

# Facing Grey Area Phenomena – Transformation through Transnational Crime and Violence in Southeast Asia

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## Summary

Transnational crime and violence are not new to Southeast Asia. The sovereign sensitivities are still strong in this region, which detained effective measures against these threats to the stability and wealth of nation states. Although ASEAN would be an excellent platform and basis for cooperation and security strategies, most Southeast Asian states practice their own security policy. But there are signs for a transformation heading towards a cooperative direction.

The following article substantiates this transformation by drawing on the concept of Grey Area Phenomena (GAP) and the efforts against these phenomena by Southeast Asian states on the ASEAN arena. In doing so, the high pressure on interior and exterior sovereignty caused by GAP gives no political and financial alternative to a transformation. The acceptance for a decrease of sovereign sensitivities is growing and makes way for a regional security strategy with mutual cross-border cooperation.

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## 1 Sovereign sensitivities and current pressures on Southeast Asian nation states

Down to the present day sovereign sensitivities are extremely high among Southeast Asian states. Most Southeast Asian countries experienced colonialism by European powers and gained their international legal sovereignty rather lately.<sup>1</sup> This important gain and object of self-confidence, understandably, is preserved and maintained with all possible remedies. Particularly with regard to security matters, any interference of neighbouring and alien states is rejected fiercely by Southeast Asian states. That notably becomes apparent concerning members of the Association of Southeast Asian Nations (ASEAN). Although a multitude of objectives – such as the acceleration of economic growth, social progress, and cultural development – were

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<sup>1</sup> Myanmar gained independence in 1948, Indonesia in 1949, Cambodia in 1954, Laos in 1954, Vietnam in 1954, Malaysia in 1957, Singapore in 1965, Brunei Darussalam in 1984 and East Timor in 2002. Among the Southeast Asian states, Thailand is the only sovereign state without a history of colonial occupancy.

determined in the Bangkok Declaration of 1967, the participating states were not up to renounce any parts of their sovereignty to a superior organization. Regional resilience should only be accomplished through the bundling of national resilience only.<sup>2</sup> This applies in particular for the military and security cooperation, which was to be avoided strictly.

But with the end of the Cold War and the uprising globalization it rapidly became apparent that a multitude of new intangible challenges and threats appeared to confront this system of sovereign states. In doing so, maritime and continental Southeast Asian states are affected likewise: the former are confronted with maritime piracy performed by various groups and often attended by smuggling, blackmail or armed quarrels. The latter notably grapple with cross-border narcotics trafficking, arms trade, money laundering, and human trafficking beings. Furthermore, some Southeast Asian states struggle with ethnic and religious conflicts on a sub-national and transnational level, which prove to be exceedingly violent in the majority of cases. Throughout the region, governments feel impelled to act against these threats and phenomena lying within grey areas, apparently fields of tension between national responsibility and governmental helplessness. It seems that the so called Grey Area Phenomena<sup>3</sup> are able to perform an exceptionally high pressure on the Southeast Asian nation states: they challenge the state's interior sovereignty, for instance, by high economic damages, tax fraud, delinquency, or health care and environmental troubles. At the same time, they provoke the state's exterior sovereignty as triggers for bi- and multi-lateral resentments, smaller skirmishes or conventional warfare. But are these phenomena strong enough to initiate a transformation towards a cooperation on security matters? Are they strong enough to take Southeast Asian states a step forward from being anxious on behalf of their national self-determination towards a cooperation on a regional level, preventing damage of transnational threats?

In the following, these topics will be taken up and analyzed briefly. In doing so, two basic assumptions take centre stage: Firstly, Grey Area Phenomena necessitate a transnational co-operation. Secondly, a transnational cooperation, consequently, leads to a transformation of a state's sovereignty. I will start this research with a close description of the Grey Area Phenomena concept and a specific view on the international system level, respectively: this approach makes sense inasmuch as these phenomena have a multi-dimensional and transnational character.<sup>4</sup> The possibility of extracting malicious transnational patterns of interaction seems to be

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<sup>2</sup> See: Feske, Susanne: *Der ASEAN-Staatenbund*, in: Dahm, Bernhard and Roderich Ptak (Ed.): *Südostasien-Handbuch*, München 1999, p. 544. (henceforth: Feske, Susanne: *ASEAN*).

