Reclaim people's security

From national security to global security: Counter-terrorism in Asia and Europe

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EDITORIAL

In a world horrified by the September 11 terrorist attack in New York, US President George W. Bush called for the setting up of an international "coalition against terrorism". Simultaneously, September 11 was also the occasion, which justified the US to activate its strategy for global dominance and empire – a strategy that was already formulated well before September 11 by such think tanks as the Project for the New American Century (PNAC) [1]. This strategy brought together the destabilizing intersection of neo-liberal globalisation and militarisation and provided the US led "coalition against terrorism" with the twin doctrines of aggressive *pre-emptive strike*, such as we have witnessed on Iraq and the notion of a *global security regime* where human and civil rights are drastically curtailed and suspended.

This *TNI Briefing* examines the emerging global security regime, particularly in its fall-out in Asia and Europe. Pressurised by US corporate and military power as well as by the dictates of national elite and military interests, state after state in Asia has re-instated National security laws which had been put on retreat by the wave of democratisation movements which overthrew several dictatorships in the late 80s and 90s. Within the European Union (EU), a common framework of "emergency" security legislation has also been introduced in all member states.

Within the Bush framework of "those who are not with us are against us", a global architecture of repressive laws has created a system which:
- aligns legislation in major regions of the world to the perceived security agenda of US unilateralism
- undermines universal standards of civil, political and human rights and the principles of international law
- suppresses legitimate opposition and political activism
- criminalises communities and organisations by labelling them terrorist
- intensifies all forms of racism and discrimination against migrants and refugees
- implements ethnic profiling on persons of Muslim or Arab descent

In Asia these laws are being widely used to target democratic opposition movements and to imprison political and human rights activists. Throughout the EU, police and intelligence services have wide ranging powers of surveillance and arrest and the listing of "terrorist organisations" identified globally by the US has been adopted without debate. Refugee and migrant communities are frequently scapegoated as potential terrorists particularly those coming from Islamic or Arab states.

While this global security doctrine has its roots in earlier National Security and Emergency Laws, the September 11 aftermath has seen not only draconian laws re-instated, but this has led to a global interlocking system of repressive laws and militarisation. Ever since September 11, there has been a sustained assault on the UN human rights system – in the build up to the Afghanistan war and in the incarceration of prisoners of war by the US in Guantanamo Bay in conditions which violate every UN principle and standard of human rights. Likewise, Bush-Blair unilateralism in launching war on Iraq has dealt a further body blow to the established framework of international law and to the UN system.

This dangerous geopolitical conjuncture has swept aside all accountability to international law. At the same time millions of people have mobilised their protest in the biggest-ever global peace movement. Likewise, human rights organisations and activists have mounted sustained campaigns against the unprecedented rollback of human, civil and political rights and have strengthened their co-operation internationally.

But these movements and networks are not only protesting and resisting. They are also addressing the most urgent challenge of this era – how to develop alternatives to neoliberal globalisation and militarism which will put people's security, peace, equity and human rights at the centre of the international agenda.

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[1] In September 2000, the PNAC published a 90-page report entitled 'Rebuilding America's defences: strategy forces and resources for a new century'. Here, the PNAC argued that in order to ensure the 'greatness and security of the USA', it was vital to secure and expand US zones of influence so as to deter the rise of 'new great power competitors' and to preserve 'unquestioned military pre-eminence'. The PNAC identifies the need to establish a permanent American military presence in Southeast Asia in order 'to constrain a Chinese challenge to American regional leadership'. In this respect, 'The US presence in South Korea should not be reduced, even if the threat of invasion from North Korea diminishes'. The US's bid to contain China, argues James Reilly in a February 2002 *Foreign Policy in Focus Policy Report* is also linked to its need to secure the control of an oil pipeline stretching from Central Asia to the Indian Ocean and over territory in the South China Sea with vast potential oil reserves. A US presence in the Southeast Asian sea lanes, according to the Pacific News Service, March 7, 2003, is also critical to the movement of US forces from the Western Pacific to the Indian Ocean and the Persian Gulf.

NATIONAL SECURITY & THE ROOTS OF REPRESSION IN ASIA

It is less than sixty years since the continent of Asia ended the crushing effects of direct colonial rule and Japanese expansionism. In that period, the peoples of many of those countries that formerly fell under colonial rule have seen their hopes of independence and democracy betrayed by the political forces and traditional local elites who came to power after independence. The post-colonial governments that have emerged have often relied on the military to maintain their grip on power, and/or have relied on authoritarian rule and dictatorship. But such authoritarianism did not develop in a vacuum.

The Colonial Legacy

Direct colonial rule continually gave rise to unrest and rebellion. Hence, the resort to military force and repressive methods of political control on the part of the colonial administration. In such circumstances, the civil legal code always took second place to military necessity; it could be, and was, suspended at will. In practice, colonial government was characterised by the use of martial law and the imposition of states of emergency. Suspension of civil law was accompanied by banning orders against opponents of the colonial power and the formation of special courts to try them, and the imposition of harsh sentences and lengthy periods of imprisonment. Other methods used to silence opponents were deportation and political exile. As a consequence, the development of independent criminal justice systems, as well as accountability in law enforcement, was severely retarded.

Far from breaking with the past, post-colonial governments have, by and large, continued to use special powers and emergency measures to suppress democratic movements and lock up the political opposition in much the same way as their British, Dutch, French, American and Spanish pre-

decessors. In the words of Somchai Homlaor, the Secretary General of Forum Asia, 'Internal security laws and anti-terrorist laws are a draconian remnant of the laws employed during the colonial era.' This legacy of military coercion and political subjugation continues to haunt the Asian region. It is a legacy, which, has been further complicated for former British colonies by the fact that, on independence, legal systems were modelled on the British common law system, and new constitutions were drafted by legal advisers from the Colonial Office.

Malaysia, whose 1960 Internal Security Act (ISA) is modelled on a law originally introduced by the British, is a case in point. In 1949, while Britain was regaining control of what was then Malaya after the Japanese occupation, it introduced the Emergency Powers Regulation to crush the communist-inspired movement for independence. This allowed for detention without trial. Thousands of insurgents (mainly Chinese) were interned in special camps. In addition, an estimated 40,000 Chinese who, under the 1948 Constitution (drafted by the British), lacked citizenship rights, were deported. Today, in much the same way, the Internal Security Act allows for preventive detention without charge or trial for an indefinite period. Since its introduction in 1960, thousands of political opponents of the ruling national coalition - trades unionists, student leaders, NGO activists, religious leaders, intellectuals, and even the former deputy Prime Minister - have been rounded up and interned.

