



Divergent Dimensions of Radicalization Risk: Migration and Violent Extremism in Sabah

*Final Research Report to The United States Department of State's Bureau
of Conflict and Stabilization Operations (CSO)*

About This Report

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International Institute of Islamic Thought and Civilization (ISTAC) aims to proliferate studies on the Islamic thought and civilization through learning, research, and exchange of ideas and knowledge at a time where the world seems to thrive upon oversimplification and ignorance of history and cultural heritage. Leveraging the extensive expertise on Islamic Thought and Civilization at International Islamic University Malaysia (IIUM), ISTAC aspires to facilitate capacity building in the Muslim World through shared values of Islamic Civilization and the diversity of ummah with studies of the Malay World dedicated to enhancing greater understanding of the Muslim World and its rich diverse historical and academic legacy. For more information, contact ISTAC at istac@iium.edu.my or visit <http://www.iium.edu.my/institute/istac>.

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Preface

This final report is the culmination of two years of dedicated scholarship, intellectual growth, and personal and group resilience as the research team adapted to the realities of research during the global COVID-19 pandemic. As the Principal Investigator, I would be remiss if I did not make note of the fact that the research team rose to meet the numerous challenges faced in completing this research agenda.

The two primary goals of this research project were to, 1) Build local preventing/countering violent extremism (P/CVE) research capacity among faculty and students at UMS, and 2) Generate a body of research on violent extremism trends in Sabah and the southern Philippines. The project goals and objectives stem from its theory of change: *If diverse representatives of stakeholders are better equipped to understand local contexts, develop community-oriented plans for building partnerships, and coalitions to address P/CVE and promote community resilience, their efforts are more likely to be accepted by their communities and be successful in preventing radicalization, countering radicalization, or promoting de-radicalization.* More successful P/CVE will result in fewer vulnerable individuals radicalizing. Therefore, building research capacity in areas where violent extremist threats emerge is fundamental to ensuring a better understanding of the dynamic dimensions of radicalization.

While the final report addresses Goal #2, I think it is important to address Goal #1 briefly. Throughout this research program, START facilitated a range of capacity-building training for our partners at IIUM and UMS. Training included study design, research methodology, best practices for human subjects research, interview practices, and many others. As this project comes to an end, the milestones achieved and deliverables put forward by the IIUM-UMS research team offer evidence that capacity-building training works and that the best way to build local research capacity is through hands-on experience conducting actual research. As such the following Final Report is authored by the research partners at IIUM and UMS with only slight editorial revisions by the START team.



Samuel D. Henkin, Ph.D. (PI)
START

List of Acronyms

AFP	Armed Forces of the Philippines
AIM	<i>Amanah Ikhtiar Malaysia</i>
AIS	Automatic Identification System
AMTI	Asia Maritime Transparency Initiative
AQ	<i>al-Qaeda</i>

ARMM	Autonomous Region of Muslim Mindanao
ASEAN	Association of Southeast Asian Nations
ASEANPOL	National Police Organization for The Association of Southeast Asian Nations
ASG	Abu Sayyaf Group
BARMM	Bangsamoro Autonomous Region in Muslim Mindanao
BIAF	Bangsamoro Islamic Armed Forces
BIFF	Bangsamoro Islamic Freedom Fighters
BIMP-EAGA	Brunei-Indonesia-Malaysia-Philippines-East Asean Growth Area
BN	<i>Barisan Nasional</i>
BTA	Border Trade Agreement
CCG	China Coast Guard
CSR	Corporate Social Responsibility
CT	Counterterrorism
CVE	Countering Violent Extremism
Daesh	<i>al Dawla al Islamiya fi al Iraq wa al-Sham</i>
DAP	Democratic Action Party
DBKK	<i>Dewan Bandaraya Kota Kinabalu</i>
DI	Darul Islam
DIS	Darul Islam Sabah
ECSC	East Coast Security Committee
ESSCOM	Eastern Sabah Security Command
ESSZONE	Eastern Sabah Security Zone
EZZ	Exclusive Economic Zone
FELDA	Federal Land Development Agency
FMM	Federation of Malaysian Manufacturers
FTF	Foreign Terrorist Fighters
GPS	Global Positioning System
GRP	Government of the Philippines
GTD	Global Terrorism Database
INAF	Indonesian National Armed Forces
IPSOM	Institute for Public Security Malaysia
IS	Islamic State
ISA 1960	Internal Security Act, 1960 (repealed on September 11, 2011)
JAT	<i>Jemaah Anshurut Tauhid</i>
JAS	<i>Jemaah Ansharusy Syariah</i>
JI	<i>Jemaah Islamiyah</i>
KfR	Kidnapping-for-Ransom
KfRg	Kidnapping for Ransom group
KII	Key Informant Interviews
KMM	<i>Kumpulan Mujaheddin Malaysia</i>

