MALAYSIA'S POLICY ON COUNTER TERRORISM AND DERADICALISATION STRATEGY

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ABSTRACT

Terrorism has emerged to be one of the main security threats to the stability and security of the country. To deal with the challenges, Malaysia has put in place its policy against terrorism and at the same time has passed two related legislations namely the Prevention of Terrorism Act 2015 (POTA) and the Special Measures against Terrorism in Foreign Countries Act 2015 (SMATA). Both legislations are consistent with the spirit and purpose of UNSCR 2178 particularly in monitoring the activities of foreign terrorist fighters (FTFs) and to deal with the threats they pose. Malaysia continues to work closely with other countries and international organisations in improving border security to prevent movement of terrorists. As preventive measures, Malaysia adopted the deradicalisation strategy that requires strategic collaboration between the Government, civil societies and the private sector to inhibit extremist/radical 'activities' at home or abroad by individuals or group of individuals. Continuous engagement and counselling are conducted to deradicalise potential or prospective extremists/terrorists. Malaysia has set up Counter Messaging Centre (CMC) in order to monitor terrorist narratives through social media and all other channels closely to deny extremist proponents from the means and opportunities to pursue extremist or terrorist activities and promote their misconstrued ideologies.

Keywords: *Deradicalisation, Islamic State, radical jihadism, Malaysia, terrorist network, violent extremism.*

INTRODUCTION

Malaysia will be celebrating its 60 years of independence in 2017 and is moving progressively towards its envisioned developed and happy nation in 2020. In this process, the state (elected Government) is duty bound to protect the vital interests and core values of the populace through its security architecture platform.

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These core values include basic necessities such as the right to survival, food, shelter and security from harm, among others (Buzan, 1991b). Buzan (1991a, p. 432) defined security to be "the pursuit of freedom from threat and the ability of states and societies to maintain their independent identity and their functional integrity against forces of change which they see as hostile". Similarly, according to Wolfers (1962, p. 149), "security, in any objective sense, measures the absence of threats to acquire values and in a subjective sense, the absence of fear that such values will be attacked". In the context of these definitions, the Malaysian Government had successfully dealt with the communist terrorist insurgency until they laid down their arms in December 1989 through the signing of the Peace Agreement of Hat Yai 1989[2]. From 1963-1966, the country also faced external threats from the violent conflict of the Indonesian Confrontation and managed to resolve the dispute. In 2013, Malaysia defeated the Sulu militants from the Philippines for intruding into Lahad Datu, Sabah[3].

Threats to national security come in many facets. Malaysia is not spared by the menace of Islamic extremism threat. Since the 1970s, there were numerous instances where religion was used as a mean to propagate mistrust among the populace and to undermine the democratically elected government. This was a result of misinterpretation of the Islamic faith according to the ideologies of some interest groups. Some of these are Islamic groups operated within the national boundary, but there are others who developed extensive network that transcend national borders. Extremism stems from those with uncompromising mindset with regards to their beliefs and conviction that pose threats to the nation. If efforts are not taken to wean these groups off extremism, they would degenerate into terrorists and strike blindly without regards for the life of the innocent, and disrupt the peace and stability of the country. Malaysia had handled such threats in the Memali tragedy and the Al Maunah fiasco[4], and those arising from the activities of Kumpulan Mujahidin Malaysia (KMM), Jemaah Islamiah (JI) terrorists and Al-Qaeda linked terrorists[5]. Apart from the country's success to prevent similar untoward incidents from occurring, these episodes also demonstrate that it has been able to rehabilitate the extremists and terrorists, and bring them back into the mainstream society as responsible citizens (Mohamed Farid, 2010). The new

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[2] This agreement was signed between the Government of Malaysia, Government of Thailand and Communist Party of Malaya (CPM) on 2 December 1989 at Lees Gardens Haatyai, Thailand to terminate hostilities. The signing of this agreement marks the end of the communist insurgency in Malaysia (1968-1989).

[3] This 2013 standoff is an intrusion by the self-claimed Sultanate of Sulu at Lahad Datu, Sabah. The incident started on 11 February 2013. The Malaysian security forces successfully attacked and routed the Sulu militants on 24 March 2013. A total of 56 Sulu militants, 6 civilians and 10 Malaysian security forces were killed in this incident.

[4] The Memali Incident (November 1985) and Al-Maunah fiasco (July 2000) were incidents that were driven by the radical ideology of certain fringe Islamic groups with their own political motivation.

[5] In 2001, the revolutionary cells of Kumpulan Mujahidin Malaysia (KMM, December 2001 – January 2002) and Jemaah Islamiah (JI) were uncovered with alleged links to the Al-Qaeda international terrorist network.

challenge since 2013 arises from the Islamic State (IS) militancy or Daesh that has become the fastest growing threat to Malaysia (Zahid Hamidi, 2015a). There is no sign to the end of this terrorism threat in the near future as long as the conflicts in Syria are not resolved.