Similarly, in Pakistan, the Anti-Terrorist Act, the Security Act and the Maintenance of Public Order Ordinance, are all rooted in the old British colonial penal code, which gave the authorities power to override legal procedures in the cases of those suspected of political agitation or threat to public order. Since 1958, Pakistan

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> Secretary-General Forum Asia

Mahathir: "In Malaysia we keep politics and justice sparate…..politics over here and justice over there"
© *Nicholsoncartoons, 2002*

has undergone twenty-two years of military rule. Pakistan's latest military commander, General Pervez Musharraf, seized power in a bloodless coup in 1999 when he declared a state of emergency, suspended the Constitution and national and provincial assemblies and banned all public political activities.

Musharraf is not the only South Asian ruler to resort to undemocratic practices. The Republic of India is held to be the largest and most populous democracy in the world, but the democratically elected government of Indira Gandhi ruled from 1975-1977 under a state of emergency. Britain had consistently used Extraordinary Powers Ordinances and martial law to put down rebellions and mass protest in India, most notoriously at Amritsar in 1919. In India today, colonial legislation is invoked to put down separatist insurgencies, particularly in disputed border states such as Kashmir, Nagaland and Manipur. In Manipur, the Prevention of Seditious Meetings Act, originally brought in by the British in 1911, has recently been revived by the Indian government to crack down on separatists. Listed as a Disturbed Area under the Armed Forces Special Powers Act (1958), Manipur is now subject to intensive military control.

Britain was not the only colonial power to

leave its mark on the region. In the 1930s, in the Dutch East Indies – now Indonesia – nationalist organisations were banned, their leaders either forced into exile or interned in concentration camps on remote islands in an attempt to repress the anti-colonial independence movement. Such methods were resurrected by President Suharto, from the mid 1960s through to the late '90s, leading to the incarceration of an estimated 100,000 political prisoners (tapols as they came to be known).

In the Philippines, under both Spanish and US rule, military force was used on many occasions to put down peasant revolts. But after independence in 1946, the US, which had helped draft the new Constitution, continued to dominate the Philippines through the US bases and the presence of more than 30,000 US troops. Also, the US dominated the Philippines through the compliant, pro-US regime of President Ferdinand Marcos. When Marcos declared martial law in 1972, in the face of popular rebellion against growing authoritarianism, he was exercising a constitutional right to call out the military and suspend habeas corpus. In theory, such powers were to be used in time of invasion, major insurrection or grave national emergency; in practice they were invoked to clampdown on all political dissent.

The Shadow of the Cold War

While colonialism left deep scars on Asia, so, too, did the Cold War. As the West declared war on communism, South East Asia and East Asia in particular became a central focus of Cold War conflicts. It was here – in Korea, Vietnam, Laos and Cambodia - that some of the most bitter and most deadly wars of the post Second World War period were fought out. The history of those conflicts is well known. But what is less understood is the pivotal role the US played in shaping national security legislation in countries that fell under its sphere of influence.

In countries like South Korea, Thailand and Japan, anti-terrorist laws were anti-communist in origin but subsequently used to suppress any political dissent. The National Security Law (NSL) of South Korea was introduced in 1948 on the grounds of the threat posed by communist North Korea. Barely a year after its enactment, 100,000 people, of different political persuasions, had fallen foul of the NSL. During the period of military rule, from the 1960s to the 1980s, more than 10,000 people (including future President and Nobel Prize winner Kim Dae-Jung) were imprisoned for violating the NSL.

In Thailand and Japan national security legislation expanded in scope during the Cold War period. Japan, as an imperial power before and during the Second World War, had already developed a stringent national security system to control its colonies of Korea and Taiwan. This national public security system was not dismantled in its totality even after Japanese imperialism collapsed in 1945. Rather, it was reorganised and revised so as to suit the purposes of the US's post-war Asia-Pacific military strategy into which Japan totally integrated.[2] Thailand's Prevention of Communist Activities Act (PCAA, 1952) was modelled on the old 'Subversive Activities Act' of the US. The PCAA was revised three times, each time the definition of 'communist organisations and activities' was broadened.[3]

Therefore, post September 11, it was convenient for many Asian leaders to revamp their national security laws and use these to repress political dissidents and opponents while at the same time pledging participation in the US coalition against terrorism.

Besides, governments in the Asia-Pacific region have been unable to develop a multilateral regional security architecture. The *ASEAN Regional Forum (ARF),* the only Asian attempt so far, has remained quite weak. The ARF, while a step in the right direction, has been dis-empowered from the beginning by continuous US bi-lateralist and unilateralist moves in the region. In the aftermath of the Second World War, the US consolidated the Asia-Pacific region within its geo-political and military strategy – this being underpinned with US military bases and US troops in Japan, the Philippines and South Korea. In fact the US has consistently relied on unilateralism as its main strategy in the region.

Moreover, throughout the last decade, US security policy places North Korea and China in the 'enemy' role once held by the Soviet Union and continues to counter any serious attempts at developing a multilateral framework for regional security.

Now, in the Bush era, the US is poised to re-establish military bases and intervene with US troops in the Philippines and it maintains Northeast Asia in a state of high tension, naming North Korea within its "axis of evil". In these circumstances, any significant move towards a multilateral regional security system or peace initiative from the ARF is highly unlikely.

It is this context which also favours the further reliance of individual Asian countries on NSL regimes or bi-lateral arrangements with the US to tackle the perceived threat of terrorism and consolidates US unilateralism throughout the Asia-Pacific region. It is no wonder then that in the Post September 11 era, individual Asian governments as well as the region as a whole has been spun into the vortex of the US led "war against terrorism".

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[2] 'Migrants, national security and September 11: the case of Japan', by Satoru Furuya *Race & Class,* volume 44, no. 4, April 2003.
[3] This anti-Communist act was finally abolished in 2001. But new legislation is pending.

NATIONAL SECURITY: POST WORLD WAR II IN EUROPE

The roots of anti-terrorist laws in the countries of the European Union are more difficult to disentangle. As in Asia, the Cold War has been a critical influence on European approaches to national security. Also critical has been the experience of colonial rule; repressive measures exported under colonialism have, on occasion been implemented domestically. But it is virtually impossible to trace the development of anti-terrorist laws in the various member states in a clear sequence of cause and effect. Colonial rule, increasing authoritarianism and the Cold War have all been factors contributing to the creation of a whole structure of repressive legislation.

But this process has not been uniform across EU member states. In fact, prior to the events of September 11, only eight of the fifteen EU member states (UK, Ireland, France, Germany, Italy, Spain, Greece and Portugal) had any anti-terrorist legislation at all. In the post-war period, the salient factor shaping national security legislation in France and the UK was their colonial relationships; in the southern European countries of Spain, Greece and Portugal, it was the post-war period of military dictatorship and authoritarian rule that left its residue on the security laws of the new democracies. Germany, to a certain degree, stands alone as its current national security laws are built on its nineteenth century criminal code although, as in Italy, the Cold War and anti-communism have been central in remoulding existing legislation into a modern anti-terrorist system.

