

Brunei Darussalam's Perspective on Terrorism

Overview

The past year has observed very disturbing but nonetheless significant events that revived the threat of terrorism. Southeast Asia remains all the more vulnerable, especially in the light of the establishment of the so-called Islamic caliphate by the former Al-Qaeda affiliate group, the Islamic State of Iraq which later turned into Islamic State of Iraq and Syaria (ISIS). Reports of individuals from the region making open pledges of allegiance to ISI to joining the ranks of ISIS continue to fuel worries in the region; it demonstrates the readily available support for terrorist groups, in turn making the region more susceptible to terrorism-related activities within countries.

Brunei Darussalam strongly condemns terrorism in all its form and manifestations and rejects extremism and radicalism. In this regard, Brunei also support efforts of the international community to prevent and eliminate all forms of terrorism, particularly the various related United Nations Security Council (UNSC) Resolutions, including Resolution 2170 [2014] calling on the international community to prevent terrorist groups from posing any threats to peace and security.

Brunei's Efforts in Countering Terrorism

Legal Framework

According to Brunei's anti-terrorism order, a 'terrorist act' is 'an act omission on or outside Brunei Darussalam which constitutes an offence within the scope of a counter-terrorist convention; or the use of threat of action.... [which] involves: serious violence against any person, serious damage to property, endangers any person's life, creates a serious risk to the health or safety of the public or a section of the public ... where the use or threat is intended or reasonably regarded as intending to influence or compel the Government, any other Government or any international organization to do or abstain from doing any act, or intimidate the public or a section of the public".

With the consent of His Majesty the Sultan of Brunei Darussalam, the Anti-Terrorism Order was enforced in July 2011, which seeks "to suppress terrorism, to give effect to any international obligations relating to the combating of terrorism and for matters connected therewith or incidental thereto". This effectively repealed the Anti-Terrorism Act [Chapter 197] which was last revised in 2008, as it was more specific towards "financial and other measures" that relate to terrorism. The new act is also consistent with the UN International Convention for suppression of Terrorism and UNSC 1267 and 1373.

At the regional level, Brunei is the sixth ASEAN member to have ratified the ASEAN Convention on Counterterrorism. Signed in 2007 and ratified in 2011, this initiative gives more salience to other preceding international conventions and protocols which Brunei has committed to, such as the following:

- i. Convention on Offences and certain Other Acts committed on Board Aircraft signed at Tokyo on 14th September 1963
- ii. Convention for the Suppression of Unlawful Seizure of Aircraft done at The Hague on 16th December 1970
- iii. Convention for the Suppression on Unlawful Act Against the Safety of Civil Aviation done at Montreal on 23rd September 1971
- iv. Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14th December 1973
- v. International Convention against the Talking of Hostage adopted by the General Assembly of the United Nations on 17th December 1979
- vi. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation done at Montreal on 24th February 1988
- vii. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation done at Rome on 10th March 1988

- viii. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf done at Rome in 10th March 1988
- ix. Convention on the Making of Plastic Explosives for the Purpose of Detection signed at Montreal on 1st March 1991
- x. International Convention for the Suppression of terrorist Bombings adopted by the General Assembly of the United Nations on 15th December 1997
- xi. International Convention for the Suppression of the Financing of Terrorism adopted by the General Assembly of the United Nations on 9th December 1999

Law Enforcement

Developments and trends related to terrorism which have been observed outside of Brunei necessitated changes to Brunei's perspective on counterterrorism. On the domestic front, the National Security Committee has been established to oversee matters at the national level. The Royal Brunei Armed Forces [RBAF] and the Internal Security Department [ISD] are the two key agencies that retain responsibility for internal security, especially in regards to law enforcement and keeping the peace, both under the Prime Minister's Office.

In Brunei, strict laws governing public assemblies are enforced. The Public Order Act imposes strict legal stipulations on public meets and assemblies. Among them are the requirement to obtain permits for meeting and procession in public from Ministry of Home Affairs and the Royal Brunei Police Force, and the requirement for all associations and groups in Brunei to be registered. In addition, all activities across the country are closely monitored by the government. Specifically, the Department of Criminal Intelligence of the Royal Brunei Police Force [RBPF] plays its role in counterterrorism through its role in monitoring groups that could undermine national security, particularly in public order and national harmony. Although the Public Order Act had been in place since 1983, in the context of terrorism, this can be considered a preventive measure against movements or actions in the country that could undermine homeland security and stability.

As Brunei Darussalam continues to monitor developments on terrorism-related incidents in the region, the need for continued vigilance towards transnational crime remains an important tool in counterterrorism. As part of maintaining homeland security through strict law enforcement, the Commissioner of the Royal Brunei Police Force, Yang Mulia Dato Paduka Seri Bahrin bin Mohammad Noor, clarified that Brunei will not hesitate to take action against those who seek to use Brunei as a transit point to support terror-related activities, especially in the light of Islamic State (IS) expanding its activities in the Southeast Asian region. He acknowledged the porosity of Brunei's borders: the possibility of Brunei as a transit point for terrorist to join the struggle in Syria as frontline fighters for ISIS. To this end, stringent border control measures such as enquiries on travel destinations for both locals and foreigners should be made common practice.

Last year, there were two reported flashpoints relevant to terrorism affecting Brunei Darussalam on February 21, 2014, 44-year old Awaluddin Sitorus, an Indonesian national, was detained by Brunei's Internal Security Department (ISD) on suspected links to Jemaah Islamiyah (JI). According to Brunei's ISD, Awaluddin had undergone military training in Afghanistan in the early 90s and was formerly detained by the Indonesian government in early 2000 for suspected bombing of a church in Medan, but was later acquitted.