The special ASEAN Ministerial Meeting on the Rise of Radicalisation and Violent Extremism[6] was held in Malaysia in October 2015. As a follow through effort, the Malaysian Government took the lead to bring together international leaders and security experts to share country experiences, expertise and the best practices in addressing radicalisation and violent extremism. The 'International Conference on Deradicalisation and Countering Violent Extremism' organized by the Ministry of Home Affairs (MOHA) Malaysia provided the platform[7]. The conference, attended by 17 Ministers and 500 Representatives and participants from different countries, signified the urgency of close cooperation, commitments and sense of unity among nation states to fight against radicalism, violent extremism and terrorism. This forum is critically crucial at this juncture when the whole world is facing serious challenges posed by terrorism (Zahid Hamidi, 2016a).

It is Malaysia's hope that regional and world stability and security can be restored at the soonest possible. For this hope to be realized, the country is of the view that the war against terrorism cannot be won by the mere use of military force and power. Retaliation to military actions will court more terror and perpetuate the cycle of violence. The contagious nature of terrorism requires careful diagnosis of its root causes without prejudice before the problem can be effectively dealt with.

Against these backdrops, Malaysia has taken various steps to address the threat of terrorism. First, the policy on counter terrorism was put in place, and the legislatives for curbing modern terrorism were enhanced. Second, the operations of law enforcement, intelligence and security forces were strengthened. Third, international cooperation was widened through the sharing of Malaysia's deradicalisation strategy and terrorist rehabilitation programme. This effort led to a number of countries that came forward to learn from Malaysia. These three aspects are explained in detail in the following sections of the paper. The final section concludes the paper.

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[6] A Special ASEAN Ministerial Meeting on the Rise of Radicalisation and Violent Extremism was chaired by Minister of Home Affairs, Malaysia. Malaysia was the chair for ASEAN in 2015. This Special Meeting was held as result of recent surge of terror attacks in Southeast Asia Region, namely in Jakarta, Indonesia and Bangkok, Thailand.

[7] The conference, held in Kuala Lumpur, was officiated by the Prime Minster of Malaysia on 25 January 2016 and closed by the Deputy Prime Minister of Malaysia on 26 January 2016. During the two day event, a total of 17 ministers or heads of delegation delivered and shared their policy statement on deradicalisation. They represented Australia, Brunei, Cambodia, France, Italy, Indonesia, Japan, Laos, Malaysia, Myammar, People's Republic of China, Singapore, Thailand, United Arab Emirates, United Kingdom, United States of America and Vietnam.

MALAYSIA'S COUNTER TERRORISM POLICY

The National Security Council (NSC) of Malaysia[8] defined terrorism as "unlawful use of threat or the use of force or terror or any other attack by person, group or state regardless of objective or justification aim at other states, it citizens or their properties and its vital services with the intention of creating fear, intimidation and thus forcing governments or organisations to follow their impressed will including those acts in support directly or indirectly". Malaysia's stand towards terrorism is clearly stipulated in Directive No. 18 (Revised) issued by the National Security Council (NSC) of Malaysia. The following are the emphasis:

i.   Denouncing any form of terrorist acts;

ii. Protection of hostages' life and property;

iii. Preference for negotiated solutions;

iv. No exchange of hostage to resolve the crisis; and

v.   Strike action as a last resort following failure of negotiation.

Malaysia's Anti-Terrorism Legislations

Since the 1970s, Malaysia has identified Islamic extremism and militancy as one of the threats to national security. Numerous executive actions were taken against these radical elements under the Internal Security Act 1960 (Act 82). Despite its unpopularity for its alleged defiance of basic human rights, the strength of the Internal Security Act 1960 was that it allowed for rehabilitation of detainees. After the repeal of the Internal Security Act 1960 (Act 82) in September 2011[9], the Malaysian Government has enacted the Security Offences (Special Measures) Act (SOSMA) 2012 (Act 747), which is a law that relates to security offences. SOSMA 2012 provides the procedures for arrest for serious offences under Chapter VI and VIA of the Penal Code which include offences against state and terrorism-related offences, among others. Under the Act, invocation of the law is warranted for actions taken:

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[8]   National Security Council (NSC) or popularly known as Majlis Keselamatan Negara (MKN), is the supreme policy making body in Malaysia for all matters pertaining to national security. Refer https://www.mkn.gov.my/

[9]   ISA was a legislative enacted in 1960 to deal with security threats which are detrimental to national security of Malaysia. It was used to curb extremism and terrorism threats in Malaysia until it was abolished on 15 September 2011. The now-repealed Internal Security Act (ISA) 1960 (Act 82) provides a clear definition of a terrorist. A terrorist, under Act 82, means any person who: (i) by the use of any firearm, explosive or ammunition acts in a manner prejudicial to the public safety or to the maintenance of public order or incites to violence or counsels disobedience to the law or to any lawful order; (ii) carries or has in his possession or under his control any firearm, ammunition or explosive without lawful authority therefor; (iii) demands, collects or receives any supplies for the use of any person who intends or is about to act, or has recently acted, in a manner prejudicial to public safety or the maintenance of public order.

i.   To cause, or to cause a substantial number of citizens to fear, organised violence against persons or property;

ii.   To excite disaffection against the Yang di-Pertuan Agong (Supreme Ruler); which is prejudicial to public order in, or the security of, the Federation or any part thereof; and

iii. To procure the alteration, otherwise than by lawful means, of anything by law established.