KN	<i>Katibah Nusantara Lid Daulah Islamiyah</i>
MAF	Malaysian Armed Forces
MARA	Majlis Amanah Rakyat
MCC	Maritime Command Center
MID	Malaysian Immigration Department
MILF	Moro Islamic Liberation Front
MITI	Ministry of International Trade and Industry
MMEA	Malaysian Maritime Enforcement Agency
MNLF	Moro National Liberation Front
MP	Member of Parliament
MPF	Marine Police Force
MPSS	Sabah Suluk Solidarity Council
MTW	Malaysian Territorial Waters
NSC	National Security Council
NSP	National Security Policy
<i>Ops Daulat</i>	<i>Operasi Daulat</i>
<i>Ops Pasir</i>	<i>Operasi Pasir</i>
PATI	<i>Pendatang Asing Tanpa Izin</i>
PASKAL	<i>Pasukan Khas Laut</i>
PASKAU	<i>Pasukan Khas Udara</i>
P/CVE	Preventing and Countering Violent Extremism
PGA	<i>Pasukan Gerakan Am</i>
PHP	Philippines Peso
POTA 2014	Prevention of Terrorism Act, 2014
PPRT	Poorest People Housing Project
PRESS	Sabah Suluk Ethnic Association
RCI	Royal Commission of Inquiry
RMAF	Royal Malaysian Air Force
RMN	Royal Malaysian Navy
RMP	Royal Malaysian Police
RSA	Royal Sulu Army
RSF	Royal Sulu Forces
SEARCCT	Southeast Asia Regional Centre for Counter-Terrorism
SEAU	State Economic Affair Unit
SMATA 2015	Special Measures Against Terrorism in Foreign Countries, 2015
SOP	Standard Operating Procedure
STAR	State Reform Party
SUCCC	Sabah United Chinese Chambers of Commerce
TAP	Trilateral Air Patrol
TCA	Trilateral Cooperative Agreement
TEKUN	<i>Tabung Ekonomi Kumpulan Usaha Niaga</i>

UMNO	United Malays National Organisation
UNHCR	United Nations High Commissioner for Refugees
VEG/I	Violent Extremism Group/Individual
VEO	Violent Extremist Organizations
WestMinCom	Western Mindanao Command, the Armed Forces of Philippines

Executive Summary

State Department polling indicates that public support for the Islamic State (IS) is on the rise. Moreover, the Malaysian police claim to have thwarted dozens of terrorist arrests since 2013. Importantly, Malaysia has served as a transit hub and training ground for terrorists, and approximately one hundred Malaysians, including women and children, have traveled to Iraq and Syria to support the creation of IS. Though only a handful has returned, radicalization and recruitment to violence remain a risk in Malaysia, as evidenced by more than 430 terror-related arrests since 2013. There are undoubtedly opportunities to mitigate these risks in Malaysia by addressing the dynamics of radicalization and mobilization to violence with particular reference to the dynamics of geographical distinctions outside Peninsular Malaysia. This requires a nuanced understanding of the threat but present research capacity on terrorism and VE (Violent Extremism) in Malaysia is unfortunately limited. This is especially the case outside of Peninsular Malaysia especially in East Malaysia i.e. the state of Sabah, neighboring the troubled region of the southern

Philippines and Kalimantan, Indonesia. In Sabah, security and VE threats have been broadly influenced by the external elements of regional VEGs (violent extremist groups) and organized crime groups. Reports of arrests and involvement of individuals in Malaysia's terrorism-related offenses constitute only a small percentage of people from Sabah when compared with the higher number of violent extremism cases in Peninsular Malaysia.

