with higher priority regional security and development needs.

Conclusion

In March 2012, in Seoul, South Korea, heads of state from more than 50 countries came together to take action against the illicit proliferation of materials and technology that could be used to build nuclear weapons or radiological dirty bombs. The gathering yielded a series of scattered new attempts to address the lengthening proliferation supply chain around the globe. The discussion built upon progress made at the inaugural 2010 Nuclear Security Summit in Washington, which resulted in bolstered efforts to secure fissile material, primarily in post-Soviet countries.

As with other international nonproliferation initiatives, the fundamental shortcoming of this conference was its failure to gain worldwide buy-in. Its claims to be “global” notwithstanding, the lion's share of nonproliferation programming has been designed by wealthy countries of the developed North and is of little relevance to the priority concerns of the Global South. Unlike the Cold War era, today's global threat environment is not defined by a single or even a few large threats. Rather, our common security and economic prosperity are challenged by a horizontal portfolio of problems that transcend borders and governments.

As we have noted in this report, while Southeast Asian countries are not in general averse to building capacity to combat the threat of terrorism or WMD proliferation, these countries do have more pressing challenges. These challenges—including energy needs, maritime insecurity, and trafficking of humans, drugs, and guns—have a far greater and immediate negative potential for the well-being of society. Within these pages, we have provided a model that bridges the divide between the hard-security priorities of the West and the softer security and development

needs of Southeast Asia. We hope this dual-benefit approach and the successful examples in several regions will serve as inspiration for all countries to reform their approach to capacity building.

International donors have long provided a wide variety of practical assistance tailored to these needs in terms of counterterrorism and nonproliferation. Dual-benefit assistance simply taps into the enlightened self-interest of partner governments to ensure their long-term sustainable commitment. The fact remains: until there is a greater allocation of financial resources toward poverty eradication, trade enhancement, energy security, infrastructure development, public health, and other critical development priorities, the world will continue to be beset with a growing array of security threats. During a time of global financial austerity, innovative solutions that accomplish more with fewer resources will be central to success. Identifying nexus points between global and regional security priorities and coupling these with national development objectives will allow policymakers to utilize international assistance in a cost-effective and mutually reinforcing manner.

Government assistance to implement Resolution 1540 on nonproliferation and Resolution 1373 on counterterrorism equally benefits a wide array of traditional human-security and development priorities, as does the G-8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction. In short, efforts to bridge the security-development divide are central to any strategy to improve the human condition at a time when development funding is in short supply.

In this light, countries offering assistance to prevent the spread of weapons of mass destruction or the prevention of terrorism would do well to think more holistically about capacity building and adopt a broader perspective of security and development. Shortly after the decision was made in April 2011 by the UN Security Council to extend the mandate of Resolution 1540 for 10 years, it was announced that the G-8 Global Partnership would be renewed and extended geographically beyond the traditional boundaries of the former Soviet Union. In the spirit of dual-benefit capacity building, if the Global Partnership is to be successful in providing implementation assistance under this expanded mandate, donors would do well to target relevant human-security and development needs of potential recipients, rather than focus impractically and exclusively on a “Northern agenda” of counterterrorism and WMD nonproliferation.

Many of the areas where these laudable objectives coincide with security and development ends—including countering drug trafficking and small-arms trafficking, and disaster mitigation—have been identified at recent G-8 summits as important priorities of member states with regard to development assistance.⁹¹ Therefore, the G-8 should leverage the funds it has earmarked for security assistance to simultaneously meet its identified development priorities, in concert with the assessment of needs categorized by countries seeking assistance. Unless and until we can better tailor our nonproliferation and counterterrorism programming to recognize, to validate, and to respond to a broader set of softer security and development concerns, our engagement will not only be unsustainable, it will be doomed to failure.

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About the Project

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About the Authors

Brian Finlay is a senior associate and the director of the Stimson Center's Managing Across Boundaries (MAB) program. Prior to joining the Stimson Center in January 2005, he served four years as executive director of a lobbying and media campaign focused on counterterrorism issues, a senior researcher at the Brookings Institution, and a program officer at the Century Foundation. Finlay was a project manager for the Laboratory Center for Disease Control/Health Canada, and worked with the Department of Foreign Affairs and International Trade. He sits on the advisory board of Trojan Defense LLC, and is a member of the Board of Directors of iMMAP. He holds an M.A. from the Norman Patterson School of International Affairs at Carleton University, a graduate diploma from the School of Advanced International Studies, Johns Hopkins University, and an honors B.A. from the University of Western Ontario.

The Managing Across Boundaries program works to address an increasing array of transnational challenges—from WMD proliferation and the global drug trade, to contemporary human slavery, small-arms trafficking, and counterfeit intellectual property—by looking for innovative government responses at the national, regional, and international levels, and for smart public-private partnerships to mitigate these threats. Our experts and researchers work to conceptualize and catalyze whole-of-society solutions to the most pressing transnational challenges of our day.

Johan Bergenas is a research analyst and deputy director of MAB. Prior to joining the Stimson Center, he worked for the Monterey Institute of International Studies' James Martin Center for Nonproliferation Studies analyzing regional and international proliferation issues and trends. Before working at the Martin Center, he was a member of Oxfam America's humanitarian policy and communications teams, covering development and conflict issues in the Middle East and Africa. Bergenas has also been a reporter and a freelance journalist for numerous publications, covering a wide range of international and US domestic issues, including presidential politics. He holds an honors M.A. from the School of Foreign Service at Georgetown University and an honors B.A. from the University of Iowa.

Esha Mufti is a research assistant with MAB. Prior to joining the Stimson Center, Mufti was an intern with the Asia and Common Defense Campaign programs at the Center for International Policy, analyzing South Asian politics and security, and examining US national security policy and the defense budget. She holds an honors B.A. from the University of Oklahoma.

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