Penal Code, the law that codifies most criminal offences in Malaysia, provides provision for the criminalisation of terrorism and other terrorism related offences such as:

i.   Financing of terrorism;

ii.   Harbouring of terrorists;

iii. Providing assistance to terrorists; and

iv.   Inciting and promoting terrorism act.

Under the Penal Code, the above-mentioned offences carry a severe penalty of imprisonment of up to 30 years or imprisonment for life or death penalty.

Before the amendments, the Prevention of Crime (Amendment and Extension) Act (POCA) 2014, was initially legislated in 1959 to address serious and organised crime in Peninsular Malaysia only. The enforcement of the said Act commenced on 1st April 2014 to expand its application to all the states in Malaysia and to include terrorism offences.

Malaysia places great concern on terrorist threat, in particular the threat posed by the self-claimed Islamic State (IS) or Daesh. Due to the evolving and dynamic nature of the IS or Daesh threats and the well-funded financial position of the terrorist group, the existing criminal law is no longer sufficient to counter the problem. The volume and diversity of foreign fighters who flocked to Syria and Iraq have already produced a new generation of terrorists, many with the skills, experience and international connections. The IS threat has spread its roots to Malaysia. Such threat makes it imperative for Malaysia to quickly enact a separate preventive law that deals specifically with terrorism. For this purpose, the Prevention of Terrorism Act (POTA) 2015 and Special Measures against Terrorism in Foreign Countries Act (SMATA) 2015 were enacted[10]. The Prevention

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[10]   The Prevention of Terrorism Act (POTA) 2015 and Special Measures against Terrorism in Foreign Countries Act (SMATA) 2015 were tabled by the Minister of Home Affairs in Parliament on 30 March 2015. These Acts were then debated on 6 April and passed by Parliament on 7 April 2015 at 2.26 am.

of Terrorism Act (POTA) 2015 provides for the prevention of the commission or support of terrorist acts involving listed terrorist organizations in a foreign country or any part of a foreign country and for the control of persons engaged in such acts. The Special Measures against Terrorism in Foreign Countries Act (SMATA) 2015 is an act to provide for special measures to deal with persons who engage in the commission or support of terrorist acts involving listed terrorist organizations in a foreign country or any part of a foreign country (Zahid Hamidi, 2015b). Both these Acts came into force on 1 September 2015. Two designated prisons have been identified to house detainees/terrorists under POTA, namely Simpang Renggam Special Detention Centre for male detainees and Machang Special Detention Centre in Kelantan for female detainees.

Likewise, the occurrence of the 9/11 tragedy and the emergence of the radical jihadism have impelled countries like the United States and the United Kingdom to promulgate their own versions of preventive laws to deal with the challenges of terrorism. Examples of such laws are the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA Patriot Act) and United Kingdom's Terrorism Act of 2000 and the Anti-Terrorism, Crime and Security Act of 2001. The English Law allows the continued detention of a small class of individuals if their release was not a reasonable option and could endanger the public (Mohamed Farid, 2010). The public often have mixed feelings towards such laws. It is rather difficult for the general public to comprehend and appreciate the difficulties that security forces face in handling the sensitivity and intricacies of security threats that are related to the new form of global terrorism.

Countering Terrorist Financing

Money is said to be the oxygen or lifeblood of terrorism[11]. Terrorists need substantial resources to actualize their ideology and ventilate their grievances against institutions, governments and innocent people. They require such resources to operate their training facilities, acquire weapons and travel to perpetuate their nefarious activities. Without the necessary funds, they would not be able to execute many of their activities[12]. The spate of terrorist attacks has continued to rise, and the correlation between such attacks and terrorism financing is significant. To weaken and neutralise terrorism, it would be necessary for public authorities to detect, reduce and cut the financial flows of terrorist criminal organizations (Nacos, 2006).

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[11] This cliché that has become a proverbial saying was initially expressed by the former US President George W. Bush and his Secretary of State, Colin Powell in the aftermath of 9/11 attacks.

[12] This is as confessed by a terrorist agent. He stated that there are times they could not carry out the entire act of terror as planned due to lack of funds but to execute only part of their plans. See Nacos (2006).

Malaysia was alleged to be used as a planning centre and dispatch point for the 9/11 perpetrators in terrorism financing. The fact is that Malaysia is a strong advocate of the global war against terrorism. The enactment of new laws and amendment of the existing acts are efforts directed to combat the abuse or negative utilization of technological advancement in the global financial system for terrorism financing. Malaysia enacted its consolidated law to take proactive measures in preventing money laundering and terrorism financing offences. Before the September 11 incident, Malaysia had already enacted the Anti-Money Laundering Act (AMLA) but decided to extend the legal framework by also providing for anti-terrorism financing. The Parliament passed the amendments of AMLA in 2003 to include terrorism financing as one of the predicate offences covered under the Act, which is also listed in Chapter VIA of the Penal Code. The provision under Section 130N of the Penal Code, i.e. providing or collecting property for terrorist acts, provides for a penalty of up to 30 years of imprisonment or death penalty.