<sup>3</sup> Grey Area Phenomena (GAP): Mentioned first by Jim Holden-Rhodes and Peter Lupsha in 1992, then resumed by Peter Chalk in 1997. The GAP paradigm will be attended in the next chapter.

<sup>4</sup> Makarenko, Tamara: *Terrorism and Transnational Crime. Tracing the Crime-Terror Nexus in Southeast Asia*. In: Smith, Paul J. (Ed.): *Terrorism and Violence in Southeast Asia. Transnational Challenges to States and Regional Stability*, New York 2005, p. 169 (henceforth: Makarenko, Tamara: *Transnational Crime*).

improved from the international system perspective. This perspective can also provide a good look on one of the most important regional organizations: ASEAN. In the course of its non-interfering policy appointed with the Bangkok Declaration, this organization represents a useful indicator for member states' transformation. Because of the many impacts on joint agreements, declarations and treaties, the following article will come to the conclusion that Grey Area Phenomena in Southeast Asia will provoke co-operation and, with it, transformation.

## 2 A Shift in the character of conflict types

With the decline and dissolution of the bipolar block system in the early 1990s, a multitude of new subnational, transnational and international actors emerged within the international system. While these swiftly adjusted to the given framework, they posed a challenge for the traditional sovereign nation state similarly: although the nation states increasingly sensed the new actors as substantial, a full acceptance was initially excluded. With that, a process of convergence and balancing started on both sides which continue to this day. In addition, a shift occurred in the character of conflict types and instruments of conflict resolutions. It seems that the decrease of inter-state conflicts is connected with an increase of subnational disputes on a level below the intensity of conventional wars. Furthermore, the regained freedoms of trade and movement appear to be a special challenge to the security and integrity of modern sovereign states. They have to face not only illegal trade, money laundering or drugs and arms trafficking but also the uncontrolled spread of dangerous diseases or the unimpeded environmental pollution by a neighbouring state. From a sovereign state's point of view, however, all circumstances mentioned above have the ability to generate an elusive political, institutional and juridical space. This space can be characterised as a grey area.

### 2.1 Grey Area Phenomena

Grey Area Phenomena (GAP) can be defined as threats to the stability of sovereign states by non-state actors or non-governmental processes and organizations. They represent a direct threat to the underlying stability, cohesion and fabric of the modern sovereign state.<sup>5</sup> Two characteristic forms can be distinguished: non-violent and violent phenomena. Non-violent GAP are related to threats posed by non-governmental processes and influences. They can appear as uncontrolled and illegal immigration, as famine or as diseases. Violent GAP, however, are generally related to activities of non-state actors, e.g. international crime syndicates, drug trafficking organizations or terrorists groups. These violent threats, in particular, are „generally well organized, employed for political or economic purposes, and fall short of

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<sup>5</sup> See: Chalk, Peter: *Grey Area Phenomena in Southeast Asia: Piracy, drug trafficking and political terrorism (Canberra Papers on strategy and defence, No. 123)*, Canberra 1997, p. 5 (henceforth: Chalk, Peter: *Grey Area Phenomena*).

conventional warfare“.<sup>6</sup> Although some unfold their impacts on sovereign states as a result of their intra-state origin, others receive their strength and shape due to their transnational nature. This nature arises, obviously, on those GAP which span national boundaries and operate well organised and multidimensional:<sup>7</sup> they are able to target the economic, political, and social systems of different states directly and similarly. This preference to exist outside of state structure and formal institutions causes their insidious and obscure disposition. It can explain the lack of interest and motivation to develop preventive political measures concerning the effects of GAP. Only at times when these phenomena are causing destabilization, crisis or major armed conflicts, governments or state officials decide to implement sometimes aggressive or preventive strategies and action plans.