Emergency Powers in France and the UK

Britain, which governed a number of countries in the colonial period through martial law and the imposition of states of emergency has also authorised the use of emergency powers in response to the struggle for Irish Independence. Britain's system – unique in Europe – has been based on the use of two extrajudicial executive instruments, namely internment and exclusion orders, under which individuals can be excluded from Britain and compelled to remain in Northern Ireland, or excluded from Britain and returned to the Republic of Ireland. These particular powers first came into force on the partition of Ireland, under the 1922 Civil Authorities (Special Powers) Act (Northern Ireland).

Following the restoration of direct rule in Northern Ireland in 1972, and the passing of the Detention of Terrorists (Northern Ireland) Order, this embryonic use of emergency powers was extended and refined. The first of many Prevention of Terrorism Acts (PTA), covering Great Britain and Northern Ireland, was passed in 1974, initially as a one-year emergency measure following a bombing campaign by the Irish Republican Army (IRA). At the same time, the Diplock Courts – a system of judicial process, which took its name from the judge who presided over a 1972 Commission into legal procedures - were established in Northern Ireland. In Northern Ireland, trial by jury was suspended for those on charges relating to terrorism, and the guilt or innocence of suspects established in front of a single judge, often on the basis of the uncorroborated evidence of supergrasses (police informers). While jury trial was retained in mainland Britain, the PTA gave the police extraordinary powers of arrest and interrogation, which frequently included torture. Suspects could be held for seven days without charge and without access to a lawyer. This gave rise to a number of notorious miscarriages of justice. But despite the international censure that cases like the Guildford 4 and the Birmingham 6 generated, the doctrine, exemplified by Diplock, that 'terrorism' can be defeated by changing the law so as to secure more convictions; extending police powers of arrest and detention; suspending basic civil liberties; and legitimising the use of supergrasses, remains integral to the modern British anti-terrorist system.

If Britain's anti-terrorist laws arose in response to Irish nationalism, the defining moment for the French state was the Algerian war of independence (1954-1962) when emergency powers, provided under Article 16 of the Constitution, were first instigated. Special military tribunals were established in Algeria and the Law for the Repression of Crimes Against the

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Security of the State, of 15 January 1963, was passed, granting extraordinary powers of detention and interrogation. [4] The fact that such interrogations involved use of electric shocks, beatings, rape and water torture in order to elicit confessions is today acknowledged. But, even now, the facts behind the brutal suppression of an Algerian anti-colonial protest in Paris in 1961, during which an estimated 200 Algerians were killed by the police, some of whom drowned after being thrown into the river Seine, are hotly disputed.

The swift resort to force continues to be a feature of the French anti-terrorist system. The first modern anti-terrorist law was introduced in 1986, although, prior to this, the 1981 Loi de Sécurité et Liberté had given police greater powers of arrest and detention. The justification for both laws lay in a series of bombings, from the late 1970s onwards, which were blamed on international terrorists. Thus, even though the French state had its own separatist movements in Corsica and Brittany to contend with, it was 'imported terrorism' that was considered the real threat to French security. In practice, 'international terrorism' became a pseudonym for Islam. The growing political crisis in Algeria , in which disenchantment with the ruling Front de Libération National (FLN) and the rise of the Islamic Salvation Front (FIS) were seen as threatening French interests, spurred the French state into action. Concerned, too, about the mounting alienation of second and third generation North African youth in the troubled banlieues, the government suspended the civil liberties of suspected FIS sympathisers and introduced a series of extraordinary measures, including house arrest, internment, the banning of publications and the use of mass identity checks.

The government's approach has been met with criticism, most significantly during the 1998 trial of 138 men and women (27 of whom had been detained without trial for over four years). They were accused of being Islamic militants intent on aiding terrorism. The International Federation of Human Rights Leagues (IFHRL) described their trial as a 'show trial worthy of China or the Soviet Union' . [5] The IFHRL pointed out that the accused had been arrested on the uncorroborated evidence of France's most senior anti-terrorist officer, who had merely alleged that they belonged to a network hostile to the Algerian government. It went on to call for the abolition of the state prosecutor's anti-terrorism directorate and concluded that its methods of conducting an interrogation were more akin to a medieval inquisition than a modern-day criminal investigation.

The Legacy of Dictatorship in Southern Europe

The southern European countries of Spain, Portugal and Greece were ruled by authoritarian regimes until the mid to late 1970s. Democracy was not restored in Greece until 1975, Portugal until 1976 and in Spain until 1978. Whereas in Greece and Portugal, popular democracy movements led to the downfall of authoritarian rule, in Spain it was the King who led the moves to democracy. Hence, many of the laws put in place by Franco simply continued in the post-Franco period, forming the basis of Spain's current approach to national security. [6]

Spain had been a colonial power but, unlike in Britain where the colonial experience played an important role in shaping national security laws, in Spain the reverse was true. Laws first developed in the late nineteenth century to deal with the anarcho-syndicalist challenge to the state were then exported to Cuba and Spanish Guinea. They were subsequently resuscitated by the fascist dictator General Franco to crack down internally, principally in the Basque country. Here, Franco established special military courts to deal with crimes of terrorism, and a 'state of exception' was imposed in an attempt to crush any support for ETA – the Basque Homeland and Liberty party. Highly restrictive, a state of exception is roughly equivalent to a state of emergency; it curtails political activity, suspends habeas corpus, abrogates' citizens' rights against search and seizure and affords the police more latitude and discretion erations. Although from 1976-78, the Spanish state had chosen to negotiate with the Basques and had instigated an amnesty for political prisoners, in 1978 it introduced the first modern anti-terrorist law. This defined terrorism in the broad-

est terms and provided a judicial framework for strengthened police and paramilitary operations in the Basque country. It was an approach that returned Spain to the national security strategy of the Franco era. Waves of political arrests followed, and the numbers of Basques in prison reached levels comparable to those in Franco's time. Needless to say, the state's resort to authoritarianism simply hardened opinion within ETA, leading to a cycle of violence that continues still.

The Surveillance of Dissent in Germany

From the mid-1960s, the Cold War ensured that the US turned a blind eye to dictatorship and authoritarianism in southern (as opposed to eastern) Europe. But in the immediate aftermath of the Allied victory in 1945, a different approach was needed towards the former Axis powers, Germany and Italy. 'Never again' should National Socialism be allowed to take power; Germany was divided and the demilitarisation of western Germany (the Federal Republic) and Italy ensued. The Constitution of the new FRG included clauses forbidding denial of the Holocaust or attempts to reinstate the Third Reich. Such actions were, by definition, a threat to the new West German polity. But gradually the definition of what threatened the Constitution was broadened to include those professing communism. In 1950, a decree made loyalty to the Constitution a condition for public service employment; by 1978, the *Berufsverbot* decree had banned communists from employment in government service.

The late 1960s and 1970s also saw an increase in the political use of the criminal law against the Left. This was made possible because of the basis on which Germany's criminal law rests. After the defeat of national socialism, fascist security legislation was annulled and the FRG's criminal code was returned to Germany's pre-1933 form; in effect, its nineteenth-century form. This meant that Bismarck's laws of assembly, enacted over a century ago to protect the state from socialism, organised workers, communists and opponents of German rearmament, were remobilised. There was thus an underlying political bias to the German legal code, which could be readily adapted to deal with new challenges to the state.