In 2007, Malaysia joined the global move in combating terrorism financing by acceding to the United Nations International Convention for the Suppression of the Financing of Terrorism (1999) (Roberto, 2000). The foregoing development led to the enactment of the Anti-Money Laundering and Anti-Terrorism Financing Act 2001 (AMLATFA) which came into force in 2002 to combat illegal financial flows. The existing legal framework for combating money laundering in Malaysia includes terrorism financing in its general scope as recommended by the Financial Action Task Force (FATF) after the September 11 attack. Under AMLATFA 2001, reporting institutions are required to promptly submit suspicious transaction reports (STR) to the financial intelligence unit (FIU) of Bank Negara Malaysia (BNM), i.e. the Central Bank of Malaysia (Norhashimah Yasin, 2007).

In its 2015 Mutual Evaluation Report, the Financial Action Task Force (FATF)[13] took recognition that Malaysia had achieved an overall good level of compliance with the FATF recommendations. In addition, Malaysia has also successfully developed an action plan to address the key issues identified during the evaluation. Based on the commitment demonstrated and the continuing efforts to improve its Anti Money Laundering and Combating Financing of Terrorism (AML/CFT) initiatives, Malaysia was granted the membership to FATF in February 2016. Prior to that, Malaysia is a member of the Asia Pacific Group on money Laundering (APGML) since 2001.

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[13] Financial Action Task Force (FATF) is a policy-making body that was established in 1989 by the G-7 Summit in Paris. The objectives of FATF are to set standards and promote effective implementation of legal and regulatory measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system.

The inclusion of Malaysia as a member of FATF signifies the confidence of the world in Malaysia's legal and regulatory framework in fighting financial crimes and terrorism financing, and the stability of Malaysia's financial system and economic development as a result of the related regulatory initiatives. The immediate challenge of the admission to FATF is the increased scrutiny on Malaysia's AML/CFT framework, and the pledges that Malaysia has made, specifically to prosecute money laundering cases. Against this backdrop, the benefits of FATF membership cannot be underestimated. As a FATF member country, the international community recognizes Malaysia as a country that is seriously committed to fight against money laundering and terrorism financing. Such recognition would enhance the country's strategic position in gaining wider access to the global financial market, particularly the capital market. In the way forward, this would further develop Malaysia as an excellence hub for finance and banking in the region and in the world at large. The other challenge is to fulfil the international standards put forth by the FATF so that Malaysia will be on par with other world industry players.

The security challenges across the world and Malaysia in particular, require adequate laws to counter the increasing spate of terrorist acts and related issues, including foreign terrorist fighters and terrorism financing. The amendments to the existing legislatives such as AMLATFA 2001, SOSMA 2012 and POCA 2014 and the enactment of new anti-terrorism legislatives such as POTA 2015 and SMATA 2015, are affirmation to the commitment of Malaysia as one of the countries that fiercely combats terrorism as well as seriously curbing financing of terrorist activities.

REGIONAL AND INTERNATIONAL COOPERATION

Regionally, Malaysia and ASEAN member states maintain strong multilateral cooperation. Annual meetings and conferences that are regarded as important platforms to deal with security matters which include terrorism related issues within the region are constantly held. The following are forums and groups set up for the purpose of promoting multilateral cooperation between the member countries of ASEAN:

i.   ASEAN Senior Officials on Drug Matters (ASOD);

ii. ASEAN Ministerial Meeting on Drug Matters (AMMD);

iii.   ASEAN Plus Three Senior Officials Meeting on Transnational Crime (SOMTC + 3);

iv.   SOMTC + 3 Working Group on Narcotics;

v.   ASEAN and China Cooperative Operations in Response to Dangerous Drug (ACCORD);

vi.   Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA); and

vii.   Border Management Working Group (BMWG).

At international front, Malaysia is one of the strong advocates in fighting international terrorism. The 13 United Nations International Conventions and Protocols on combating terrorism represent the agreed set of sectoral international legislation for dealing with terrorism at the international level. Malaysia is currently State Party to 9 of the 13 international conventions and protocols on combating terrorism. These include the followings:

i.   1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo Convention);

ii.   1970 Convention for the Suppression of Unlawful Seizure of Aircraft (Hague Convention);

iii.   1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal Convention);

iv.   1973 Convention on the Prevention and Punishment of Crime against Internationally Protected Persons, including Diplomatic Agents;

v.   1997 International Convention for the Suppression of Terrorist Bombings;

vi.   1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Montreal Convention;

vii.   1979 International Convention against the Taking of Hostages;

viii. 1999 International Convention for the Suppression of the Financing of Terrorism; and

ix.   1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection.

The Government of Malaysia has agreed to accede or ratify the other remaining Conventions and Protocols, subject to the completion of certain legislative and administrative measures. These Conventions and Protocols are:

    i.   1979 Convention on the Physical Protection of Nuclear Material;

    ii.   1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation;

   iii. 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platform Located on the Continental Shelf; and

   iv. 2005 International Convention for the Suppression of Acts of Nuclear Terrorism.