In October 2014, a Malaysian national, Ummi kalsom Bahak, had been charged with providing support to terrorists and intent to join ISIS. She had planned to use Brunei as a transit point en route to Istanbul, Turkey, to cross the border to get Syria.

The Role of Royal Brunei Armed Forces in Counterterrorism

As a stakeholder to maintain and protect Brunei Darussalam's national sovereignty and territorial integrity, the Royal Brunei Armed Forces [RBAF] retains the authority for *military* action in counterterrorism. This is reinforced in 2004 Defence White paper which identified enhancing national capability to counter terrorism as one of the priorities in its defence responsibilities.

Brunei recognized the importance of international cooperation through multilateral institutions in countering terrorism. In the regard, Brunei remains committed to participate in meetings, workshops and conferences through the ASEAN Defence Ministers' Meeting Framework including the Expert Working Group (ADMM Plus EWG). Not only does the EWG serve as a platform for multilateral cooperation among ADMM members with regard to counterterrorism, but also help it foster military-to-military cooperation in counterterrorism, as well as developing further the military's role in counterterrorism beyond or absent the use of force.

Testing Brunei's Counterterrorism Capabilities.

The possibility of a terrorist attack to occur in Brunei's very own territory could not be ruled out, as the effect of an unprecedented attack can lead to ineffective responses. Through the National Security Committee, The Royal Brunei Armed Forces together with the Royal Brunei Police Force act as physical responders in ensuring that Brunei continues to be safe from the threat of terrorism specifically.

To test our Brunei's counterterrorism capabilities, the Royal Brunei Police Force conducted its counterterrorism exercise in 2009. The Royal Brunei Armed Forces undertook an exercise in 2012, Hikmat Bersatu IV. Focused in counter-insurgency and urban operations, Hikmat Bersatu IV sought to defeat insurgent elements and restore public confidence.

Both exercise saw the participants of civilian agencies and the Royal Brunei Police Force [RBPF], as well as a supporting role by the Royal Brunei Armed Forces (RBAF) to supplement the existing capabilities and infrastructure involved during the exercises. The exercises underscored the importance of interagency cooperation and coordination to mitigate any loss or damage incurred in an event of a terrorist attack.

Concerns on Internet Use

In recent years, the internet has become a marketplace for exchange of ideas. In the realm of terrorism, the internet has become a 'battle space' in which terrorist groups propagate their ideology. The observed trend of individuals being recruited into ISIS from outside of the Middle East saw the Internet as a *modus operandi* for outreach. Whether in an Islamic education website, a forum thread or a Twitter page, terror groups are no longer afraid to make themselves virtually known if not accessible. Accessibility to the internet makes it more concerning for individuals to be trapped into terrorist acts through exposure to extremist religious ideology.

Media consumption on the Internet has necessitated media-related laws to govern the distribution of materials and articles published on the Internet. The Internet Code of Practice Notification, which falls under the Broadcasting Act, strengthens Brunei's government purview of use and content on the Internet, emphasizing the importance of proper and responsible use of the Internet by any member of the public. Content which is against public interest and national harmony, notably one that can disrupt the racial and religious harmony in the country is strongly prohibited. Considering that 60.3 percent of Brunei's population is now more connected to the Internet, along with the increasing trend of self-radicalization in global terrorism, the possibility of people being exploited is high.

A response to mitigate or prevent further damage to virtual infrastructures is vital to ensure end users continue to benefit from using the Internet. The Brunei National Computer Emergency Response Team (BruCERT), which was established in May 2004, seek to address issues pertaining computer-related and internet security-related incidents, through issuing early warning, early response and post-mortem of such incidents.

Raising Public Awareness

The threat of terrorism was highlighted in a sermon delivered nationwide on a Friday prayer on 28 February 2014, where the attempt to bring in a more radical and militant form of Islam was seen as to have threatened Brunei's national security. It was acknowledged that Brunei was considered as a potential safe haven for terrorists to aid and abet their activities in the region, and potentially radicalizing locals upon gaining a foothold in the country.

Having recognized that the strategy of terrorism lies in winning the hearts and minds of the people, the members of the public are strongly encouraged to remain proactive and actively engaged with relevant agencies in the fight against terrorism. To this end, the Ministry of Religious Affairs (MoRA) shoulders an important responsibility in making sure the correct practices and teachings in Islam are being propagated among citizens. It contributes to the fight against terrorism at the grassroots level through active engagement with the public at established places of worship.

To further strengthen governmental oversight in religious affairs, the longstanding establishment of the Brunei Islamic Religious Council (Majlis Ugama Islam Brunei) contributes to the effort, which combines the legislative aspect of religion along with the enforcement sector. The State Mufti Office, once under MoRA, has come under the Prime Minister's Office since 1994, demonstrating the centralized nature of religious authority in Brunei, as well as the close relationship between the highest religious authority and the government. So-called splinter religious groups that affect the integrity of Islam are prohibited and outlawed. The centralization of religious authority suggest that the government retains the sole responsibility or representing Islam, in turn minimizing the possibility of propagation of radical ideas among citizens.

Conclusion

Countering the threat of terrorism is not an exclusive responsibility of law enforcement agencies or the defence organization. The involvement of various agencies playing their respective role in counterterrorism efforts suggests that a whole-of-government approach is critical in formulating a comprehensive national strategy against terrorism. Through Brunei's geographical size as well as its regional position may minimize Brunei's role in combating terrorism in the regional let alone the global scale, or perhaps accord Brunei a more peripheral role, the imminent nature of the threat of terrorism dictates Brunei to maintain its vigilance. Brunei's susceptibility of becoming a safe haven for terrorism-related activities is immanent, and the possibility of Brunei becoming source of recruitment for terrorist groups, be it homegrown or affiliated, remains open.