Section 129 of Bismarck's Law of Assembly has provided the base upon which all anti-terrorist measures, from the late 1960s onwards, have been built. In 1968, the state, faced with widespread opposition, student revolt, anti-US and anti-Nato sentiment and the terror tactics of the Red Army Faction, extended the s129 definition of criminal association to include terrorist groups. Subsequently, the scope of s129 was extended still further to allow for the prosecution of any expression of solidarity, whether in words or deed, with a criminal or terrorist association.

Then, in 1986, in a context of growing anti-nuclear and environmental protest, s129 was amended yet again. Under s129a, criminal or terrorist acts included 'dangerous acts' – never defined and so open to wide interpretation – carried out against rail, sea and air traffic; also prohibited were the destruction of work materials and interference with public utilities. Those who fall under the scope of s129a can face years of investigation and imprisonment: a criminal or terrorist suspect can be placed under 'investigative detention' and subjected to a prison regime which includes solitary confinement and the use of sensory deprivation. In fact, the majority of prosecutions under s129a have eventually been thrown out of court due to lack of evidence. The real purpose of such prosecutions, claim civil libertarians, is not to protect society from criminal/terrorist elements, but to protect the state from political opposition, by immobilising left-wing organisations and keeping them under constant surveillance.

[4] Vercher, Antonio: *Terrorism in Europe. An international comparative legal analysis.* Oxford Clarendon Press, Oxford 1992.

[5] See: *France's anti-terrorist laws condemned: Islamic militants in "political show trial" in: IRR European Race Bulletin* no. 29, March 1999.

[6] Vercher: Ibid (see endnote 4)

GLOBAL SECURITY & THE IMPACT OF SEPTEMBER 11

Despite the repressive nature of national security policy in Asia and Europe, there was some cause for optimism at the dawn of the new millennium. There had been important advances for democracy movements in Asia with the downfall of authoritarian dictatorships in the Philippines (1986), South Korea (1987), Thailand (1992), Indonesia (1998) and, most recently, in East Timor (2001). Meanwhile, in Europe, the IRA had announced a unilateral ceasefire (1994). The Northern Ireland peace process that ensued aroused expectations that if this, the most intractable of conflicts, could be resolved by negotiation and not war, then the lessons learnt could be applied elsewhere.

But the US government's response to the events of September 11, in launching its so-called "war against terrorism", put paid to all that. Soon virtually every government in the world was drawn into the US ambit, engulfed by US concerns, and absorbing its definitions of terrorism. An array of anti-terrorist laws and security measures was introduced in Europe and Asia. An EU-wide approach to combating terrorism was rushed through the European Parliament. The countries of ASEAN (Association of South-East Asian Nations) agreed to work in closer cooperation with one another and the US against terrorism. And, at the 4th Asia-Europe summit meeting (ASEM-IV) in Copenhagen in September 2002, participant governments signed the ASEM Copenhagen Declaration on Cooperation Against International Terrorism.

Interlocking Global Security Regime

These were not isolated developments. The formation of the US led coalition against terrorism", initially to hunt down Osama Bin Laden and eradicate Al Qaeda in Afghanistan, was the beginning of an interlocking system of national, sub-regional, regional and international anti-terrorist structures. If the world, post-September 11, has to be made safe for the US, and, incidentally, for its allies in Europe and Australia, then national security laws have to be made subservient to a global security regime.

Fundamental to the new global security regime is United Nations Security Council Resolution 1373 (UNSCR 1373). Passed on 30 September 2001, UNSCR 1373 effectively establishes UN jurisdiction over national security laws. It imposes, for the first time, an obligation on states to take a broad range of measures to prevent and suppress the financing of terrorist acts, to assist one another in related criminal investigations and to 'enhance the coordination of efforts, nationally and internationally', to strengthen the 'global response' over threats to international security.

The Security Council also established the Counter-Terrorism Committee (CTC), chaired by the British, to monitor the compliance of member states with UNSCR 1373 [7]. States were given no more than 90 days to report on action taken. The CTC instigated an immediate review of all measures taken by states to counter the financing of terrorism, and progress in ratifying existing international conventions and protocols against terrorism. By November 2002, the CTC had reviewed 180 reports and 100 follow-on reports from states, setting out what action they had taken to comply with UNSCR 1373. [8]

The EU Common Approach

UNSCR 1373, which ensures that anti-terrorist measures taken by individual nation states are locked into one overall system, had immediate consequences within Europe and Asia, as well as on the relations between them. In December 2001, the Council of the European Union (the 15 EU govern-

> *Globalism needs a global security regime.*
> *And a global security regime needs a global security state.*
>
> A. Sivanandan, Editor Race & Class

ments), without any pretence at democratic debate and under pressure from the US, rushed through both a 'framework decision' and a 'common position' on combating terrorism.[9] The 'framework decision' instructs member states to define a number of acts that might 'seriously damage a country or international organisation' as terrorist offences. The common position on combating terrorism instructs member states to prevent the public from offering 'any form of support, active or passive' (emphasis added) to 'entities or persons involved in terrorist acts'. The framework decision was drawn up in such a way as to erode the distinction between legitimate political activity and terrorist acts. The common position compounds this by not differentiating between individuals who consciously assist those involved in terrorist acts, and those who simply share the same final goal as 'terrorists' - for self-determination or liberation from tyranny, for instance.

In June 2002, the Council of the European Union, acting on UN resolutions, issued a list of 31 foreign organisations that were henceforth outlawed in the EU as terrorist. Individuals whose assets were to be frozen were also listed. Included in the list of foreign organisations were the Liberation Tigers of Tamil Eelam (LTTE) and the Communist Party of the Philippines (CPP). The contradiction between the EU Council's proscribing such groups as terrorist and the European Parliament's support of peace processes in which they are involved, seems to have escaped notice. The European Parliament, for example, had supported the peace process (now suspended) between the Philippine government and the National Democratic Front of the Philippines (a coalition which includes the CPP). It has also lent support to Norway as chief mediators in the ongoing peace negotiations between the LTTE and the Sri Lankan government.

