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**Non-Traditional Security Issues:
Securitisation of Transnational Crime in Asia**

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With Compliments

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ABSTRACT

Transnational crime involving all forms of domestic crime that traverse the international boundary with another one or more states have become a concern amongst all peoples of the Asia Pacific region. Although there are many forms of transnational crime this paper focuses on Human and Drug Smuggling, as these have become existential threats affecting many people through out the region.

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Non-Traditional Security Issues: Securitisation of Transnational Crime in Asia

Introduction

This paper introduces the vulnerability of small states, especially the weak ones that are faced with many socioeconomic developmental issues to determine the factors that motivate the securitisation of transnational crime. The main focus is the securitization of human trafficking and drug smuggling. It explores the characteristics of a weak and failed state to understand why they become the catalyst for transnational crime. There are other factors that contribute to the problem including, economic gains for various groups that are mostly non-state actors, terrorists groups, international criminal syndicates and other people who are on the run from the law of a state. The paper identifies those to whom the problem is securitized, why these components of the transnational crime are undergoing 'securitization' before considering the policy choices that are available to the national or regional state authorities in collaboration with international institutions.

The first part of the paper makes an attempt to understand why the 'security' framework is constructed, changed or brought to prominence and entails the 'security' of not just the state, but that of the individual, and how much of individual security, is linked to the society before the security discourse involves the state. It shows that the realists perceptions of the state security has not vanished but remains constant based on the relative peace enjoyed by most states. However, 'security' has been extended to become a comprehensive aspect that includes individual and personal needs. In this case personnel security could be endless, and may render the security discourses out of context.¹

¹ See O. Waever, 'Securitization and Desecuritisation,' in Ronnie D. Lipschutz (ed.), *On Security*, New York: Columbia University Press, 1995, pp 46-86.

Security discourses have taken different formats at the end of the Cold War during which period, the super powers ‘appealed to heads of many other states to influence the other’.² A sovereign state at that time had to be in ‘one camp or another.’³ Some states had no choice in being in particular camps, as military aid and economic influence were overwhelming.⁴ However, as the polarisation of the super powers faded, many nation states fended for themselves economically and militarily, and more specifically, they created deterrent military forces against possible adversaries. The weak states faltered, became anarchic, and required the cooperation of others to recoup and reconstruct. Some required massive peacekeeping efforts and peace enforcement,⁵ while others required peace enforcement that is still ongoing.

However, as highlighted by Ole Waever⁶ ‘security’ persists whether conceptualised as an objective or an inter-subjective aspect, measured in terms of threat or fear in the first instance. It is a function of the state therefore it is the state that should exercise responses in an appropriate manner, using whatever mechanisms or capacities available to it. On the other hand security encompasses other issues extended from the state, involving the society and the individual whose survival appears to be central.

It was in the context of humanity that modern security discourses have come to focus on a framework that is comprehensive in all aspects.⁷ The concept was developed and

² J. Funston, 'ASEAN and the Principle of Non-Intervention: Practice and Prospects', in D. Dickens and G. Wilson-Roberts (eds), *Non-Intervention and State Sovereignty in the Asia-Pacific*, Centre for Strategic Studies, Wellington: Brebner Print, 2000, p.6.

³ Y. Yamamoto, 'A Framework for a Comprehensive Security System for the Asia-Pacific,' in J. Rolf (ed), *Unresolved Futures: Comprehensive Security in the Asia-Pacific*, Centre for Strategic Studies, Wellington: Stanrock Print, 1995, p. 29.

⁴ See also B. Crawford, 'Hawks, Doves but No Owls,' in Ronnie D. Lipschutz (ed), *On Security*, New York: Columbia University Press, 1995, p.174.

⁵ K. Clements and R. Ward, *Building International Community: Cooperating for Peace Case Studies*, Canberra: Allen & Unwin, 1994; B. Lendon, 'Somalia: International Intervention in a Failed State', in K. Clements and R. Ward (eds), *Building International Community: Cooperating for Peace Case Studies*, Canberra: Allen & Unwin, 1994.

⁶ O. Waever, 'Securitisation and Desecuritisation', in R. D. Lipschutz (ed.), *On Security*, New York: Columbia University Press, 1995, pp. 46-7.

⁷ Y. Yamamoto, 'A Framework for a Comprehensive Security System for the Asia-Pacific.'

defined in Japan, Norway, and Canada, with some variations⁸, as long as there were threats to or fear for, humanity. This phenomenon is spread by the globalisation paradigm where issues of environment culture and religion, with the environment and ecology being life support aspects for humanity in non industrial states, and have no boundaries.

Most of the developing nations are faced with the dilemma of traditional security and the extended security concerns, with the later having international linkages, because of the many civil society organisations, demanding responses from the State. These demands are overwhelming to a weak state therefore it is necessary to observe the normative functions of a weak state. The weakness in a state system is not only detrimental to the one state but would have consequential impact on a neighbouring state and the region, when a state's vulnerabilities are targeted by terrorists and crime syndicates to promote their causes. This assertion is apparent when Australia's policies towards the Pacific Island Countries are considered in the light of the 'war on terrorism'.

Human trafficking is on the increase as oppressed peoples, many genuine, some suspects of various crimes, and others are opportunists attempting to take advantage of a situation for their own gains. Similar, increases in drug smuggling are apparent as users and 'pushers' that may be far flanked in other nation state within the Asia Pacific region begin to network. Once again economic and monetary gains come into the deliberations thus stimulating responses by the State. Is this the result of embracing liberal capitalist economic market fundamentalism?

⁸ Japan has been one of the strong advocates of comprehensive security, hence the development of the concept by the Nomura Research Institute. See also, 'Alternative Security Models: Implications for ASEAN' in Tan et al. (ed.), *Non-Traditional Security Issues in South East Asia*, Singapore: Select Publishing. Kim makes a good description of the variations in definition. See W. Kim, *Human Security Concerns in Global Politics*, a paper presented at the 9th CSCAP Working Group Meeting on Comprehensive and Cooperative Security, Wellington, New Zealand, 2001.