## 2.2 Grey Area Phenomena in Southeast Asia

Grey Area Phenomena are not new to the Southeast Asian region. But the historic and political events of the 20th century had a special impact on forms and intensity of the distinct phenomena. In conjunction with the end of the US-Soviet confrontation, the enhanced emergence of maritime piracy, narcotics production and trafficking, the uncontrolled spread of diseases, illicit arms trade, and political or religious motivated terrorism gained more attention. The new realities of today's global context, in particular, appear to be the main factors for the increasing number of threats on this regional level: the globalization and dollarization, the resurgence and strengthening of ethnicity, identity and religion, and the proliferation of weaponry.<sup>8</sup> Especially, the desire for material wealth, economic power and influence found copious condensation in Southeast Asian societies. In principle, this social and cultural transition has served the region well: it enabled Indonesia, Singapore, Thailand and others to ascend towards the most dynamic economies worldwide. But this success came along with the creation of winners and losers and a deepening of social cleavages.<sup>9</sup> The craving of various social groups for instant material wealth prepared ground for the growth of GAP leverages. As a result, there has been a gradual evolution of a parallel underground economy throughout Southeast Asia which affords various opportunities for illicit activities, such as money laundering, economic and maritime piracy, narcotics production and trafficking or the illegal trade of basic and advanced weapons.<sup>10</sup> Even though the effects of these predominantly economic GAP are mostly obscure and hardly detectable, their impacts on Southeast Asian economy and social structures should

<sup>6</sup> Chalk, Peter: *Grey Area Phenomena*, l.c..

<sup>7</sup> See Makarenko, Tamara: *Transnational Crime*, p. 169.

<sup>8</sup> See: Chalk, Peter: *Grey Area Phenomena*, p. 6-15.

<sup>9</sup> See: Reilly, Benjamin and Kennedy Graham: *Conflict Through Asia and the Pacific: Causes and Trends*, in: Heimanns, Annelies; Simmons, Nicola and Hans van de Veen (Ed.): *Searching for Peace in Asia Pacific. An Overview of Conflict Prevention and Peacebuilding Activities*, London 2004, p. 17 (henceforth: Reilly and Graham: *Conflict through Asia*).

<sup>10</sup> See Chalk, Peter: *Grey Area Phenomena*, p. 16.

not be underestimated. This is also true for rather ethnic-cultural GAP: especially, the decline of ideological domination by the former superpowers enabled groups and organizations based on ideas and perceptions of ethnicity, identity or religion to gain more influence on Southeast Asian societies. That does not wonder, as the region is one of the most diverse areas in the world. An astonishing variety of cultures and societies, over 1,000 languages and related ethno linguistic groups, and four of the world's great religions can be found in this region.<sup>11</sup> Currently, Myanmar and Indonesia are affected the most by ethnic conflicts. The first include the predominantly Burmese military government with ethnicities such as the Wa, Shan, Karen and Mon in an enduring ethnic and political quarrel. The latter encompasses Indonesia and its province Papua at the eastern end of the Indonesian archipelago, which not only has cultural and historical claims to kinship with neighbouring Papua New Guinea but also tries to separate nationhood from Indonesia.<sup>12</sup> Regarding the strengthening of religion, the emerging Islamic fundamentalism has become the most difficult challenge to Malaysia, Thailand, Indonesia and the Philippines, in particular. The Philippines, a country shaped by Christianity, are in opposition to a powerful Islamic movement on Mindanao where the predominantly Muslim population calls out for a Muslim homeland of their own. But even the latest Burmese anti-government protests in 2007 showed that the traditional Buddhist sangha has the potential to emerge towards a new, religious and socially rooted opposition stepping into the political vacuum left behind by the old one.<sup>13</sup> It seems, however, that the preponderant ethnic-cultural GAP generate especially those activities which range from campaigns of citizens' initiatives with only small disposition for violence to highly dangerous and violent terrorist groups. Their impact on the stability and fabric of Southeast Asian states should not be underestimated, as well: the request for a self-determined statehood, an international financial and assistant network – of Islamic groups in particular – as well as nearly uncontrollable capacities of ideological training facilities have the ability to injure the state integrity enduringly. At least, the international system's new reality regarding a proliferation of weaponry also has strong bearing on the Southeast Asian region. Thanks to the extensive supply of combat weapons to Cambodia and Afghanistan during the Cold War and the voluminous smuggle activities out of the former USSR and Eastern Europe, the number of weapons do not get down to a nameable quantity. At large, the arsenal of circulatory arms is impressive: it includes M-16 and AK-47 assault rifles, lightweight grenade launchers, squirt less flame throwers, surface-to-air missiles (SAMs), portable anti-tank weapons, light and heavy machine guns, rocket-propelled grenades (RPGs), land-mines and other