Thus, the EU has carved out a policy on terrorism that bears little relation to any domestic danger and is derived from UNSCR 1373 against the amorphous threat of international terrorism. It is an approach that has been principally fashioned for external consumption – to satisfy the demands of the UN,
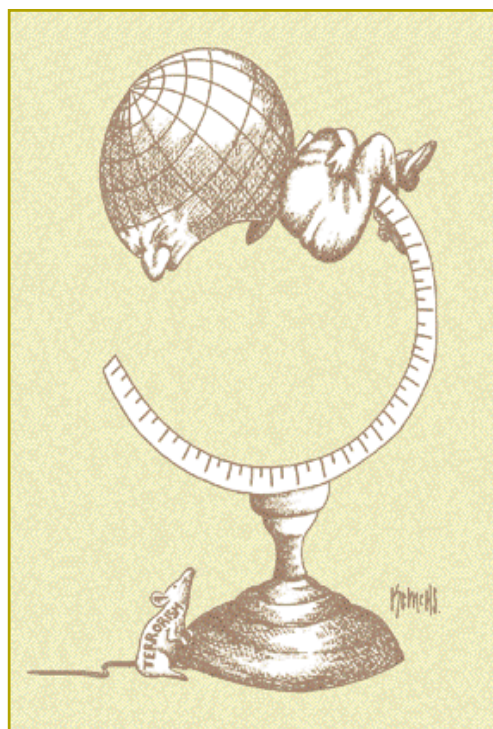
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appease the US, and keep on good terms with non-western allies, however authoritarian, in the "war against terrorism". What these three measures, taken together, signify is an admission by the EU that it will not chart a path to advance global security independent of the US; nor will it serve to further democracy and human rights abroad.

It is an approach; too, that has serious implications for human rights standards within Europe.[10] The EU's common position on combating terrorism established a separate system for the control and surveillance of refugees and asylum seekers deemed a potential source of terrorism. Member states have, however, gone further, enacting a series of laws and special measures - from emergency powers to the amendment of existing public order, criminal justice and aliens' legislation - aimed at foreigners only. The specific nature of such measures is determined in each case by a country's particular approach to combating terrorism. Germany, for instance, with its penchant for state surveillance and strict public

order laws has vastly expanded its power to gather and store information on those suspected of 'Islamist affiliation'. It has also (once again) amended section 129 of the Law of Assembly to allow (under s129b) the prosecution of foreign criminal or terrorist organisations, not only within the EU but in any other state.

The UK has further extended its emergency powers system to foreigners by introducing the Anti-Terrorism Crime and Security Act (2001), which allows for indefinite detention without trial – internment by any other name – of non-Britons. [11] Spain, which has also amended the Law on the Protection of Public Order, so as to target foreigners, has made opportunistic use of the repressive international climate to ban the Basque electoral party, Batasuna, and close down the only independent Basque-language newspaper, Euskaldunon Egunkaria.

The Asian Balancing Act

In Asia, the new international dispensation ushered in by UNSCR 1373 has strengthened authoritarian governments, which have reason to believe that the international community will overlook the use of national security legislation to suppress pro-democracy movements. But there is a quid pro quo. If the US – ultimately, the only power that matters in the war against terrorism - is to turn a blind eye to corruption and human rights abuses in Asia, Asian leaders will have to accede to its geopolitical vision for the region.

It is a vision that identifies Asia as a key focus of US military strategy in the early twenty-first century. It was formulated well before the events of September 11 by the 'Project for the New American Century (PNAC), the Washington think-tank whose founders include Dick Cheney (now vice-President), Donald Rumsfeld (now defence secretary) and Paul Wolfowitz (now deputy secretary of defence).

A series of regional and national anti-terrorist initiatives launched after September 11 shows just how far the US has gone in working the governments of South-East Asia and East Asia into its design to remilitarise the region. At the Brunei regional forum between the Association of South East Asian Nations (ASEAN) and the US, the Philippines, Malaysia and Indonesia became the first co-signatories to a counter-terrorism pact (Thailand and Burma held out the promise of joining later). A regional counter-terrorism centre, run jointly by Malaysia and the US, is to be established in Malaysia. In 2002 the US also provided the Indonesian national police with $16 million towards the costs of setting up a counter-terrorism centre, as well as other 'capacity-building programmes'. In addition, the US Pacific Command revealed that it would increase the use of US warplanes and troops as part of a military build up against North Korea.

But it is in the Philippines, where US forces were ejected from long-held military bases in the 1990s, that the US has achieved its most immediate gains. Under the guise of combating the terrorist group Abu Sayyaf, an estimated 60 strong band of ruthless kidnappers with alleged but unsubstantiated links to Al Qaeda, US troops were re-introduced in the region of Mindanao in the Southern Philippines in 2002. [12]

President Gloria Macapagal-Arroyo, who takes credit for being one of the US's staunchest allies, first allowed US troops to take part in counter-terrorism operations against Abu Sayyaf in 2002, in the southern island of Basilan. Although the introduction of foreign combat troops is an open violation of the Philippines Constitution, this was justified by the Arroyo administration as a deployment of US troops in an advisory capacity. Now a new counter-terrorism operation is planned for 2003 in Jolo, an island in the province of Sulu. US troops were last deployed here between 1899 and 1913, in a colonial pacification campaign against the rebellious Muslim minority. That campaign's brutality is remembered to this day. In February 2003, the details of a secretive agreement between the Arroyo government and US Ministry of Defence were leaked to US newspapers. Under the agreement, US troops are authorised to engage in combat in Jolo in an open-ended
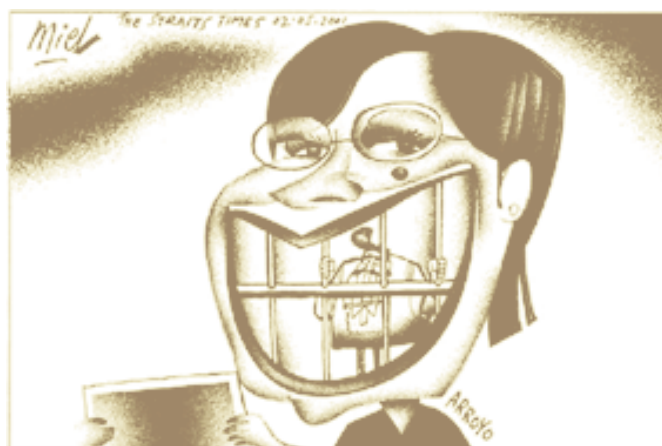
© Deng Coy MIEL 2001, Straits Times, Singapore

operation, which has no time limit. US and Philippine forces have also begun a ten-month counter-terrorism programme in the southern port city of Zamboanga.[13] Despite growing opposition however, as many as 3,000 US troops are scheduled to be deployed on the Southern island of Mindanao as part of the US' war against terrorism, with the end goal of containing Islamist movements, not only in the Philippines but throughout the Southeast Asian region.

For the governments of Asia, acceding to US demands involves them in a rather precarious balancing act. Popular resentment against the US is growing across Asia. Too close an identification with the US may carry a significant political cost and loss of internal authority. But this has to be set against the fact that the new international dispensation shifts the balance of power even more firmly into the hands of authoritarian leaders by ensuring that their domestic legitimacy is no longer questioned abroad. If no less an authority than the UN Security Council demands assurances that they strengthen anti-terrorist laws and extend police and military capacities, then this provides sufficient justification for introducing even harsher measures. Hence, since UNSCR 1373, nearly every Asian government has strengthened its national security laws.