The United Nations and its Security Council have a central role to play in strengthening multilateral efforts to combat terrorism and its financing. Malaysia is a non-permanent member of the UN Security Council for the Asia Pacific Region for the term 2016/2017, and held the Presidency of the UN Security Council in August 2016[14]. During the Presidency, Malaysia presided a ministerial open debate on "the proliferation of weapons of mass destruction". Malaysia takes a clear stand against all forms of terrorism and warns the world about the possibility of the existence of nuclear terrorism if the problem is left unchecked (Zahid Hamidi, 2016b). On the same note, at the General Debate of the 71st session of the United Nations General Assembly in New York on 24 September 2016[15], Malaysia has highlighted that the war against terrorism cannot be won through force or punitive measures alone. Deradicalisation and rehabilitation programmes are proven to be effective in changing the mindset of radicalised extremist individuals in order to reintegrate them into the society and to avoid relapse. In Malaysia's context, the success rate of the deradicalisation programme is around 97.5 per cent. Malaysia stands ready to share its experience with other nations (Zahid Hamidi, 2016c).

DERADICALISATION

At the outset, some concepts and terms need to be clarified to avoid vague, overlapping and ill-defined meaning. In general, "radicalisation" refers to a process whereby individuals (and even groups) develop over time, a mindset that can – under the right circumstances and opportunities – increase the risk that he

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[14] See http://www.nst.com.my/news/206/08/167251/zahid-chair-debate-un-security-council, accessed on 6 October 2016 (New Straits Times Online).

[15] See the transcript of Malaysia Deputy Prime Minister's speech during the 71st Session of UNGA entitled "Malaysia works in concert with the world community", 25 September 2016, New Straits Times Online, http://www.nst.com.my/news/2016/09/175857/full-text-dpm-zahids-speech-un-general-assembly, accessed on 6 October 2016.

or she will engage in violent extremism or terrorism[16]. It therefore follows that "deradicalisation" should only be used to refer to the methods and techniques adopted to undermine and reverse the completed radicalisation process to reduce the potential risk to society from terrorism. When individuals are held in detention, they may be required to undergo some form of deradicalisation programme. Only the type of programmes administered under these circumstances (arrest and detain) can be accurately described as "deradicalisation". "Counter-radicalisation" is the term used to describe methods to stop or control radicalisation as it is occurring, while "anti-radicalisation" refers to methods to deter and prevent radicalisation from occurring in the first place (Clutterbuck, 2015). A clear distinction of the terms used is necessary in the efforts of addressing radicalisation and terrorism.

Malaysia's Experience on Deradicalisation

Suppression is one of the measures taken by the government in its efforts to curb terrorism especially against ideology or religious militancy. A more subtle and effective method is to engage the individuals or groups into renouncing their activities regarded as prejudicial to national security. Engagement is a crucial element of the government's policy and the programmes designed to win the hearts and minds of the target groups with the aim to neutralize or to win them over. In Malaysia, this has been successfully deployed during the war against communist insurgents. According to Comber (2008), one of the earliest indications that deradicalised actors could be of benefit to counter-terrorism operations was seen in Malaya during the "Emergency" of the 1950s. An active insurgency developed in Malaya from 1948 when the predominantly Chinese "communist terrorists" took to the jungle and launched attacks against the government, security forces and the local population. A successful counter-measure was implemented early, with every surrendered enemy personnel (SEP) or captured enemy personnel (CEP) treated as the most valuable source of operation intelligence against the communist terrorists (Comber, 2008). Although it took almost forty years to end the communist insurgency through the signing of Peace Agreement between the Government of Malaysia and Communist Party of Malaya (CPM) in 1989, but behind this success of war against insurgency was the deradicalisation programmes and counter radicalisation strategy undertaken by the government.

Since 1970s, Malaysia adopted the engagement policy to address the threat from Islamic extremists that includes a programme designated to deradicalisation, targeting those detained under the now repealed Internal Security Act 1960. The repealed Act provided powers to stop and prevent any action taken that

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[16] See SAFIRE – Scientific Approach to Finding Indicators of and Responses to Radicalisation: Results and Findings of the FP7 Project, (2013), at http://www.safire-project-results.eu, accessed on 6 October 2016.

is prejudicial to the security of Malaysia, as well as providing the powers of 'prevention detention' for the promotion of national security. It also allows for rehabilitation of detainees. The 'soft' approach of deradicalisation was based on the modification and adaptation of the methods used during the insurgency. The Malaysia deradicalisation programme represents a concerted effort between the Ministry of Home affairs, Royal Malaysia Police and religious institutions such as JAKIM that takes care of the spiritual aspects of the rehabilitation.