This research project is meant to take a step towards filling this gap and developing capacity. The findings below are the result of research conducted through Universiti Malaysia Sabah (UMS) that focuses on Sabah, where radicalization risks in the state of Sabah require a departure from the analysis of radicalization risks in Peninsular Malaysia. This project aims to evaluate the context of security threats in Sabah including the geopolitical and security dynamics in the southern Philippines, porous borders, irregular migration, maritime crimes, and the existence of regional crime-terrorism nexus. Sabah's proximity to the Philippines, combined with longstanding trade routes and close, cross-border familial ties between the two countries also facilitate migrant flows. While the vast majority of emigrants are motivated by economic opportunity, extensive evidence suggests that regional VEGs from the Philippines and Indonesia are also exploiting these flows. Sabah is not merely a transit point for the regional VEGS, but also the state has been especially vulnerable to the expansion of maritime crimes including drug trafficking, illicit goods smuggling, safe passages for organized crime groups, and a hub for generating resources among crime-terrorism nexus in the region. Undoubtedly, Malaysia has been proactive in safeguarding the state from various elements of security threats, albeit this is often challenged by the rapid-changing security context in the southern Philippines. This project attempts to explore this embedded relationship of geo-political and security dynamics in the region and how it will continue to impinge the security threats in Sabah.

Part I: Introduction

In January 2021, the Malaysian authority declared that COVID-19 movement restrictions had "flattened the curve of terrorism in Malaysia".¹ However, four months later on May 17th, the RMP (Royal Malaysian Police) had conducted a counter-terrorism raid against suspected ASG (Abu Sayyaf Group) members in Sabah, located on the northeast portion of Malaysian Borneo.² The police intervention resulted in the death of five suspected ASG members, including an ASG sub-commander on the Philippine government's wanted list. Two weeks earlier, eight suspected ASG militants were arrested in Sabah based on shared intelligence of extremist activities between the Philippines and Malaysia.

More recently, on December 1, 2021, a secret meeting among 19 mayors of the Sulu Archipelago allegedly occurred to set up a "Royal Sulu Army" (RSA) to invade Sabah by February 2022 which echoed the 2013

¹ Chew, Amy. "Malaysia's coronavirus lockdowns a 'blessing in disguise' for reducing Isis threat: counterterrorism chief", January 14, 2021, South China Morning Post, available at <https://www.scmp.com/week-asia/politics/article/3117788/malaysias-coronavirus-lockdowns-blessing-disguise-reducing-isis>

² The Strait Times, "Malaysian police kill suspected Philippine militants", May 18, 2021, available at <https://www.straitstimes.com/asia/se-asia/malaysian-police-kill-suspected-philippine-militants>

Lahad Datu Intrusion. They allegedly planned on recruiting 600 fighters although security sources from both the southern Philippines and Malaysia have denied the meeting as an attempt to invade Sabah.³ Although the news has been perceived as political rhetoric amidst the coming presidential election of the GRP (Government Republic of Philippines) in May 2022 through which the Sabah claim will be gauged typically as an electoral sentiment, the broader security of Sabah-Sulu Archipelago relations are tightly embedded. The secret planning to invade Sabah by February 2022 signals the failed attempt 10 years ago by the RSF (Royal Sulu Force) to invade Sabah in Lahad Datu which lasted a month from February 11, 2013, to March 24, 2013.