Understanding the Securitization Framework

Traditional ‘hard security’ issues, in regard to the threat from external armed conflicts, and ‘high politics’, where war became an extension of politics, have altered as a result of the relative peace. Many nation states that at one stage faced collapse were kept in ‘regular check’ by one major power or another. Nationalities and ethnicities kept within a sovereign bound have undergone globalisation and widened the support base in many other states. The widened support base as a marked influence in the way a state functions domestically. Internal political structures have allowed the globalisations of norms and ethos, built bridges amongst peoples, and weakened nationalistic attitudes, thus allowing domestic ethnic, religious or minority groups to undermine the state apparatus as they reach certain heights in their new aspirations.

In other areas, civil society organisations, or the internationalisation or democratisation of ideologies, concepts, and the dissemination of real time information undermines the state authority, which bypass state institutions, as they reach the micro-communities or groups of non-state actors. The fate of these groups and individuals may be relative poverty by world standards. In other cases political or ethnic rights that were suppressed in the past now tend to be exposed and elevated. Hence, the State has a competing socioeconomic dimension that should be addressed. Usually, economic achievements or measures of growth in Gross Domestic Product (GDP) are advanced. This may be an appropriate response to the query posited on capitalism, corporatism and economic gains at the expense of social development in weak states. The impetus for groups, tribes, or minorities to contest the distribution of wealth, seek economic empowerment, and the right to decent standard of living are far reaching.

In a weak state, prominence is given to non-traditional security issues that are centred on society, rather than the State. They fall under two main categories —*freedom from fear*

and *freedom to make choices*. The 1994 UNDP Report⁹ had them subdivided into the environment, economy, food, political system, health, individual, and the community. The State has a duty to provide the mode of security needed by minority groups, individuals, and systems.¹⁰ Some of these humanitarian issues have constructed ‘securitisation’ processes because they appear to be existential threats, where responses by the state are required. On the other hand, issues concerning the statehood, and its interests, including regional and external threats, appear to have been ‘desecuritized’, such that there is scant debate on operational preparedness in advancing military security as the means, while other situational issues overtake the weak nation states.

Security as a social construct, used for political purposes within a state has been a normative rhetoric, however it could also be a language used within the region, neighbouring states, aid donors and multilateral institutions. A classical example of such a construct on the state weakness and its vulnerabilities were observed by the Australian Centre for Independent Studies (CIS) about Papua New Guinea. These observations appear to be posing existential threats, which must be approached systematically.¹¹ The issues that were raised fall into military, socioeconomic security, and, internal stability, which adduced the conditions for drug and human trafficking that also pose a threat to Australia, which in turn does a back flip on its Pacific Islands’ policy.

Military Issues

For example, ‘Australia should rethink its relationship with Papua New Guinea now, to avoid high costs in the future,’¹² which basically requires the Australian Defence Forces to work in partnership with the Papua New Guinea Defence Force, to address issues of a transnational and strategic nature, that include people’s movement and drug running

⁹ W. Kim, *Human Security Concerns in Global Politics*.

¹⁰ O. Waever, 'Securitisation and Desecuritisation,' p. 93.

¹¹ S. Windybank and M. Manning, 'Papua New Guinea on the Brink', *Issue Analysis*, No. 30, Canberra: Centre for Independent Studies, 2003.

¹² *Ibid*, p. 2.

across the Torres Strait area. As a corollary, Australia has also engaged the police for internal law and order initiatives as it insists on controlling from Canberra, undermining the state sovereignty of PNG.

The new defence partnership initiative was designed to work towards the management of capacity building and institutional strengthening to address the problems externally while the police force maintains internal order. However, it would be correct to put ‘on notice’ the stagnation that has occurred with the reforms, which have taken much longer than expected. The analysis further suggested that ‘Should Papua New Guinea’s downward spiral continue, so that it becomes a ‘failed State’, it could attract transnational criminals, drug and arms traffickers, and terrorists.’¹³

The initial military reforms were concerned with the reduction in size, based on cost constraints, and the premise that no traditional security threat currently exists. However, the continued negligence of the Defence Force's requirements may become another security problem internally. Paradoxically, although the reforms were announced at a time when international terrorism began to be worrisome for many nations, it was the reason to increase state capacity and national defence, as the United States of America decided on a ‘war on terrorism’, with Australia as a component of the ‘willing’, hence having a consequential impact on PNG and the Pacific. Australia has the Pacific countries under its ‘wings’ and continues to securitize the socioeconomic situation in PNG because of its massive aid donations.

Socioeconomic Issues

Social despair is evident as ‘many rural villagers believe their quality of life is now worse than it was twenty or so years ago’¹⁴ when many people die of illnesses that could be

¹³ Ibid, p. 10.

¹⁴ Ibid, p. 3.

easily prevented, if only they had access to drugs. In other situations, it may be access to markets or food sources for nourishment, with the end result being to have some form of economic and food security. Some areas require the skills and opportunities to live within their means, when education and literacy are denied through lack of schools, lack of economic opportunities to generate funds to meet school fees, and more importantly, lack of teachers. The need for education and literacy has allowed immigrants to start a Muslim school as an alternative in a remote area, and required government intervention to close it down. This scenario gives relevance to the other observations that ‘crime is taking its toll on traditional village life, and the social support system that has enabled ordinary Papua New Guineans to weather hard times in the past¹⁵; [and] unless the legitimacy and the authority of the central government is restored, Papua New Guinea risks degenerating into a patchwork of local fiefdoms contested by strongmen and criminals.’¹⁶

‘Mob rule’ and ‘tribal allegiance’ as observed in some parts - Southern Highlands Province of Papua New Guinea - leading up to and during the 2002 National General Elections are prime examples of what might happen in other parts of the country, if state institutions are not strengthened and supported. This is further reflected by the suggestion that ‘it is no coincidence that ‘identity’ wars and demands for regional autonomy or independence ignite around large-scale resource projects.’¹⁷ The current situation has encouraged neo-tribalism, where high-powered automatic weapons, made available through transnational linkages, are increasingly being used in ethnic violence. ‘Mining revenues are decreasing, and there are few new projects on the horizon.’¹⁸

Economic hardships that have been generated by the declining non-renewable resources have aggravated the issue because the general economy has become lopsided. Whether the Government can effectively address this issue through its export driven economic

¹⁵ Ibid, p. 7.