There is no formula by which one can measure the effectiveness of a given law or in this context the rehabilitation programme. Nevertheless, a qualitative research was carried out by Mohamed Farid (2010) to ascertain the effectiveness of the rehabilitation programme of the ISA 1960 based on three criteria as a yardstick. The criteria are: (i) Being a preventive law, it should be able to actually prevent terrorist strikes and/or incidents of mass destruction similar to the 9/11 incident or the Mumbai incident; (ii) Once the ISA is applied to a targeted extremist organization, the end result is that the said organization would be crippled and the threat neutralized; and (iii) Individuals who had undergone rehabilitation upon their release should no longer pose a threat to national security. The findings concluded the following: (i) None of the detainees, upon their release, has relapsed into the former activities; (ii) The deployment of ISA against an extremist group would practically cripple and dismantle the group, and it ceased to be a threat; and (iii) Malaysia has enjoyed relative peace compared to other countries in the region.

Although ISA 1960 was repealed in 2011, the stand of Malaysia towards the use of the deradicalisation approach did not change. In the amendment to the SOSMA 2012, POCA 2014 and the enactment of the new anti-terrorism act such as POTA 2015 and SMATA 2015 to counter violent extremism and terrorism, the element of rehabilitation and deradicalisation experience that Malaysia has is still very relevant as they have been proven successful to deal with terrorist threat such as the IS militant and Daesh threat.

In accordance to United Nations Security Council Resolution 2178 that requires member countries to formulate a programme to deal with returning foreign terrorist fighters, Malaysia has put in place its special deradicalisation and rehabilitation programme for terrorists. The programme has been translated into three languages, namely Arabic, English and French besides the version in Malay language[17]. The translation is part of the effort to facilitate sharing of the programme with other nations.

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[17] Malay language is the official language of Malaysia.

Deradicalisation Initiatives

Rehabilitation and deradicalisation are important elements of Malaysia's counter terrorism and violent extremism strategy. Malaysia has initiated several deradicalisation programmes to address the problem of radicalism due to religious misconceptions, with the specific purpose to rehabilitate and subsequently reintegrate the radicals into the society. This initiative is a collaborative and holistic effort between the Royal Malaysia Police (RMP) and other relevant agencies, including the Department of Islamic of Development Malaysia, Malaysian Prison Department, Ministry of Education and higher education institutions. These deradicalisation programmes are based on the 'Ahli Sunnah Wal Jamaah' approach, an Islamic jurisdiction to counter the extremist interpretations of Islam. While the detainees are put into small groups, they are also subjected to individual counselling sessions which are conducted at custodial locations away from the detention centres.

An important aspect of the deradicalisation programme is the emphasis on the welfare of the detainees and their families. In most cases, the detainees are the bread winners of the family, and their detention would certainly affect the livelihood of their families. Through RMP, the government has ensured that assistance is extended to the families involved to ease their burden. This has proven to be one of the vital factors that have contributed to the success of the deradicalisation initiatives. Besides that, other interposing factors include effective engagement between the programme officers and the detainees and their family members. Professional and methodical approach is employed in counselling the radicals in order to reverse their misconstrued ideologies, and these sessions are conducted by capable and selected religious clerics.

Post-release programmes are another imperative component in combating radicalisation. This is a continuous process to ensure that the released detainees are fully reformed. Engagement sessions between case officers and ex-detainees are held continuously. Assistance and support are provided to ensure they can continue living without succumbing to extremism.

Malaysia has formulated an integrated rehabilitation module for those detained under the Prevention of Terrorism Act 2015 (POTA). This module covers various aspects such as social skills, self-management, patriotism, financial management and psychology. This module serves as a guideline to the rehabilitation officers in their work. The rehabilitation and deradicalisation activities are conducted periodically in the prisons and rehabilitation centres. To rehabilitate and deradicalise terrorists and extremists successfully, the Malaysian authorities cannot work

single-handedly. The programmes need to engage all related parties including community leaders, family members, former terrorists, religious teachers as well as different sectors of the society.

Malaysia's deradicalisation initiatives also include constant dialogues with various stakeholders and international partners. Apart from engagement, the dialogues provide feedback on policy and programmes, and opportunities of experience sharing with other counterparts. For example, one recent international conference was organized on the theme of "Deradicalisation and Countering Violent Extremism" in January 2016 in Kuala Lumpur. Among the highlights of the conference pertaining to deradicalisation are as follows:

i   Malaysia places emphasis on the practice of wasatiyyah (moderation) concept. The Global Movement of Moderates is, among other initiatives, a testament to Malaysia's support of the principle of moderation;

ii   Malaysia has been chosen as the first country to establish a Regional Digital Counter-Messaging Centre in ASEAN. The purpose of this Centre is to curb the spread of extremist ideology and the influence of Islamic State in the cyberworld (see discussion below for more details). It is being operated by the Royal Malaysia Police (RMP);

iii Although at this time the threat from IS or Daesh and its affiliates, both official and unofficial, is the mainstay in the current battle against radicalism, violent extremism and terrorism, it is generally accepted that terrorism in whatever form is neither Islamic in essence nor would it find basis in any religion. Terrorism is a manifestation of misconceived ideologies and a gross interpretation of any religion it seeks to exploit.