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<sup>11</sup> See: Reilly and Graham: *Conflict through Asia*, p.15.

<sup>12</sup> See: Reilly and Graham: *Conflict through Asia*, l.c.

<sup>13</sup> See: Lorch, Jasmin: „Stopgap or Change Agent? The Role of Burma's Civil Society after the Crackdown“, in: *Internationales Asienforum*, 1-2/39 (2008), p. 22.

demolition material.<sup>14</sup> Although this list is certainly not complete, it can help to get an impression of the armament and force available for GAP actors. Due to the different ways of access, e.g. the corruption of armed forces personals or militias, unreliable coast guard patrols or badly border control in the hinterland, the proliferation of weaponry predominantly is a structural GAP. This is in particular the case as the illicit trade of arms has its origin within the use of a state's structural weakness. Its severe effects, however, are unfolded within the region by piracy, narcotics production and trafficking, or political and religious terrorism.

The mentioned realities of the new global context, certainly, can make an important contribution to an explanation in respect of the increasing occurrence of GAP. According to the achievements reached so far, it can be stated that the actors of these phenomena take every available advantage of their immediate vicinity. In Southeast Asia, the vast and complex coastlines, encompassing both the Indonesian and Philippines archipelagos, provide a fertile area for maritime piracy, smuggling, or illegal immigration.<sup>15</sup> The hardly accessible continental hinterlands, impervious by dense jungles, deep valleys and sharp mountain ranges offer a viable basis for fortified 'no-go' areas beyond the formal control of governments, used by narcotic cartels and terrorist groups for all kinds of illicit activities.<sup>16</sup> Finally, the weaknesses of state structures which affect many Southeast Asian states provide GAP actors with a multitude of advantages concerning their illicit activities such as corruption, money laundering, and other organized crime.<sup>17</sup>

### 3 Responses to Grey Area Phenomena

It was stated above that Grey Area Phenomena are threats to the underlying stability of sovereign states. Most of these phenomena span national boundaries, are well organized and multidimensional: they have, therefore, a transnational character. From this follows that any response initiated against the transnational dimension of GAP has to be multilateral in nature when claiming to be successful and sustainable.<sup>18</sup> It is to surmise that regional organizations formed and supported by sovereign nation states with certain specific competences and joint agreements are capable to narrow and to control transnational crime, deliberately. The arrangement of these competences has to comprise centralized coordination facilities for a successful combat against GAP. Given that ASEAN is the prime regional organization in Southeast Asia, a closer look on its joint agreements and possible action plans to be passed could give evidence not only to the necessity of counter-

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<sup>14</sup> See: Chalk, Peter: *Grey Area Phenomena*, p. 18-19.