Since the 1960s, civil war, political turmoil and instability, ethno-communal violence, and the rise of the crime-terrorism nexus in the southern Philippines continue to have repercussions on the security of the Malaysian state of Sabah. Geographically, this study argues the geopolitical and security contexts in central Mindanao towards the greater Sulu-Celebes Sea will continue to impinge the security context in Sabah. The context of a regional crime-terrorism nexus and violent instability in central Mindanao and the Sulu Archipelago reaching the eastern coast of Sabah has a long history of communal feud, territorial dispute, rivalries between local elite leaders, and the rise of crime-terrorism activities in the region. Sabah, situated in East Malaysia, is closest to the turbulent area in the southern Philippines.

As a repercussion of these combined security and geopolitical dynamics in the southern Philippines, the greater Sulu-Celebes Sea has witnessed the rise of Islamist armed groups since the 1970s. Since then, Sabah has been labeled as a “safe passage” exploited by regional Islamist militancy due to its porous borders between Sumatera and Kalimantan in Indonesia towards the greater Sulu-Celebes Sea in the southern Philippines. Not surprisingly, since the 1970s, activities of regional militancy by groups like the MNLF (Moro National Liberation Front), the MILF (Moro Islamic Liberation Front), and JI (Jemaah Islamiyah) in the past, and recently with the rise of ASG, and IS (Islamic State) affiliated groups, continue to have significant repercussions on the security of Sabah.

However, a vital turning point of the transition of the autonomous region in the Southern Philippines and the improvements in security by the government in the Philippines and Malaysia have shown a significant impact on the de-escalation of communal violence, and the violent trajectory among VEGs in the greater Sulu-Celebes Sea. Nevertheless, this study found that local VEGs in the southern Philippines continue to evolve, rapidly changing their tactics, strategy, and motivation departing from the narrative of Islamist terrorism. Rather than viewing the rise of VEGs in the greater Sulu Celebes Sea as a by-product of global Islamist terrorism aftermath of the terrorist attacks in the United States on 9/11 in tandem with the rise of al-Qaeda and later, IS in 2012; this study argues a “regional crime-terrorism” approach can be used to better understand the trends of VEGs in the region and its embedded activities with crime-terrorism nexus.

With the rapid security and geopolitical changes in the southern Philippines since the normalization of the peace accord of the ARMM (Autonomous Region in Muslim Mindanao) and the re-introduction of the BARMM (Bangsamoro Autonomous Region in Muslim Mindanao), VEGs have been re-orientating towards

³ Chew, Amy. “Secret plot to invade Malaysia’s Sabah with Sulu militia hatched in southern Philippines: security source”, December 9, 2021, South China Morning Post, available at <https://www.scmp.com/week-asia/politics/article/3158966/secret-plot-invade-malaysias-sabah-sulu-militia-hatched-southern>, date accessed, December 9, 2021.
FMT Reporters, “Dakwaan ceroboh dibuat pihak cemburui keselamatan Sabah, kata KPN”, December 9, 2021, Free Malaysia Today, available at <https://www.freemalaysiatoday.com/category/bahasa/tempatan/2021/12/09/dakwaan-ceroboh-dibuat-pihak-cemburui-keselamatan-sabah-kata-kpn/>, date accessed, December 9, 2021.

crime-terrorism activities. However, political instabilities such as rivalries among different armed rebellion groups marred with ethno-cleavages continue to pose a security threat in the greater Sulu-Celebes Sea.

Radicalization risks in Sabah are entangled with the broader internal and external dynamics that may explain how the trajectory of the regional VEGs and other organized crime groups exploited the vulnerability of the state of Sabah towards the Sulu-Celebes Sea. To understand the threats that were brought by regional VEGs towards the state of Sabah, it is, therefore, crucial to explore the intertwined internal and external dynamics such as porous borders, irregular migration, ethnolinguistic and kinship ties, as well as other identified factors that will be explored in this study.