¹⁶ Ibid, p. 4.

¹⁷ Ibid, p. 8.

¹⁸ Ibid, p. 5.

recovery plans remains to be seen, has it shifted the responsibility for economic growth and employment creation to the private sector, while attempting to focus on service delivery. However, successive governments have been known to pursue 'self-interests', through compromises, as demanded by parliamentary colleagues, while scant long-term national interests are pursued.

Other issues such as good governance and lack of a properly represented government can also be speculated, if one addresses the observation that 'politicians have used the 'big man' tradition of gift-giving and patronage at the village level to justify gross corruption and graft at the national level.'¹⁹ Capital inflow and foreign direct investment (FDI) have been wanting, as much of the capital seems to go offshore, fearing money laundering, which may be made possible by pyramid money schemes, such as the 'Momase Foundation' in Port Moresby.

'Economic growth is not keeping up with population increases, so the country is going backwards'²⁰ because the rates of Gross Domestic Product (GDP) growth and population growth do not correlate. The latter is higher. It also indicates that the gap between urban and rural people will widen, and create contemporary tribes and cultures, as the more than 800 or so different cultures 'melt' in urban settlements. The increase in population and the education system reform have seen many thousands of senior high school-leavers become job opportunists. There are now many beggars on the streets, while smaller children are being fed by charitable organisations, appropriately feeding into the 'dependency' syndrome.

Internal Stability

'Given the increased availability of, and resort to, arms, the risk that Papua New Guinea will descend into anarchy is high'²¹ appears to be a similar message to that suggested by

¹⁹ Ibid, p. 9.

²⁰ Ibid, p. 6.

²¹ Ibid, p. 11.

the Australian Minister for Defence, in October 2002, that Papua New Guinea faces a different level of threat, internally. Consequently, there was a call to address the issue when internal stability became a prominent problem, and for the authorities to act on it.²² Failing that, there could be a 'greater misfortune'. Hence, the evacuation of Australian citizens and other expatriates should be a written doctrine — one that is too familiar within the Pacific island countries.

While the general perception by the Australian Centre for Independent Studies' analysis may seem negative for many politicians, bureaucrats, and other citizens, the issue fits into the Copenhagen School of 'securitisation-desecuritisation' theory. Where there is conceptual securitisation based on existential threat to the referent object — Papua New Guinean society — some strategy is required to counter that threat. Even though there are no external military threats to the nation state, the society and its socioeconomic status, predominantly weakened, will continue to be threatened, hence a catalyst to human trafficking and drug smuggling, unless appropriate measures are put in place. It is more threatening when sovereignty, and the polity of an independent State is undermined in the interest of the new global order.

The Security Problem

The globalisation process is considered to be good for an economy and for interdependence that ensures growth. However, this has produced many negative impacts, as the processes have undermined the state's ability to monopolise financial institutions, ensure security, and determine the well-being of its people, the environment, ecology, and the impact on food, and institute measures for population growth.²³ In some states, the role of a sovereign nation has been altered by political structures, which were created

²² *Post Courier*, PNG, 23 October 2002, p. 11.

²³ Schloenhardt attributes migration to various push and pull factors that may be the result of pressures in political conditions, demography, or socioeconomic and environmental factors, just to name a few. See A. Schloenhardt, 'Trafficking in Migrants: Illegal Migration and Organised Crime in Australia and the Asia-Pacific Region', *International Journal of the Sociology of Law*, No.29, 2001: 335.

by internal squabbles, conflicts, or people's revolutions, while their people seek comfort elsewhere. Examples during the past twenty years are the Philippines and Indonesia, and recently, Yugoslavia, where people's revolutions, in the form of student and people mobilisation, have had a direct impact through political change. The State must have control under any circumstances, and therefore is motivated to conceptualise transnational crimes as existential threats, some of which were unheard of twenty years ago.

Certain 'referent objects' or aspects of securitisation may not pose real existential threats that require immediate or emergency measures. However, ignorance of them may be compounding and difficult to prevent, as they evolve to conceptual security threats. Human and drug smuggling have become part of the security phenomenon that should be addressed effectively. There are divergent views on how states should approach this security aspect, as it becomes a drain on resources, and applies pressure on a state's capacity to respond appropriately. One view is that defence mechanism should not be diverted to address non-military aspect of security. For example environment issues should be part of economic considerations.

In a small and weak state, that has no traditional security issues based on their strategic locations, especially during the period of relative peace, military security is therefore 'desecuritized' to a certain extent so that state resources were directed towards other existential threat. Human trafficking or movement of people, migrants and immigrants, and refugee in-flow applies pressure on the population. Job opportunities for the national work force may not be available as migrants consume these opportunities. They may have emigrated through an illegal process, and are a threat to the sovereign right of a nation state. Some of these people may also have an alternative agenda or motives for a just cause that may be discriminatory to normative cause. What is the normative cause as others ask?

Economic opportunities that were once available to the indigenous people may no longer be there. Encroachment, urbanisation and the ‘melting’ of different ethnic and religious groups occurs as a consequence. Underworld markets for goods, smuggled or burgled flourish, facilitated by new immigrants who have learnt the art of survival in a strange land but having links to the state or country of their origin. Initially, the mixer would have encountered little problem but as the illegal market situation gets congested, murder and other law and order problem creep in when competition is widened, private violence gets globalised, hence the importation and exportation of weaponry and apparatus to prevail the violent conditions. Domestic state mechanisms and responses would be required as the rest of the society gets threatened.