<sup>15</sup> See: Raymond, Catherine Zara: *Piracy in Southeast Asia. New Trends, Issues and Responses (Institute of Defence and Strategic Studies, IDSS; Singapore: Working Paper No 89)*, at: [http://www.rsis.edu.sg/publication\\_s/WorkingPapers/WP89.pdf](http://www.rsis.edu.sg/publication_s/WorkingPapers/WP89.pdf), March 27, 2007, p. 3.

<sup>16</sup> See: Chalk, Peter: *Grey Area Phenomena*, p. 16.

<sup>17</sup> See: Reilly and Graham: *Conflict through Asia*, p. 15.

<sup>18</sup> See: Chalk, Peter: *Grey Area Phenomena*, p. 86.

measures against transnational crime but also to the pressure on Southeast Asian nation states establishing a cooperation by decreasing their sovereign sensitivities.

### 3.1 Regional Responses: ASEAN as a catalyst

During the 1950s, multiple attempts were made to foster regional collaboration on different layers between Southeast Asian states. The formation of ASEAN in 1967 was the first to develop itself towards a firm and sustainable regional organization. The causes for this success lie definitely in the experiences with the previous regional agreements and the specific implementations of ASEAN: at last, economic growth should support social progress, cultural development and regional stability for Southeast Asian societies. Simultaneously, the founding members held in high regard that the new states situated in a constitutional process would not have to convey parts of their recent gained sovereignty.<sup>19</sup> The latter implementation became exceedingly noticeable on the field of formalized military and security collaboration. Although a security policy cooperation based on bi-lateral and multi-lateral agreements outside of ASEAN was allowed, the main principle was never questioned: every member nation state is responsible for its own security affairs.

The strict position of ASEAN members yielded in a multitude of severities for the sovereign member states but similarly in a multitude of advantages for GAP actors. This coherence between advantage and disadvantage can be explained best on the basis of the concept of territoriality, although other examples from different layers would give similar evidence. Territoriality is one of the constitutional attributes of sovereignty. The concept of territoriality always assigns soil and ground as the basis of interior and exterior legitimacy to a state's sovereignty.<sup>20</sup> Therefore, it brings its influence to bear in two different layers: on the one hand, territoriality constitutes a state's claim on ruling all jurisdictional and social affairs within its territory. As a result, the state's governance extends to all persons, living creatures, issues, and circumstances, which reside in its claimed area. On the other hand, territoriality substantiates the geographical and geopolitical size of a sovereign state. In doing so, it tries to pinpoint the exact size and dimension of a state's property and sphere of authority. However, both layers implement and constitute one of the most visible characteristics of a modern sovereign state: its borders and borderlines. This factor, in particular, leads to major difficulties within the Southeast Asian region. Although it seems that borders often matter very little for every day life in Southeast Asia,<sup>21</sup> for security forces and GAP actors they are objects of major interest. Especially the maritime borderlines of the sovereign Southeast Asian states provide the region with

<sup>19</sup> See: Feske, Susanne: ASEAN, p. 546.

<sup>20</sup> See: Rausch, Ulrike: *Territorialität*, in: Nohlen, Dieter (Ed.): *Lexikon der Politik. Band 7: Politische Begriffe*, München 1998, p. 644.

<sup>21</sup> See: Smith, Paul J.: *Border Security and Transnational Violence in Southeast Asia*, in: Smith, Paul J. (Ed.): *Terrorism and Violence in Southeast Asia. Transnational Challenges to States and Regional Stability*, New York 2005, p. 212.