Significance of Study

This study illuminates the continuance of security threats and its diverging aspect of regional crime-terrorism among VEGs operating in the region. In addition to this, the rapid changing of geopolitical and security events in the southern Philippines and Sabah from 2020 to 2021 will shape the greater stability in the Sulu-Celebes Sea. Based on findings from interviews and recent studies in the Sulu-Celebes Sea region, this study suggests nine main findings of the current geopolitical and security context in the southern Philippines:

1. The political transition of the autonomous region under the BARMM will continue to contour the greater stability of the southern Philippines.
2. Although the GRP has introduced de-militarization efforts related to armed Islamist groups, such as the decommissioning of the MILF and also the re-integration and rehabilitation of former armed militant groups such as the ASG, the current hiccups in these two different programs continue to pose a security risk to the region.
3. The emerging Sulu faction among elite leaders in the Sulu Archipelago and its contentious relationship with Mindanao may cause strife for the current geopolitical transition of the BARMM.
4. There has been a significant change of the terrorism context in the southern Philippines departing from “Muslim grievances” motivations referring to the Moro struggle to a crime-terrorism nexus. The rise of Islamist armed and violent groups in the southern Philippines is crime-driven focused on profit-making rather than an Islamic eschatology of jihadism or reflecting the Moro struggle.
5. Despite the evolving VEGs, the sentiment over ethno-clan politics in the new autonomous region continues to impede the peace process, thus resulting in fissures and sometimes, violent contention.
6. The remaining former FTFs (foreign terrorist fighters) since the Marawi Siege continues to demonstrate that the political instability and vulnerability of the greater Sulu-Celebes Sea will be potentially exploited by foreign elements of Islamist militancy.
7. Since 2020, there has been an expansion of the ASG’s base in Sabah signaling ASG’s continued search for external support and an external safe haven as a result of increased counter-terrorism offensives.
8. Security policy implemented since the Covid-19 pandemic impacted trends of irregular migration from Indonesia and the southern Philippines into Sabah. As such, the greater Sulu-Celebes Sea has witnessed a near absence of crime-terrorism activities since the pandemic of Covid-19 in 2020.
9. There is proactive regional security and military cooperation and exchange, especially between the Armed Forces of the Philippines (AFP) and the local authority in Sabah (Eastern Sabah Security Command (ESSCOM), thus safeguarding the porous borders in the greater Sulu-Celebes Sea.

Data and Methodology

This study benefits from in-depth elite interviews conducted between March 2020 through December 2021. Despite the unprecedented challenge arising from the Covid-19 pandemic, this study secured several successful remote elite interviews as well as face-to-face interviews conducted in Sabah (when mobility restrictions were not in place). Due to the pandemic, the majority of the interviews were conducted through virtual online communication platforms. Originally, this study anticipated including non-elite focus group interviews but to reduce the risk of covid-19 transmission and comply with lockdown measures non-elite focus group interviews were not held.

Despite this, this study benefits from the wide-ranging backgrounds, expertise, credentials, and nationalities among the elite candidates for the interviews. Several criteria were set to be eligible for the elite interviews. There were: 1. participants must be an adult (18 years older); 2) participants can be selected from the following countries: Malaysia, Philippines, Australia, Singapore, and the United States; and 3) participants must be fluent in English or Malay, consent to participate as a participant and acknowledged the consent form, and has a reliable internet connection.

All participants were guaranteed anonymity. All of the elite interviews were recruited based on their credentials, expertise, and experience. All of the interview questions were carefully designed by the researchers and an interview guide was employed during the interview process. The methodology of research for this study has fully met the ethical considerations and requirements by the Institutional Review Board (IRB) Division of Research, the University of Maryland.

Key Informant Interviews (KIIs)

To improve our understanding of these dynamics, this study conducted qualitative research and interviews with relevant key persons and local populations. Originally planned as in-person interviews, the KIIs were successfully migrated to remote interviews due to the ongoing COVID-19 pandemic. A total of 79 Key Informant Interviews (KIIs) invites were sent to relevant persons in Malaysia, the Philippines, the United States, Singapore, and Australia. For detailed information about the KII's please see the Appendix. The vast majority of KIIs were conducted virtually because of the covid-19 pandemic but two KIIs were conducted in person, under the strict safety protocols of the team's Covid-19 interview plan (approved by UMD's IRB).