The State Systems

The extent of human trafficking and drug smuggling occurs in a strong empirical or real state, as well as a weak state. These are just two components of many transnational crimes that are on the increase in weak or politically unstable states. Transnational crime is ‘crime that impacts on more than one jurisdiction’²⁴ just as jurisdiction is defined as the land mass or area as bounded that falls into a polity or a state system. Therefore, it is imperative to define a state or statehood. Encyclopaedia Britannica describes a state as a ‘political organisation of society, or the body politic, or, more narrowly, the institutions of government. It is a form of human association distinguished from other social groups by its purpose — the establishment of order and security; its methods; the laws and their enforcement; its territory, the area of jurisdiction or geographic boundaries; and finally, its sovereignty. The State consists, most broadly, of the agreement of the individuals on the means whereby disputes are settled in the form of laws.’²⁵

²⁴ CSCAP Draft Memorandum No. 7 cites the definition, as adopted from the United Nations Convention on Transnational Organised Crime.

²⁵ Encyclopaedia Britannica, *Standard CD Edition*, Encyclopaedia Britannica, 1999.

The state comprises society that is a voluntarily established contract between peoples and may be quite difficult to assemble the descriptive characteristics that would best describe the challenges faced by a nation state, which eventually render it weak. One description of a weak state is when 'it does not comply with policy and legislation. Its legitimacy is undermined by a fragile legal and regulatory framework, minimum institutional capacity, poor and deteriorating service delivery, poor planning and budget structures, low accountability, and endemic corruption.'²⁶ This appears to be a fitting definition or assessment in the context of prevailing criminal activities that involve the people with influence, who remain conveniently in power.

Another definition of a weak state is when it 'has limited capacity to maintain public order, deliver government services, implement policy decisions, manage the national economy, and in general command the allegiance of its subjects.'²⁷ This definition delineates the society from the sovereign authority, which is overwhelmed by many challenges, when considering the weak state in the context of good, transparent, and responsible governance. The normative concept of statehood, which has evolved from the sixteenth century, depicts a weak state as having 'a low level of socio-political cohesion',²⁸ that, in most cases, has developed from stateless societies, without a central bureaucracy or a legal framework.

Migdal's concept of a weak state²⁹ is defined in terms of the inability of the state elite to act against strong local resistance. Internally, it is incoherent, while externally, it is weak in relation to other powerful social actors or corrosive social forces. The majority of the population live in the rural areas and life is very much oriented around the family. These ties are often very strong, and extend to cover the most remote relations, such as cousins

²⁶ M. Pitts, *Crime, Corruption and Capacity in Papua New Guinea*, Canberra: Asia Pacific Press, 2002, p. 83.

²⁷ S. Dinnen, *Law and Order in a Weak State*, Hindmarsh: Crawford House, 2001, p. 5.

²⁸ B. Buzan, 'Security, The State, The "New World Order" and Beyond,' in R. D. Lipschutz (ed.), *On Security*, New York: Columbia University Press, 1995, p. 191.

²⁹ J.S. Migdal, *Strong Societies and Weak States: State-Society Relations in the Third World*, Princeton, 1988.

of a bride from another locality or province.³⁰ The structures of tribal linkages and ethnic affiliations are extreme cases that do not allow the elite to become a social force of some magnitude.

In its evolving stages, a state must have the capability to monopolise violence in a given territorial space, sovereignty, or jurisdiction. Also, it must have control over that violence capability, as it delegates it to a distinct organisation or institution. Moreover, it should have the autonomy and the means to conduct violence. It should use the capability at its disposal to achieve outcomes as a result, and finally, there should be a public acceptance of the state's authority and legitimacy. At the same time, it should induce confidence, as a result of the security that the State has guaranteed.³¹

Without some, or most, of these characteristics, a state and its functions are said to be weak. A weak state is easily challenged by civil society organisations that may be socially and culturally strong, as they attempt to promote their normative values and concepts. Further challenges are apparent when there is scant socioeconomic development to motivate regional groups, minorities, and people in resource areas that seek to address developmental issues for an equitable or better distribution of the national economy. The problem is compounded when two or more groups are simultaneously contesting the same resolve. State capacity, in terms of cost and effort to quell such conflict, is reduced drastically. The situation also opens up illegal trade opportunities, beyond national boundaries, while pushing people out of the sovereign bounds to other destinations.

Situational security implications — 'soft security' issues in a socioeconomic context — become massive and uncontrollable, resulting in some states, particularly in developing

³⁰ M. Pitts, *Crime, Corruption and Capacity in Papua New Guinea*.

³¹ D. Deudney, 'Political Fission: State Structures, Civil Society and Nuclear Security Politics in the United States,' in R. D. Lipschutz (ed.), *On Security*, New York: Columbia University Press, 1995, p. 93.

countries, become very weak and have collapsed. Solomon Islands in the South Pacific and Somalia in Africa are just two examples. Their weaknesses were measured by their economies, which were reflected in the GDP, population growth, volume of trade, primary production, and other social indicators, including freedom from fear, oppression, and poverty.³² Problems of unemployment, urbanisation, and lack of job opportunities for young school-leavers compound the problem, as they seek alternatives. These factors are the main causes of internal instability and are determinants of the 'push-pull factors'.

Implications of 'Push –Pull Factors

As a result of globalisation and increased free trading, anarchic and coercive international market forces, so too are social forces. These social transformations, together with the economic crisis of late 1990s in South-East Asia, and the war in the Middle East, have encouraged the interstate and intrastate movement of people.³³ Many people are now better informed about economic opportunities, as they occur in one province or another. Similarly, people are also informed about other socioeconomic activities in various countries in the region and around the world.