The Malaysian President Mahathir has gone so far as to offer Malaysia's Internal Security Act as a model for every other Asian country

to follow. The Kingdom of Nepal enacted the Terrorist and Destructive Crime Control Punishment Ordinance in April 2002; India introduced the Prevention of Terrorism Ordinance 2001; Pakistan issued an ordinance amending the 1997 Anti-Terrorism Act, which extended still further the use of detention without trial; and Thailand is set to introduce the People's Protection and Internal Security Act. To the East, Japan's pacifist constitution was undermined to support the US "War on Terrorism", in that Japan's Self Defence Forces (SDF) can now undertake overseas military action; South Korea, which will host new regional counter-terrorism centres, also introduced anti-terrorist legislation.

Only the Indonesian government held out for a while, with President Megawati Sukarnoputri arguing that the passage of broad anti-terrorist legislation and precipitate arrests of Islamic activists would only polarise the fragile political situation leading to more, not less, violence. But this was prior to the Bali bombing in October 2002. After Bali, the Perpu (government decree) no. 1 of 2002 was brought in. This gives the authorities the power to detain individuals for up to six months without trial and opens the way for the Indonesian armed forces (TNI) to play a greater role in maintaining civil order.[14] Given Indonesia's recent history of state terror, and the fact that the military retains significant power, human rights groups were alarmed by this development. Indonesia has a 'weak judi-

ciary, rampant corruption and poor human rights record', warned Human Rights Watch, adding that the 'decree could lead to a return of Suharto era abuses, including the torture of political detainees'. In a further development in March 2003, and prior to the recent military assault in Aceh, the military leadership has submitted legislation to the government seeking authority to declare a state of emergency and deploy security personnel to conflict-torn areas without prior approval from the President. [15]

Meanwhile Burma has been ruled by military dictatorship since 1962 despite the victory of Aung San Suu Kyi's National League for Democracy (NLD) in the 1990 elections. Throughout the period of military rule, Burma has established a notorious record of gross violations of human rights. Currently, there are an estimated 1,200 political prisoners in Burma and Aung San Suu Kyi's has again been recently re-arrested and detained. However the most specific impact of September 11, has been on the Burmese Muslim population who have been targeted for more intensified repression. The junta accused Muslim-Rohingya guerrilla groups of links to Al-Qaeda and imposed additional restrictions on the predominantly Rohingya-Muslim population of North Arakan State, on the Bangladesh border. This latest repression includes restrictions on freedom of movement, religious practice, discriminatory taxes and increased forced labour. [16]

Europe and Asia: The Betrayal of Human Rights

The proponents of UNSCR 1373, in obliging all states to strengthen their anti-terrorist capabilities, have ignored the fact that national security laws which abrogate the rule of law and violate established principles of human rights are essential components of authoritarian rule. Whereas in the past, the international community, particularly the UN and the Council of the European Union, might have been critical of authoritarian rule, now they collude with it in the name of the "war on terrorism".

For the peoples of Asia, the fact that the governments of Asia and of Europe are now working in tandem, is potentially disastrous. The interlocking global security regime ushered in by UNSCR 1373 is leading the EU to distance itself from its previous support for democracy movements, as it cooperates more closely with state agents of political repression. This is a betrayal of those human rights activists in Asia who struggle on a day-to-day basis for democracy and a betrayal of the human rights standards that Europe claims to uphold.

This betrayal is further compounded by EU counter-terrorism measures laid out in the Council of Europe's Action Plan. This was further updated in November 2002 in its 'Road map of all the measures and initiatives to be implemented under the Action Plan'. [17] The EU action plan and its subsequent update are significant for two reasons. First, by openly acknowledging that the EU's key objective is to strengthen its partnership with the US, the action plan demonstrates how firmly Europe's counter-terrorism measures are locked in with those of Bush's America. Experts on the EU's Second Pillar Working Party on Terrorism (COTER) meet US experts every quarter to analyse regional terrorist threats and decide on what technical anti-terrorism assistance to give to other countries.

Second, the Action Plan's update of November 2002 is important for the revelation that, on the basis of this joint regional threat analysis, the EU has strengthened its relations with 'certain countries of Asia'. A joint declaration

on cooperation over international terrorism was issued at the ASEM Summit in Copenhagen and further practical discussions were scheduled at EU - ASEAN ministerial meetings in early 2003. Following the Bali atrocity, cooperation on anti-terrorist activity in Indonesia and Southeast Asia in general has also been prioritised. Indonesia has been identified as a country to be given assistance through various pilot projects in the implementation of UNSCR 1373. Pakistan and the Philippines have also been identified as potential recipients of further technical assistance.

In this way, the Action Plan reveals the extent to which EU Heads of States and Ministers share the US objectives in the "war on terrorism". And what is manifestly apparent is that the UK government, as chair of the UN Security Council's Counter-Terrorism Committee has been a key player in drafting UNSCR 1373 and ensuring compliance with it, as well as drafting the European Union's plan for counter-terrorism.

For those who have studied the close collaboration between the US and the UK in the field of foreign policy since the end of the Second World War, the recent UK diplomatic activity in Asia will come as no surprise. The UK's history of colonial and military enterprise, in Malaysia and Northern Ireland particularly, has enabled the military and intelligences services of the UK to regard themselves as the authorities on counter-terrorism. The UK government's sense of superiority in this field is illustrated in the triumphant tone of the Cabinet Office report (September 2002) '*The United Kingdom and the Campaign Against International Terrorism – A Progress Report*'. [18] Here, the government makes bold claims of its influence in moulding the "coalition against terrorism", promoting counter-terrorism both at the UN Security Council and at the EU and boosting the counter-terrorism skills of third countries through operational training. Indeed, it indicates that its influence secured EU ministerial agreement for the 'Roadmap' of counter-terrorism measures. Although the Cabinet Office report states that training is under way in the Central Asian states, in India, the Philippines, Indonesia, Malaysia and Nepal, it gives no specific details on what this training constitutes.

However, the reply to one parliamentary question tabled in November 2002 by Richard Tonge MP, indicates perhaps the type of support given by the UK. It reveals that a British Military Intelligence Support Group is working with the Royal Nepalese Army. However, Nepalese security forces are known to have been involved in widespread torture, more than 200 disappearances and hundreds of unlawful killings, as documented by Amnesty International. [19]

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[7] The Counter-Terrorism Committee (CTC) was authorised by a further United Nations Security Council Resolution (UNSCR 1377) passed on November 12, 2001 to work with international, regional and subregional organisations to provide 'technical, financial, regulatory legislative or other assistance programmes' which might facilitate the implementation UNSCR 1373.

[8] Parliamentary question by Edward Heath to the Secretary of State for Foreign and Commonwealth Affairs, February 10, 2002.

[9] A breakdown of the Council common position on combating terrorism can be found at www.statewatch.org/news/2002/jan/02euter.htm.