constant disputes and transnational crime.<sup>22</sup> Maritime piracy, in particular, emerged to a quality which has nothing to do with an old-fashioned waylaying.<sup>23</sup> On the contrary, the equipments of modern pirates range from small and lightly armed boats to excellent provided and heavy armed vessels. It would go too far to illustrate the different and various forms of maritime piracy defined by several observation and security organizations, but it is to determine that nearly all incidences with piracy have something in common: most pirates know Southeast Asian borderlines very well, as these lines, not seldom, mean to them a good life-insurance. Given the frequent lack of bi-lateral and multi-lateral agreements, concerning law enforcement and cross-border tracing possibilities between Southeast Asian states, national armed security forces have to return to maritime nation state borders, in the majority of cases. Pirates, however, are able to seek shelter in the neighbouring nation state by velocity and territorial knowledge. The value of the predominantly severe economic damage for the affected Southeast Asian states can only be estimated and produces significant material and ideational pressure: firstly, the harm for national and transnational companies can be very high since not only the shiploads are affected but also ships on the whole. In addition, insurance contributions for maritime vessels and crew rise to an extensive height. Secondly, the smuggling causes considerable tax deficits needed desperately to enhance national security measures among other things. This causes a dangerous spiral as lesser tax revenues lead to reduced security expenses, in turn causing higher possibilities for crime. Finally, the insecurity of waterways in Southeast Asia causes an ideational damage to a great extent. On the one hand, this insecurity is definitely able to anticipate foreign investments. On the other hand, the possible dangers for ships, commodities, and crews give rise to regional and international resentments. Other countries, such as Japan, are heavily dependent on free, open and secured waterways. As a consequence of this, not only the littoral Southeast Asian states but the whole region is affected by transnational crime accomplished by GAP actors.

### 3.2 Declarations and Agreements on Transnational Crime

With the Manila Declaration on Transnational Crime, the ASEAN member states lay the cornerstone of the intensified assignments with regard to the new forms of crime. According to this agreement, transnational crime signifies all activities such as terrorism, illicit drug trafficking, arms smuggling, money laundering, traffic in persons, piracy, and all other threats that have pernicious effects on the regional stability and development, the maintenance of the rule of law and the welfare of the

<sup>22</sup> The disputes span to four main areas: the Paracels which are contested by China, Taiwan and Vietnam; the Gulf of Tonkin which is competed by China and Vietnam; the Pratas Island and the Macclesfield Bank, disputed by China and Taiwan; and the Spratleys, contested in whole or in part by China, Taiwan, Vietnam, the Philippines, Malaysia and Brunei. The major grey area phenomenon appearing to all littoral Southeast Asian states is maritime piracy.

<sup>23</sup> See: Pohl, Manfred: *Piraterie in Südostasien – ein Gewerbe mit staatlicher Unterstützung?*, at: [http://bmlv.gv.at/pdf-pool/publikationen/03\\_jb01\\_42\\_poh.pdf](http://bmlv.gv.at/pdf-pool/publikationen/03_jb01_42_poh.pdf), accessed: March 22, 2007, p. 64.



region's people. Therefore, a list of measures was compiled which includes all proposed tasks to address the problem of transnational crime. The most important counter-measures are to

- strengthen the commitment of member countries to cooperate at the regional level in combating the transnational crime,
- hold discussions with view to signing mutual legal assistance agreements, bilateral treaties, memorandum of understanding or other arrangements among member countries,
- consider the establishment of an ASEAN Centre of Transnational Crime (ACOT),
- encourage member countries to consider assigning Police Attaches or Police Liaison Officers in each other's capital in order to facilitate co-operation for tracking transnational crime,
- encourage networking of the relevant national agencies or organizations in member countries,
- expand the scope of member countries efforts against transnational crime such as terrorism, illicit drug trafficking, arms smuggling, money laundering, traffic in persons, and maritime piracy.<sup>24</sup>

In the aftermath of September 11, 2001, the ASEAN member states condemned the terrorist attacks in New York and Washington, DC, in the strongest terms. With their Declaration on Joint Action to Counter Terrorism, they not only gave a new impulse in fighting transnational crime but also referred to the combat of terrorism in particular.<sup>25</sup> Here, the head of states are convinced that the major tasks concerning counter terrorists activities are not only to review and strengthen the national mechanisms to combat terrorism, but also to enhance the information and intelligence exchange to facilitate the flow of information and to develop regional capacity-building programmes to enhance existing capabilities of ASEAN member states to investigate, detect, monitor, and report on terrorist acts. In a similar direction tends the Joint Declaration of ASEAN and China on the Cooperation in the Field of Non-Traditional Security Issues.<sup>26</sup> This declaration changed the perception of transnational crime towards a perception of non-traditional security issues. Although this new perception does not replace the objects defined in former declarations and agreements of transnational crime, it encompasses economic and cyber crime in addition. This document, however, augments the concept of