However, the most prominent 'push' factor has been the 'war on terrorism'. The US has had a victory over the Taliban regime in Afghanistan but there is still no peace, as insurgents continue the war against the international Forces through privatized violence. The known privatized violence involves criminals, terrorists, warlords and rebels. Their willingness to use violence has pushed people out of their comfort zones, causing them to travel far and wide.

Similar situation arose when the 'coalition of the willing' invaded Iraq, first to oust the

³² See Australian Strategic Policy Institute report on Solomon Islands that proposed two pronged approach. First is to control law and order and the next is to rebuild state capacity from Australia with little or no involvement of the Islanders.

³³ A. Schloenhardt, 'Trafficking in Migrants: Illegal Migration and Organised Crime in Australia and the Asia-Pacific Region': 335.

oppressive regime of Saddam Hussein and secondly to find weapons of mass destructions that were quite evasive for the many visits of the UN Inspection teams. When the reality came to fruition many people in Iraq have now opposed western imperialism. They have taken arms against the United States and other members of the coalition's continued presence in Iraq. Other countries that answered the call for assistance to a UN sanctioned restorative effort of Iraq have been threatened with execution of their nationals when kidnapped by the rebels and insurgents and other al Qaeda operatives. The ousting of Saddam Hussein has not made the world a better place rather the outflow of refugees seeking some peaceful environment. These peoples' misfortunes have become economic opportunism for others in the capitalist's world, creating distrust for western principles. Corporatism, globalisation and democratisations have created divergent views across peoples because the gulf between the poor and the rich continues in unprecedented ways. In some countries, opportunities are relatively easy, and with the right kind of motivation, one can prosper.

For example, in a transnational twist to economic opportunism, four Asian females, allegedly part of a large-scale prostitution ring, were convicted in late December 1989³⁴ in Port Moresby. They had entered Papua New Guinea on tourist visas and stayed at a hotel. Later, a Singaporean national visited them. From the hotel, they were delivered to clients who paid up to PNGK150 a session with them. They made a substantial amount of money before all four left for Singapore.

However, because of restrictions on the population, and the need to delineate sovereignty and national demographic interests, the movement of people cannot be entertained with simplicity.³⁵ These restrictions permeate the process of illegal movement, and with it, the need to generate revenue to meet the supply and demand that has been created by such movement. A conduit for such developments is provided by a weak nation state, and are

³⁴ From a case study conducted by the National Intelligence Organisation (NIO).

³⁵ E. Keeble, 'Regional Security and the Trafficking of Women and Children in the Asia Pacific', a paper presented at the Joint Meeting of the CSCAP Working Groups on Maritime Cooperation and Transnational Crimes, Wollongong, November 1999, emphasises porous borders and population movements in the post-Cold War era. See also M. Beare, 'Overviews: Issues Paper on Maritime Transnational Crime', at the same meeting.

reflected when law-enforcement agencies are unable to prevent the process that leads to the many transnational crimes such as human trafficking and drug smuggling.

Human Trafficking

Most people have good intentions to migrate, based on some of the ‘push-pull factors’. However, there are agents or groups that assemble, organise, and provide illegal documents. Migration within the legal bounds of the affected states – one receiving and the other sending — poses no security problems. However, there are groups that promote passport scams and identity fraud, and involve bribery, corruption, and document forgery in association with immigration officials of the associated states. Some people are incorporated as contacts, some facilitate air or sea transport, and the actual conveyors may be the crews on fishing boats. Their boats could be genuinely licensed, registered, regulated, and authorised international fishing vessels, or illegal, unregistered, unregulated boats that do not form part of an organised fishing fleet.

Human trafficking may stem from a genuine desire to migrate, but it is facilitated by people for financial gains, and this, in turn, imposes a financial burden on those intending travellers. Such situations could create risky, if not slavery, conditions. Studies have shown that, instead of migrants being smuggled by fishing boats, they are now being freighted. The discovery of 58 bodies — 54 men and four women — in the back of a refrigerated truck at a port in Britain suggested that these people were transported by freighters.³⁶

Although only four women were discovered in that case, worldwide crime statistics show that women and girls are the commonest victims who are looking to escape poverty in their own countries. Most accept fraudulent offers of lucrative employment in developed and rich countries in wealthy Western Europe and Middle East countries, only to end up in the sex trade or modern-day slavery. An estimated 1.2 million children who are part of

³⁶ *Post-Courier*, PNG, 20 June 2000, p. 8.

a 'US\$10 billion industry', are being smuggled each year. The main demand is in Europe, while the 'key supply sites' are Africa and Asia.³⁷

The handling of many shipping containers (some 200 million a year)³⁸ can be difficult to monitor as they cross borders and jurisdictions, easily tampered with as cargo goods, and human cargo, as stowaways, reach certain destinations, facilitated by perpetrators. The discovery in the port of Seattle, USA, of 15 young Chinese men, and the bodies of two other young men and an elderly woman³⁹ in a container shows that human smugglers, are usually well-organised, and use all forms of transport and concealment.

The containers used for people smuggling are soft-top ones, which after being sealed and loaded, the shipping company has no right to check or open. Following the discovery in Seattle, another 19 Chinese were found alive, in a container in another ship that last docked in Hong Kong. Officials in Hong Kong have pledged to increase coordination efforts with United States and Canadian officials.

There are already incidents of the illegal passage of boat people in Papua New Guinea because of its close proximity to Australia, and by providing the linkages to and from South-East Asia, as well as North Asia, electronically (telecommunication linkages) and geographically. Some of the major shipping routes pass through the north of the country. For example, one boatload of Chinese landed at a remote location in West New Britain Province, in the Bismarck Archipelago. There was no explanation as to how and why they landed there.⁴⁰ The whereabouts of the remaining 43 people, after only 17 were returned to China, remains a mystery.