International Cooperation on Deradicalisation

Malaysia has always played an active role at international level along with other countries in a bid to combat the threat of IS that is growing bigger and more serious. The country has sought all possible opportunities to collaborate with other nations in combating terrorrism through efforts of deradicalisation, including sharing of its experience on the newly develop integrated module in the rehabilitation of terrorists. Malaysia has also actively engaged with other countries through the promotion of constant dialogue in forums such as meetings and international conferences in finding the best formula and approaches in the implementation of the deradicalisation policy. The following are examples of these efforts taken by the government of Malaysia:

i   During the official visit of The Honourable Prime Minister of Malaysia to Saudi Arabia from 6 to 8 June 2015, the Malaysian Government has agreed to send a group of experts in deradicalisation to work in cooperation with the Government of Saudi Arabia to address the threat of militant ideology.

ii   One of the issues discussed during the visits of The Honourable Minister of Home Affairs to United States of America from 26 May to 1 June 2015 and to Australia from 10 to 12 June 2015 was to share expertise of deradicalisation, including sending the specialists of Malaysia to both countries for the purpose of rehabilitation of militant prisoners.

iii   Malaysia hosted the International Conference on Deradicalisation and Countering Violent Extremism 2016 on 25 and 26 January 2016. The conference witnessed the participation of 17 countries including 9 ASEAN countries and 8 Dialogue Partners (Australia, France, Italy, Japan, People's Republic of China, United Arab Emirates, United Kingdom and United States of America) to discuss the issues related to the threat of militant extremists.

iv   From 25 to 29 July 2016, Malaysia sent a group of experts in the field of deradicalisation and terrorist rehabilitation to Australia for sharing expertise and training the personnel of Malaysian Government agencies and NGOs in Canberra, Sydney and Melbourne.

v   Malaysia has extended the offer of deradicalisation expertise sharing to France after the terrorist attack in Nice that killed more than 80 peoples. The same offer was also extended to India during the visit of The Honorable Deputy Prime Minister cum Minister of Home Affairs to the country from 16 July to 18 July 2016.

COUNTER MESSAGING CENTRE (CMC)

The advancement of information communication technology has created a borderless world and benefited the international community in connecting to each other in real time. The same technology has also been abused by criminals and terrorists for propagating their ideologies, recruiting the vulnerable young people for wrongful purposes and execute terror attacks. They use the new communication platform especially through social media networks such as Facebook, Twitter, YouTube, email and even through smartphones by WhatsApp and Telegram as an avenue to indoctrinate and spread the twisted message of hatred. Radicalisation continues to be an utmost concern to security agencies all

over the world and remains as one of the potent threats especially through the extensive use of the internet as a tool in spreading violent extremism and radical propaganda.

Malaysia believes that an important strategy to counter violent Islamic extremism is to remove distortions and lies about religion, retelling the narrative of Islam to convey the clear message that, the extremists are blasphemers in their distorted religious ideology and actions that lead to the loss of innocent lives. Their deviant acts are contrary to the teaching of the Holy Quran and the Prophet Muhammad when they claim to act in the name of religion or on the religious authority. Malaysia has a long history of emphasizing moderation through the practice of wasatiyyah, a Quranic injunction.

In this aspect, Malaysia had initiated the Regional Digital Counter Messaging Communication Centre. The key role of the Centre is to synchronize efforts to counter radical social media messages and present the true image of Islam, within ASEAN and beyond (Zahid Hamidi, 2016d). This centre utilizes studies that illustrate that the state that Daesh has set up is not in accordance to the principles of Islam. Time is of the essence in curbing the ideological spread of Daesh that is demonstrating new ambition, reach and capabilities. They have come to employ and use technology to disseminate their ideologies in their recruitment drives, and went to the extent of leveraging on the technological infrastructure provided by the governments they seek to overthrow.

Any promotion, solicitation or propagation of extremism or terrorism using any media constitutes an offence Under Chapter VI A of the Malaysian Penal Code. It is the general duty of the licensees under the Malaysian Communications and Multimedia Act 1998 to assist the authority as far as reasonably necessary in preventing the commission or attempted commission of an offence under the laws of Malaysia. The Malaysian Communications and Multimedia Commission (MCMC) acts as the monitoring agency in regard of this.

When such propagation takes place in social media platforms such as Facebook and Twitter, the licensees, upon receiving written request from the authority, may in accordance with the above mentioned provision, executes the request by undertaking appropriate and feasible actions including but not limited to restricting access and removal of contents in identified websites and social media accounts.

Besides MCMC, the Department of Islamic Development of Malaysia (JAKIM) conducts constant monitoring on any information related to Islam in the social media. In the event of any issues that arise from the use of social media that

relate to insulting or to spread false information on Islam, JAKIM will coordinate the necessary steps in order to stop these acts from spreading further.

Malaysia places great concern on the use of internet and social media by the terrorist groups to disseminate their stories, radical ideology and rhetoric. The authority is fully aware that terrorists are very good at creating stories and rhetoric to influence social media users. These stories have since been flooding the cyberspace and influencing the social media users to believe that the stories are real, and that the terrorists are fighting in the name of religion. A strategic approach to counter such extremism is needed. The authority is seeking cooperation with other countries in creating an effective measure to counter the spread of the extremist stories and rhetoric that have been flooding the cyberspace.