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<sup>24</sup> ASEAN: *Declaration on Transnational Crime, Manila 1997*, at: <http://www.aseansec.org/5985.htm>, accessed: March 29, 2007.

<sup>25</sup> ASEAN: *Declaration on Joint Action to Counter Terrorism, Bandar Seri Begawan 2001*, at: <http://www.aseansec.org/13186.htm>, accessed: March 29, 2007.

<sup>26</sup> ASEAN: *Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues, Phnom Penh 2002*, at: <http://www.aseansec.org/13186.htm>, accessed: March 29, 2007.

cooperation of older declarations considerably. According to this, the signatory parties arrive at the decision that non-traditional security issues and transnational crime respectively can only be combated effectively with an additional strengthening of information exchange, a further strengthening of personnel exchange and training, a solid strengthening of practical cooperation and enhanced joint research and capacity-building.

In addition to these declarations, the ASEAN Ministerial Meeting on Transnational Crime (AMMTC) releases in periodical intervals joint communiqués. In conjunction with the joint communiqués of the Chiefs of Police Conference, these papers present the current status of the ASEAN Plan of Action to Combat Transnational Crime; a plan agreed by ASEAN member states after the 1997 Manila Declaration. It proposes to foster a regional strategy against transnational crime and to enhance the cooperation between ASEAN member states. Besides legal and law enforcement matters, joint security trainings, institutional capacity-buildings, and extra-regional cooperation are implemented to this plan.<sup>27</sup> Although ASEAN itself gains no additional significant competences in the Plan of Action or the named declarations, the Southeast Asian regional organization takes effect as a catalyst: several multi-lateral treaties were resolved upon transnational crime. It is of special interest that most of them encompass nearly all ASEAN member states. The most important seems to be the Treaty on Mutual Legal Assistance on Criminal Matters, which enables the investigation and persecution of criminal threats across borders. With that, an important step towards a working cooperation and a decrease of sovereignty was done, which certainly will have its affects on occurring violent GAP.

#### **4 Transformation towards regional co-operation in security matters**

The question was raised if the variant forms of GAP, especially with violent natures, are strong enough to initiate a transformation within Southeast Asian states towards a co-operation on security matters. It was asked, as well, if transnational threats by GAP actors are able to put as much pressure from the interior and exterior of the Southeast Asian nation state when provoking a decrease on sovereign sensitivities.

On the basis of ASEAN this transformation could be determined: although ASEAN itself only appears as a catalyst, it can be ascertained, however, that there occurred a different perception on security cooperation with the Manila Declaration on Transnational Crime. The powerful principle, which constitutes that every member nation state is responsible for its own security affairs, seems to have lost nothing of its strength up to this day. But with the prime multi-lateral treaties and determined cross-border cooperation the commencement of a regional security strategy is done.

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<sup>27</sup> ASEAN: *ASEAN Plan of Action To Combat Transnational Crime*, at: <http://www.aseansec.org/16133.htm>, accessed: March 29, 2007.

In addition, the informational exchange and the joint security personnel trainings give evidence to a slow process of transformation from self-contained national security policies to a gradual constitution of a regional security strategy against GAP. As a matter of fact, the increased material and ideational pressure on the respective Southeast Asian sovereign states caused by GAP gives no financial and political viable alternative. Regional security cooperation, in principle, accomplishes higher advantages by decreasing charges. Nevertheless, many ASEAN member states still adhere to their full sovereignty. But the governments have to answer the question: How long can we afford a solo attempt to combat transnational crime?

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