New arrivals who have no proper documentation indicate that there are more illegal migration activities which have not been detected by the law-enforcement agencies.⁴¹

³⁷ See United Nation's Children's Fund (UNICEF) Report, as cited from ABC-CBN News 30 July 2003.

³⁸ See the paper presented at the 12th CSCAP Maritime Working Group Meeting, in Singapore by Metaparti Prakash, 'Maritime Terrorism: Threats to Port and Container Security and Scope for Regional Cooperation', from the Centre for Asian Studies at the University of Hong Kong.

³⁹ See website <<http://visalaw.com/00jan2/16jan200.html>>.

⁴⁰ *Post-Courier*, PNG, 1 July 1999, p. 1.

⁴¹ *Post-Courier*, PNG, 2 July 2003, p. 3.

These occurrences may have developed from existing ethnic communities in the countries of origin, where there is a social network that is actively involved in sustaining migratory movements, based on many 'push factors.'⁴² The networks could take many forms and may include established small businesses owned by foreigners of Asian origin, that may be 'self companies' existing only in name or may not have been registered with the PNG Investment Promotion Authority (IPA).

On one occasion an Asian man who claimed to be from the Chinese Embassy but later proved to be from a 'self company' that existed only in name was present, making frantic calls using a cellular phone to establish his contacts for a woman who was co sponsored by two other companies, when the woman and five other males arrived from Singapore.⁴³ For a start the illegal entrants could not speak a word of English, which is a basic requirement to enter PNG. Questionable immigrants in questionable businesses are becoming too frequent and have also led to police apprehending four people whose ages ranged from 30 to 42 years. Two were immigrants from China and Pakistan respectively while the other two were PNG nationals whose involvement was driving a truck with a container full of British American Tobacco products to a backyard of the Chinese man. The two drivers were paid PGK300.00 each for their part in transporting the container.

Before the police could get to the container, which was being repainted to conceal its identity, other foreigners were seen paying for their tobacco products at a much-reduced price from what would be charged after excise duties. It implied that there was a network of foreigners who knew where to get their tobacco. Other schemes or dubious businesses continue to avoid import taxes hence denying revenue for the country.

The revelation of a passport scam in the Papua New Guinean Department of Foreign Affairs, and the relative ease with which some work permits can be obtained through the Department of Labour and Industrial Relations are surely evidence that Papua New

⁴² A. Schloenhardt, 'Trafficking in Migrants: Illegal Migration and Organised Crime in Australia and the Asia-Pacific Region.'

⁴³ *Post Courier*, PNG, 18 July 2003, p. 5.

Guinea's bureaucracy has been infiltrated.⁴⁴ In a report to the PNG National Parliament, the Foreign Affairs Minister claimed that there were rampant and uncontrolled illegal activities in the issuance of passports and other travel documents, and violation of procedures. In 2001, there were 20 cases of irregular issuance of entry permits to facilitate foreigners to enter or to extend their residence in PNG.⁴⁵

These foreigners could be infiltrators involved in terrorism that use PNG as a staging or transit point when moving to Australia, Canada and the United States. They could also be people in international criminal organisations that are involved in the unauthorised migration of people. There is little wonder why countries like Australia are very sensitive to asylum seekers who might be genuine if processed properly but are problematic and danger to the sovereign state when they are 'queue jumpers' that do not await the process of their applications if they ever make one to seek asylum. However, these incursions in vulnerable states have been attributed to the lack of essential management resources, and most of all, political interference at all levels.

Usually the illegal entrants enter the country using tourist visa, and once they enter Port Moresby they disappear because they have a network of people. These people would add another dimension to the constricted health service if they come from the Fujian province of China and found to have SARs or having the 'bird flu'. On the other hand, if they were locked up in police cells or at an airport room, politicians or ex-politicians and, or lawyers interfere with the process and basically ask for their release. Subsequently, over the past few years, state institutions have become much weaker, lacking in laws and specific units or detention centres to combat drug smuggling and human trafficking, and address the situation effectively.

⁴⁴ *Post-Courier*, PNG, 7 April 2003, p. 6. The paper reported only one out of 12 public servants implicated in the passport scam in 2002 was charged under the public service management act, 4 had their charges withdrawn, 6 more had their cases withdrawn because of insufficient evidence and retrenched while the final one was acquitted.

Drug Smuggling

There are various kinds of drugs that leave a country and enter another, and are not detected by national authorities. People in places of authority who may have been coopted as beneficiaries may facilitate such dealings. Once again these people see economic gains made simple by globalised information systems, capital and readily available mode of transport. The kinds of drugs that have been interdicted, while being smuggled, include stimulants, cannabis, heroin, cocaine, opium, and illicit drugs in tablet form. These drugs also vary with usage and production, and existing preventive measures or penalties are also varied.

World figures indicate that the Asia Pacific region still remains high on the use of or abuse of drugs such as cannabis and heroin. The links to feed the markets operated by drug lords leads to Papua New Guinea where the ingredients for cannabis is readily grown in wild. They have become a major source of concern for authorities as they attempt to crackdown on their use, transportation and marketing domestically and internationally. In the international scene, seven Papua New Guinea nationals were apprehended and jailed in Jayapura in the Republic of Indonesia. The jail term for those convicted amounted to some 70 years in total, two for twenty years each, another two for fifteen years each, while the fate of the other three were not known since they were caught sometimes earlier.

Illicit drug trafficking has been the most profitable, yielding US\$40 – 100 billion in the US alone according to the 1999 report of the Financial Action Task Force (FATF).⁴⁵ The traffickers have adopted revolutionary methods of operation through out the world to avoid detection. Different countries have different methods of concealment. In Japan the drugs could be soaked in cloth material or melted into whiskey. Large quantities could be shipped in cargo containers equipped with Global Position System (GPS). In Papua New Guinea traffickers use car tyres and even strap cannabis to the human body like

⁴⁵ *The National*, 13 November 2003, p.2.