[10] Fekete, Liz: *Racism: the hidden cost of September 11, in: IRR European Race Bulletin* no. 40, 2002.

[11] The Terrorism Act 2000 had already identified the UK as under threat from international terrorism.

[12] See: *Basilan: The Next Afghanistan? Report of the International Peace mission to Basilan, Philippines March 23-27 2002*, p27, TNI/Akbayan/IPD/Focus on the Global South, Manilla, 2002.

[13] Lerner, Ted: *Painful history awaits U.S. troops in Sulu*, Asia Times Online, February 26, 2003.

[14] See: *Anti-terrorism decree threatens basic rights*, TAPOL *Bulletin* no. 169, 1760, January/February, 2003.

[15] Langit, Richel: *Indonesian military shoots for more powers*, Asia Times Online, March 11, 2003.

[16] *Caught Between a Crocodile and a Snake*, BCN Report by Peter Ras on Fact finding Mission on Rohingyas in Burma & Bangladesh, April-May 2003. Info: bcn@xs4all.nl (See also Reports by Refugees International and Forum Asia).

[17] For the latest version of the Action Plan to combat terrorism see the Statewatch "Observatory": in defence of freedom and security. (www.statewatch.org/observatory2.htm)

[18] Available on the Cabinet Office website at www.cabinet-office.gov.uk/spet11/coi-0809.doc

[19] See: *Nepal: human rights must be a priority!* AI-index ASA31/009/2003

PEOPLE'S SECURITY UNDER ATTACK

The post September 11 global security regime which underpins the unprecedented militarisation we have witnessed in the war on Afghanistan and Iraq gives the debate on People's security a new urgency.

Peoples' security stands in fundamental opposition to national security measures that abrogate the rule of law and violate principles articulated by international human rights instruments, such as the International Covenant on Civil and Political Rights, and the Universal Declaration of Human Rights. It also runs counter to post-September 11 international security measures, which – although ostensibly designed to protect the global community from international terrorism – are in reality designed to meet the security agenda of US unilateralism.

In practice, measures such as the UN Security Council Resolution (UNSCR) 1373 undermine the existing international human rights framework, the only internationally established instrument for the protection of individual rights in the face of state repression. While the Universal Declaration of Human Rights upholds the right to self-determination and self-defence in the face of tyranny and oppression, UNSCR 1373 initiates a new global regime, which legitimises, in effect, the arbitrary power of states to override civil and human rights under the guise of fighting 'terrorism'. Likewise the sweeping counter-terrorism measures adopted by the governments

of Asia as well as by the 15 member states of the EU (through the Common Position of the Council of the European Union) have further eroded universally agreed standards of human rights.

Reclaiming the People's Security Agenda

US unilateralism and the current global security regime threaten the substantive democratisation process that has been developed in Asia over the last decades. It also threatens the very fabric of international law and the UN system of civil, political and human rights. The strongest challenge to this so far has come from the international peace movement, which mobilised millions in protest at the US-British war on Iraq.

Long before September 11, the struggles against dictatorship in the Asian region, had contributed significantly to a renewed debate on what constitutes people's security. This debate took place both at national level in terms of dismantling the architecture of dictatorship but also in terms of advocating alternative multilateral structures of regional security in Asia-Pacific challenging US bilateralist and unilateralist approaches. Over the past decade, social, peace, environmental and human rights movements have strengthened the role of civil society in articulating the framework for this debate and in asserting that human and environmental security are

> *We affirm that real security is that which ensures the promotion and realisation of all human rights - political, social, economic, and cultural - for all peoples. In recent years we have seen peoples and movements across the world articulate the possibility and desire for such human security through the common opposition to neoliberal globalisation. The 'war on terrorism' threatens to label any form of dissent as terrorism, and is, in part, an attempt to destroy the capacity of peoples' movements to achieve security. War is the biggest violation of human rights.*
>
> The Asian People's Security Network Declaration

> *"With our governments buckling under pressure or happily collaborating with Washington, it is up to the citizens and peoples' movements to reverse this process of militarisation that is foreclosing the future of peace, security and justice that we commonly desire. The Asian Peace Alliance is both a product and a promoter of the emerging region-wide movement against the war…peace in our region cannot be assured unless economic justice is institutionalised. This agenda can only be realised by a peace movement which is integrally linked to the movement against corporate-driven globalisation"*
>
> The Asian Peace Alliance Declaration

not independent of economic and political security. Moreover, a number of regional networks have emerged working for demilitarisation and peace in the region which include campaigns to terminate US bases and for a nuclear free Asia-Pacific.

Now this debate is given a new intensity as substantive gains in democratisation may be eroded under the current threats of US intervention in the Philippines or in North Korea. Besides, while the US is now principally focused on the Middle East, it is China which it identifies in the longer term as 'strategic enemy' and regards as the most serious challenger to US hegemony in Asia.

However, this current global security and militarisation regime, which has emerged after September 11 is being strongly challenged by human rights, peace movements and a wide range of civil society organisations throughout the Asian region.

One such challenge has been the formation of the Asian Peoples' Security Network (ASPN)[20] in August 2002 by human rights and peace activists from across Asia as well as participants from Europe and Australia. The APSN was established following an international Workshop[21], which compared the history and development of anti-terrorist laws in Asia and Europe and assessed the threat to human rights standards posed by the creation of the US led "coalition against terrorism". The

Workshop concluded with a 'Call for Action'[22], the launch of the Asian Peoples' Security Network (APSN) and the inauguration of a new campaign to promote a peoples' security agenda as an alternative to militarisation and the "war on terrorism".

In a related development in September 2002, peace movements from many countries in the Asian region came together for the Founding Assembly of the Asian Peace Alliance (APA)[23] in Manila, Philippines. The US pursuit of its campaign against terrorism, was identified as a common source of the high levels of insecurity being experienced throughout the region and the current assault on human rights and democratic freedoms.

With the opening up of a second front on its "war on terrorism" in the Philippines even prior to the Bali bombing, the US has again underlined that it will be the primary external actor in determining national security concerns in Asia as a whole. However, we should not overlook the pivotal role that European nations – as former colonial powers – are likely to play. Nor should Europeans overlook the impact that Europe's interaction with Asian nations over terrorism will have on its own political culture. That is why it is so important that activists in Europe, campaigning against their own national security laws, also recognise the corrosive effect that the EU's export of counter-terrorism is having on the global South. Hence, it is vital that campaigners in

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> *We believe that a world free of war, exploitation, inequality, poverty and repression is possible. We see the reality of this alternative visible within the growing movements of youth, women , workers , students, migrants, the unemployed, human rights and peace and justice activists and citizens who are bringing their spirit, energy and work together in the fight for genuine peace based on global justice for all the world's peoples.*
>
> Jakarta Peace Consensus

Europe and Asia learn from each other's experiences and work to develop mutually reinforcing movements for democratisation, peace and solidarity seeking to create 'another globalisation and another world'.