The authority pays much attention to the use of internet and social media for spreading and disseminating rhetoric and distorted messages. Malaysia has moved forward to counter the narrative of the terrorist and extremist by establishing the Digital Strategic Communications Division (under the jurisdiction of Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT)) and Counter Messaging Centre (under the jurisdiction of Royal Malaysia Police (RMP)).

CONCLUSION

Malaysia does not condone any form of radicalism, violent extremism or terrorism either by individuals or groups as stipulated clearly in the country's policy against terrorism. The Ministry of Home Affairs has taken all efforts in preserving the peace and security of Malaysia and proactive measures against all kinds of security threats including the recent militant groups, Islamic State or Daesh. The actions of Abu Bakr al-Baghdadi declaring himself as the Caliph of Islam reflects the IS agenda in establishing a Daulah Islamiah. IS which adheres to the ideology of Salafi-Jihadi has misused Islamic teachings, particularly the notion of Jihad. In addition to the killing of non-Muslims, IS also considers Muslims who disagree with its belief system as infidels.

Terrorism continues to be one of the main security threats to the stability and security of the country. In facing this challenge, Malaysia has introduced related legislations namely the Prevention of Terrorism Act 2015 (POTA) and the Special Measures against Terrorism in Foreign Countries Act 2015 (SMATA). Both legislations are consistent with the spirit and purpose of UNSCR 2178 particularly in monitoring and regulating FTFs. Malaysia continues to work closely with other countries and international organisations in improving border security to prevent movement of terrorists.

Malaysia maintains the view that the mere use of penalty and criminalisation approach will not solve the problem of extremism, and the blending of soft approach and the conventional methods offer a better alternative. The authority has stepped up initiatives in support of the strategy to win the hearts and minds through deradicalisation adopted by the government. The deradicalisation strategy requires strategic collaboration between the government, civil society, private sector and the society at large to prevent individuals or group of individuals from engaging in extremist and radical activities at home or abroad. Effective engagement and counselling are conducted continuously in order to rehabilitate potential or prospective extremists and terrorists. Malaysia continues to monitor for terrorist narratives through all channels and media aimed at denying extremist proponents from the means and opportunities to pursue their activities and promote misconstrued ideologies. At the same time, the country is also working closely in cooperation with other international partners in the pursuit and implementation of its deradicalisation programme.

REFERENCES

Azahedi, S. (2016, 21 August). Zahid to chair debate at UN Security Council. New Straits Times Online. Retrieved from http://www.nst.com.my/news/2016/08/167251/zahid-chair-debate-un-security-council.

Buzan, B. (1991a). New patterns of global security in the twenty-first century. International Affairs, 67(3), 431-451.

Buzan, B. (1991b). People, States & Fear: The National Security Problem in International Relations. 2nd edition. New Jersey: Financial Times Prentice Hall.

Clutterbuck, L. (2015). Deradicalization Programs and Counterterrorism: A Perspective on the Challenges and Benefits. Retrieved from http://www.mei.edu/sites/default/files/ Clutterbuck.pdf

Comber, L. (2008). Malaya's Secret Police 1945-60: The Role of the Special Branch in the Malayan Emergency. Singapore: ISEAS.

Mohamed Farid, Abu Hassan (2010). The Role of the State in Containing Muslim Extremist Groups in Malaysia, Master's thesis, Universiti Kebangsaan Malaysia.

Nacos, B. L. (2006), Terrorism and Counterterrorism (5th Edition). New York: Routledge.

Nacos, B.L (2006), Is Money the Oxygen of Terrorism? Retrieved from http://www.reflectivepundit.com

Norhashimah Mohd Yasin (2007). Legal Aspects of Money Laundering in Malaysia from the Common Law Perspective. Malaysia: Lexis Nexis.

Roberto, L. (2000). The international convention for the suppression of the financing of terrorism. Heidelberg Journal of International Law, 60: 491.

Wolfers, A. (1962). Discord and collaboration. Baltimore: John Hopkins Press.

Zahid Hamidi, Ahmad (2015a). Keynote Address delivered at the Putrajaya International Security Dialogue (PISD): United against Terrorism – Cross Boundary Collaboration. Kuala Lumpur, Malaysia, 21-22 October.

Zahid Hamidi, Ahmad (2015b). Combating modern terrorism: Empowering the civil society and cross boundary collaboration. Journal of Security and Safety. Institute of Public Security of Malaysia, Vol 4, Number 2, 1-18.

Zahid Hamidi, Ahmad (2016a). Statement delivered at the International Conference on Deradicalisation and Countering Violent Extremism. Kuala Lumpur, Malaysia, 25-26 January.

Zahid Hamidi, Ahmad (2016b). Statement delivered at the Opening Plenary Session of the Fourth Nuclear Security Summit. Washington, D.C., U.S., 2 April.

Zahid Hamidi, Ahmad (2016c). Speech delivered at the General Debate of the 71st session of the United Nations General Assembly, New York, 24 September.

Zahid Hamidi, Ahmad (2016d). Statement delivered at the International Meeting on Counter Terrorism: Cross Border Movement of Terrorism, Bali, Indonesia, 10 August.