⁴⁶ See Resource Material Series No. 58 as part of the UNAFEI 116th International Training Course of

under garments. These people could be passed for ordinary people but their suspicious behaviour when confronted by law enforcement agents is what usually gives them away.

The main types of concealment employed to avoid detection are as follows:

- Ingestion, leg casts and body wrap;
- Use of false bottoms of luggage, concealment in imported packages such as electronic equipment, foods, and false cavities of furniture;
- Concealment in special compartments in vehicles and ships, containers and air freighters; and
- Delivery by courier services.

According to some reports, the drug kings from the golden triangle engaged in illicit drug trafficking target the main western countries of USA, Australia and Europe through transshipment using Philippines, Malaysia, and Singapore.⁴⁷ The Japanese criminal organisation, 'Boryokudan' is deeply involved in drug trafficking, especially methamphetamines/ amphetamine –type stimulants. They have foreign networks in the Chinese, Russian and Taiwan Mafia, criminal organisations in Hong Kong, Iranian groups as well as other Cocaine Cartel.

Papua New Guinea recorded only few cases of seizure because there is no effective mechanism to monitor the occurrence of drug smuggling. Drug smuggling has also occurred, involving excessive imports and exports of precursor drugs. One case that was detected in Papua New Guinea involved a government Minister, who had no jurisdiction to order such drugs. Also, the quantities involved were in excess of annual requirements of the entire country. In 2000, the International Narcotic Control Board (INCB) discovered quantities of precursors ordered by a Papua New Guinean company from various sources, and alerted the authorities, who were alleged to be involved, after they

December 2001 in Tokyo by the Director, Mikanao Kitada.

⁴⁷ Ibid.

terminated the previous officials. The previous officials, through their contacts in the INCB, were able to expose the scam through the media.

The drug scam involved two orders for 4 000 kg each of pseudo ephedrine hydrochloride, from China, and three lots of ephedrine hydrochloride BP93, from India. The quantities were 6 000 kg each for the first two lots, and another 8 000 kg for the latter. The 4 000 kg of pseudo ephedrine hydrochloride was capable of producing 5 700 kg of methamphetamines or 'ice', and had an estimated street value in the USA of some US\$280 million, compared to the value of order, which was US\$212 million.⁴⁸

Not far of in a holiday paradise in the Fiji capital of Suva, an illicit drug manufacturing factory was raided, possibly from information received from Malaysia and Honk Kong, from where a criminal syndicate set up the factory and supplied the chemicals and equipment. Corrupt immigration officials were also involved in what was described as the biggest 'methamphetamine laboratory discovered in the Southern Hemisphere,'⁴⁹ having raw material to produce US \$540 million worth of 'ice' for markets in Europe, the United States, Australia and New Zealand. The raid by law enforcement agencies led to the arrest of seven people that included one indigenous Fijian. Six of those arrested, one of them a woman were ethnic Chinese, four lived in Hong Kong while the others were naturalised citizens of Fiji. A immigration official and a former employee of customs services were also investigated.

In a related operation police arrested a man for laundering money for the criminal syndicate in Hong Kong while six more were arrested in Malaysia. In Oceania, lots more seizure and arrest by law enforcing agencies are expected with the opening of a Pacific

⁴⁸ Sighted from classified official documents to the Minister for Foreign Affairs, regarding the importation and diversion techniques that coopted officials are able to use.

⁴⁹ *Post-Courier*, PNG, 15 June 2004, p. 8.

Transnational Crime Centre in Suva on 15 June 2004. Similar units have begun to form up in Tonga, Vanuatu, Papua New Guinea, Samoa and Solomon Islands.

The Outcome of Securitisation

After the events of 11 September 2001, terrorism and its effect on the world, predominantly interests in the United States and other Western countries, have been prominent. The war against terrorism saw the Taliban and Al Qaeda operatives bombarded and marginalised in Afghanistan. Consequently, world military spending increased by some six percent in 2002, according to the Stockholm Peace Research Institute.⁵⁰ Terrorism appears to be securitised to a similar condition to that of the Cold War period, as countries debate on how to face the challenge by non-state actors. Paramount amongst the process is the comprehensive approach to minimise, not only terrorism, but also to limit the proliferation of transnational crime through various forms of cooperation.

The 'war on terrorism' has reshaped the world views, especially the Asia Pacific region, which is akin to the Cold War period when super powers and middle powers charted international relations. In the new order the 'coalition of the willing' has constructed different form of 'security' whose intention is perceived to be against the western values and principles, more particularly those of the partners in the coalition of willing. It has created a Xenophobia in Australia as a result of signals emitted from the United States that Australia should ensure its 'backwaters' were calm when referring to the Pacific Island states, from where terrorists attacks could target western interests. With its massive aid to these Island States the legitimacy of these countries as sovereign states is greatly undermined and dictated from Canberra.

In an attempt to minimise illegal immigration into Australia, from the conflict areas in the Middle East, by people who may not be genuine refugees, Australia prevented the

⁵⁰ Reuters, 17 June 2003.

landing of some ‘boat people’ by adopting the so-called ‘Pacific Solution’. This approach saw the diversion of these boat people to be processed in Nauru and Papua New Guinea, after they were rescued by the Norwegian freighter, *MS Tampa*, from their sinking Indonesian fishing vessels. The Tampa incident provoked much controversy, when Australia deployed some 45 ‘special forces’, in three Zodiac boats⁵¹, to force the freighter back into international waters.

The Tampa incident initially affected three countries — Norway, where the ship was registered, and from where the company operated the vessel; Indonesia, from where the asylum seekers boarded the fishing vessels; and Australia, as the destination country. Although New Zealand, Papua New Guinea, and Nauru accepted some of the asylum seekers to be processed, other Pacific countries were approached to make the ‘Pacific Solution’ effective. While this incident was costing the ship's operator time and money, Indonesia was not obliged to accept the asylum seekers for the same reasons as Australia. The people in the controversy were not sanctioned by Indonesia as the State, so why should Indonesia accept these people with no proper documents.