It is this solidarity and vision of 'another world' which brought peace and justice activists to Jakarta in May 2003. During a three day Conference, the participants, representing social movements, peace organisations and networks from 26 countries in Asia, Europe, Australia, Africa, Latin and North America met in Jakarta and hammered together the *Jakarta Peace Consensus.* [24] This Conference was organised in the immediate aftermath of the US invasion of Iraq, to assess the current conjuncture and chart the next steps in building the international peace and justice movement.

While the current global security regime as well as the pre-emptive strike by the US and Britain against Iraq has led to a new convergence of movements on the streets, it is also invigorating a new and intense discourse on human rights and people's security. This new discourse, which returns us to the values of the UN Declaration of Human Rights, also intensifies the demand for major reform of the UN structures, especially of the UN Security Council.

In the recent decades, social and civil society movements globally have re-written the text of human rights and people's security asserting that this includes the realisation of all human rights – political, social, economic and cultural – for all peoples. People's security and human rights are indivisible and today this includes the challenge to eliminate not only the threat of war but to address the neoliberal rule of the market, which is at the heart of the post September 11 unipolar world.

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[20] The Asian Peoples' Security Network (APSN) was launched at the International Workshop held in Nakhon Nayok, Thailand, August 23-25, 2002 on the theme of 'Democracy and Security of the People in the Asian Region'. Fifty five representatives from human rights and peace organisations from 17 countries across South Asia, Southeast Asia and North East Asia as well as from Australia and Europe participated.

[21] The international Workshop was co-organised by the Asian Human Rights Commission (Hong Kong), Forum Asia (Thailand), Suara Rakyat Malaysia (SUARAM) and the Transnational Institute (The Netherlands) and papers presented at the workshop are available on the APSN website http://www.suaram.org/apsn/index.htm

[22] Complete text of APSN Declaration and Call to Action *Human Security not National Security*, www.tni.org/altreg/index.htm

[23] Complete text of Declaration of the Founding Assembly of the Asian Peace Alliance (APA) The Struggle for Peace in Asia, www.tni.org/altreg/index.htm

[24] *The Jakarta Peace Consensus* – Declaration & Plan of Action from international social movements and peace organisations meeting in Jakarta, Indonesia, May 19-21, 2003. Statement available http://www.tni.org and information and follow-up: e-mail herbert@focusweb.org

BIBLIOGRAPHY & REFERENCES

On the roots of national security laws in Europe and Asia

AHRC: *Effect of national security laws on human rights, democracy and legal systems. A resource Booklet*. Asian Human Rights Commission, 2001

Vercher, Arnold: *Terrorism in Europe: an international comparative legal analysis*, Clarendon Press, 1992

On national security laws post-September 11

Europe

Bunyan, Tony: *The war on freedom and democracy: an analysis of the effects on civil liberties and democratic culture in the EU*, Statewatch, 2003

CACC: *A permanent state of terror,* Campaign Against Criminalising Communities, forthcoming

Fekete, Liz: *Racism: the hidden cost of September 11*, Institute of Race Relations, 2002

Scraton, Phil: *Beyond September 11: an anthology of dissent*, Pluto Press, 2002

Asia

Charoonpatarapong, Chirawatana: *War Against Liberties*, Focus on the Global South, 2002

Furuya, Satoru: *Migrants, national security and September 11: the case of Japan*, Race & Class, volume 44, no. 4, April 2003

TAPOL: *The Bali blast and beyond*, TAPOL Bulletin no. 169/170, January/February 2003
http://tapol.gn.apc.org/169-170bali.htm

Websites

Asian Forum for Human Rights and Development (Forum Asia) **www.forumasia.org**
Asian Peoples' Security Network **www.suaram.org/nsl-workshop**
Buro Jansen & Janssen (Amsterdam) **www.xs4all.nl/~respub/**
Campaign Against Criminalising Communities (CAMPACC) w**ww.cacc.org.uk**
CILIP (Berlin) **www.cilip.de**
Focus on the Global South **www.focusweb.org**
Free Anwar Campaign **www.freeanwar.com**
Institute of Race Relations **www.irr.org.uk**
ISA Political Prisoners informationMalaysia, **www.kamunting.net**
Pacific Asia Resource Centre **www.parc-jp.org/**
Statewatch: monitoring the state and civil liberties in the UK and Europe.
www.statewatch.org/observatory2.htm
Suara Rakyat Malaysia (SUARAM) **www.suaram.org**
Tapol **www.tapol.gn.apc.org**
Think Centre Asia. **www.thinkcentreasia.org**
Transnational Institute: **www.tni.org**

News Services

Institute of Race Relations Anti-Racist News Service **www.irr.org.uk**
Globalisation News Network: news and information from the Inside Out. **www.gvnews.net**
Malaysiakini **www.malaysiakini.com**

Campaigns for those detained under Malaysia's Internal Security Act

Europe:
AIM UK: BM Box AIM UK, London WC1N 3XX.
Transnational Institute: **www.tni.org/asia**
Amnesty International: **www.amnesty.org.uk**
Asia:
Forum Asia: **www.forumasia.org**
SUARAM: **www.suaram.org**

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About the Author:
Liz Fekete is deputy director of the Institute of Race Relations and a member of the editorial team that produces the international quarterly Race & Class. She has headed the IRR's European Race Audit for the last ten years and, in 2002, authored its report 'Racism: the hidden cost of September 11th'. Liz Fekete has been active in the Campaign Against Racism and Fascism for the past twenty years and is a member of AIM-UK.

In a world horrified by the September 11 terrorist attack in New York, US President George W. Bush called for the setting up of an international "coalition against terrorism". Simultaneously, September 11 was also the occasion, which justified the US to activate its strategy for global dominance and empire – a strategy that was already formulated well before September 11 by such think tanks as the Project for the New American Century (PNAC). This strategy brought together the destabilizing intersection of neo-liberal globalisation and militarisation and provided the US led "coalition against terrorism" with the twin doctrines of aggressive pre-emptive strike, such as we have witnessed on Iraq and the notion of a global security regime where human and civil rights are drastically curtailed and suspended.

This TNI Briefing examines the emerging global security regime, particularly in its fall-out in Asia and Europe. It also analyses how this security regime has led to a global interlocking system of repressive laws and militarisation and has resulted in a sustained assault on the UN human rights system. The Afghanistan war, the conditions of prisoners of war in Guantanamo Bay, and most recently the Bush-Blair unilateralism in launching war on Iraq have delivered severe body blows to the established framework of international law and to the UN system.

While this dangerous geopolitical conjuncture has swept aside all accountability to international law, millions of people have mobilised their protest in the biggest-ever global peace movement and human rights organisations and activists have mounted sustained campaigns against the unprecedented rollback of human rights.

But these movements and networks are not only protesting and resisting. They are also addressing the most urgent challenge of this era – how to develop alternatives to neoliberal globalisation and militarism which will put people's security, peace, equity and human rights at the centre of the international agenda.

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