Consequently, the situation warranted actions that would not only solve the crisis, but prevent other boat people from attempting such acts. There were many other boat people around about the same time. However, the Australian ‘Pacific Solution’ effectively prevented newcomers, and in many cases was a deterrent that prevented other refugees and asylum seekers from attempting to reach Australia by boat. It appeared that the queue jumpers were effectively stopped, but created another problem domestically when the Government was cited for misleading the people on throwing children overboard. The issue was ‘securitised’ to an extent that made the Australian Government so popular that it got re-elected for another term.

The intention by countries in the region to address transnational issues indicates that

⁵¹ See the *Post-Courier*, 31 August 2001. After four days of stand-off, with the Tampa being a good samaritan for saving some 438 boat people, Australia insisted that the freighter return to international waters, and even return to Indonesia.

measures are being taken to effect the securitisation of transnational crime, especially human trafficking and drug smuggling. The attempts to suppress drug trafficking and other cross-border crimes that contribute to the funding of terrorist activities has led to officials from China, India, Laos, Myanmar, and Thailand agreeing ‘to increase their level of cooperation’.⁵² In the same spirit, Australia and Thailand signed a joint agreement to fight terrorism, and drug and human trafficking operations on 17 June 2003. Also, there have been ‘several plots’ uncovered by Thai police, with the arrest of three men who were plotting to bomb Australian Embassies and tourist destinations.

In another attempt to effectively handle transnational crime, Malaysian and Indonesian police have agreed to step up cooperation to combat piracy and drug trafficking in Malaysia.⁵³

Policy Implications

The general strategy to combat transnational crime has been to increase cooperation, which is aimed at maximising and ensuring the existence of state capacities. Actions taken have begun from national, bilateral, regional, and multilateral arrangements — some of those being old relations that have been strengthened with new visions. For example, on the national scene, Thailand has passed a decree that will make ‘terrorism punishable by 20 years in jail, or death, and will allow security officials to conduct searches and arrests on suspected terrorists’.⁵⁴ Thailand has also engaged three other nations, after a survey of ports along the Mekong River, to address ways to increase security on the shared waterway and prevent drug smuggling and their chemical precursors. The United Nations is expected to assist in developing security measures for this major smuggling route, together with Burma, Laos, and China.⁵⁵

⁵² See *Japan Today*, 24 June 2003.

⁵³ *Jakarta Post*, 30 July 2003.

⁵⁴ *Times of India*, 11 August 2003.

⁵⁵ *Bangkok Post*, 9 July 2003.

High on the list of cooperative efforts is the encouragement of governments or states to endorse and implement United Nations conventions and protocols. States that are signatories to the conventions and protocol are expected to establish domestic laws to accommodate the UN instruments. The UN Convention against Transnational Organised Crime, which was adopted by the UN General Assembly in November 2000, requires signing and ratification by forty countries, before it comes into force to address four criminal offences:

- participation in an organised criminal group;
- money laundering;
- corruption; and
- obstruction of justice.

The convention may be the driving force behind countries to ‘improve cooperation on such matters as extradition, mutual legal assistance, transfer of proceedings, and joint investigations’.⁵⁶ There are also provisions for countries to work together in protecting victims and witnesses of transnational crime. Part of the convention urges parties to the convention to provide technical assistance for weak and developing states in strengthening state capacities to deal with organised transnational crime.

Two additional protocols that have been adopted by the UN General Assembly call for measures to combat the smuggling of migrants, and the trading of women and children for labour and the sex industries. Every year, an estimated four million ⁵⁷ people are transported as ‘human cargo’ by organised gangs that are linked across international borders. The protocols on trafficking in human beings include provisions on new forms of slavery.

⁵⁶ Available on <<http://www.unodc.org/palermo/theconvention.html>>.

⁵⁷ Ibid.

Conclusion

It is quite evident that security concerns, such as direct threats through military invasion into another sovereign state, have decreased, as the world experiences internal conflicts, mostly in small weak states. The effect of globalisation, which is not limited to economic liberalisation, but includes the democratisation of political systems and functions, has allowed for fluid state boundaries, and greater cooperation amongst states and non-state actors. A network of immigrants, having a network to their countries of origin exists to the extent that human trafficking and drug smuggling is facilitated. Economic gains are worth the risk in their new environment or cosmopolitan.

As far as the weak states are concerned a 'dependency' syndrome exists and aid donated by strong powers is conditional, hence securitised to legitimise control so that transnational crime such as illegal movement of people and drug smuggling do not proliferate. The powerful also have their own strategic interests in the new 'world order' that has linkages to the 'Coalition of the willing' and the 'war on terrorism'.

Therefore, there is a general contempt concerning the world disparities whereby non-state actors, and minority groups that are not necessarily disadvantaged, tend to challenge the state apparatus and provide a conduit for dissent, and the involvement of international criminal and terrorists groups. Consequently, nation states are required to shift the focus of their policies to include areas that were not traditionally security issues. Hence, we have the securitisation and desecuritisation of certain referent objects, such as human and drug trafficking. Political democratisation, trade liberalisation, and market opportunities have provided greater opportunities and challenges with which states must grapple. Papua New Guinea is one country that is facing these many challenges, as most of these concerns become securitised.

It is plausible that terrorism has links to transnational crime. Existing bilateral and multilateral relations are being explored, just as new ones are being formed to combat terrorism and transnational crime. The situation is akin to the Cold War era, where states

aligned themselves into two camps, and the weak ones got aid and assistance. The ongoing efforts in strengthening and encouraging new cooperation to combat terrorism and transnational crime will only be realised when poverty and state weakness reach a manageable level within states. The proliferation of transnational crime will still be a major challenge, as a function of state capacity, internal stability, and economic empowerment.

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