For Elite-level KIIs, we interviewed senior security forces personnel, such as members of the:

- Eastern Sabah Security Command (ESSCOM)
- The Royal Malaysian Police (RMP)
- The Malaysian Armed Forces (MAF)
- The Armed Forces of Philippines (AFP)

Selected civilian government officials from Malaysia and the Southern Philippines, such as personnel from the:

- Panel of Counterterrorism Councils under the Malaysian Council for National Security Affairs
- Local members of parliament from the state of Sabah
- Selected elite representatives from local governance such as the BARMM in the southern Philippine

Those with first-hand knowledge of VEGs in the greater Sulu-Celebes Sea, such as:

- Demobilized members of JI/MILF
- Mediators involved in the dialogue between separatists and government officials

- Civil society organization and elite leaders in Sabah and the Southern Philippines
- Research think-tank organization on counter-terrorism and prevention of violent extremism in the region

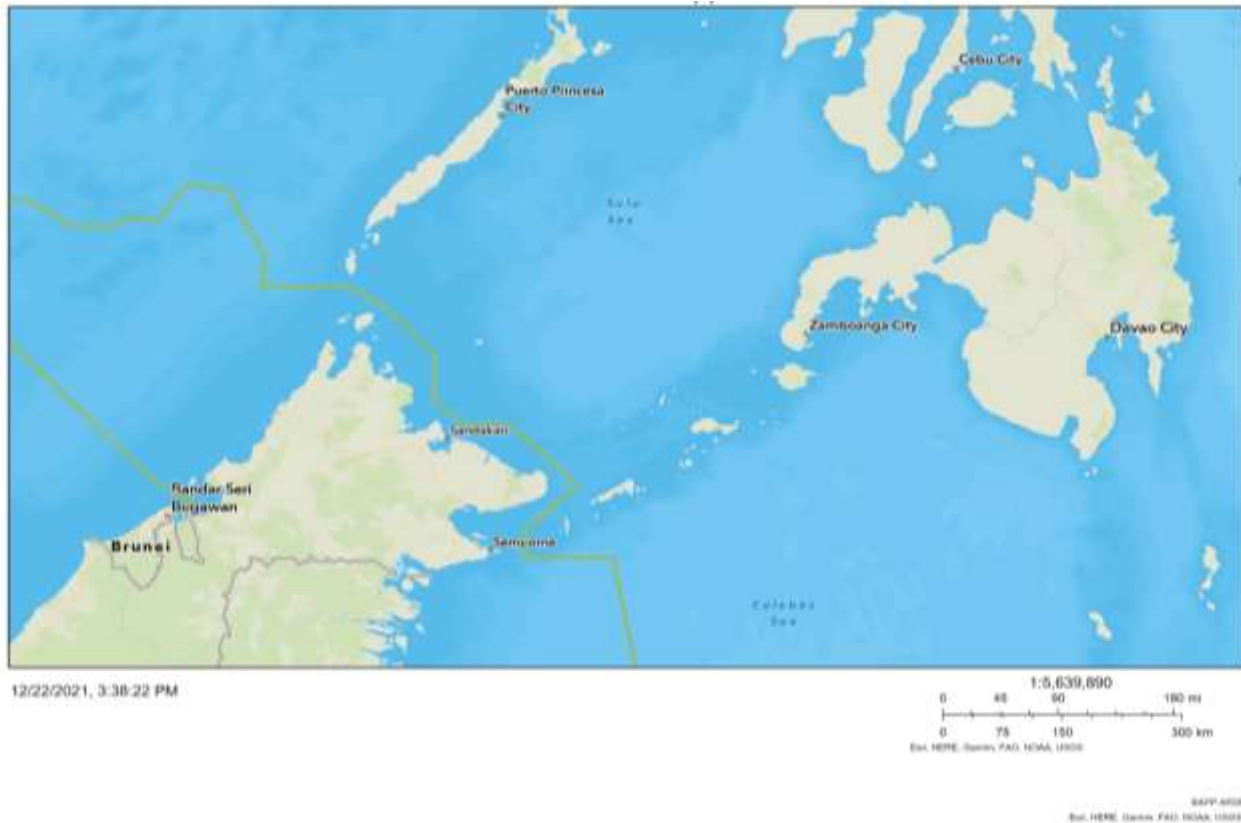
Other local and foreign experts, including:

- University researchers and scholars from Malaysia, the United States, Singapore, Philippines, and Australia
- Journalists specializing in the CT and P-CVE in the region

Geographical Context: The Greater Sulu-Celebes Sea

The Sulu Sea and Celebes Seas, therefore, referred to as the greater Sulu-Celebes Sea are large bodies of water (approximately 100,000 square miles and 110,000 square miles respectively) in the eastern part of Southeast Asia. The Sulu Sea is bounded to the northwest by the Philippine island of Palawan, to the southeast by the Sulu Archipelago (comprising the islands of Basilan, Jolo, and Tawi-Tawi) and in the southwest by the eastern Malaysian state of Sabah. The Celebes Sea is bordered by the Sulu archipelago and Mindanao in the north, Sabah and the Indonesia province of Kalimantan to the west, and Sulawesi to the south.⁴ It is one of the important shipping lanes that pass from the Makassar Strait between Sulawesi and Borneo through the Celebes Sea to East Asia.

Map 1 shows the Greater Sulu-Celebes Sea between Sabah and the Southern Philippines⁵



⁴ Ian Storey. Trilateral Security Cooperation in the Sulu-Celebes Seas: A Work in Progress. *Perspective* No. 48. 27 August 2018. p. 2. https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2018_48@50.pdf

⁵ Map is generated through ESRI by the author (Hafiza Nur Adeen nor Ahmad), date generated: December 12 2021.

These routes include one across the Sulu Sea to the Strait (between Mindanao and Leyte), used by ships traveling between Southeast Asia and the Pacific; across the Sulu Sea to the Balabac Strait (between Palawan and Sabah), and the Mindoro Strait (west of Mindoro island), used by ships traveling between Australia and southern China; and one east of Mindoro and then across the San Bernardino Strait to the Pacific Ocean.⁶ An estimated US\$40 billion worth of trade passes through the region every year.⁷ This is also known as the “tri-border area” of Southeast Asia which comprises the three littoral states of the Philippines, Indonesia, and Malaysia.

The greater Sulu-Celebes Sea is where VEGs, such as the ASG and other organized crime groups such as the Kidnapping for Ransom groups (KFRg), resort to piracy and kidnapping for ransom, mainly targeting the east coast of Sabah as part of a growing crime-terrorism nexus in the region as indicated in the Map 1. The cross-border crimes-terrorism nexus has taken a heavy toll on Sabah’s security. The crime-terrorism nexus in the tri-border area involves KfR groups, foreign intrusion, fish bombings, smugglings, drugs, arms, and human trafficking among many others. The threat posed by these activities is not only due to the nature of the threats themselves but also rises from other social, economic, and geopolitical issues, such as geographical factors, humanitarian issues, and involved internal-external-regional dynamics.

In addition to this, crime and terrorism activities are rampant due to the porous, contested, poorly monitored sea boundaries, and remote islands from which criminal and terrorist groups exploit and operate.⁸ Regional security cooperation in recent years has gradually addressed these security threats in the greater Sulu-Celebes Sea, thus explaining the reduction in some of the areas’ violent activities, like KFRGs. However, despite several measures taken by the Malaysian government, both unilaterally and multilaterally, security threats continue to rise in the greater Sulu-Celebes Sea.

Part II: The Nature of Security Threats in Peninsular Malaysia and Sabah

Comparatively, both Malaysian Peninsular and Sabah experience varying degrees of security threats emanating from domestic, regional, and international entities. The presence of violent extremism groups (VEG) in Sabah and Malaysian peninsular vary. Also, other criminal activities, illegal crossings, smuggling, and illegal trades impact Sabah and Malaysian peninsular differently.⁹ Regarding the presence of VEGs in the region, according to Interviewee 1, VEG such as JI shows signs of re-emergence in the region, especially in Indonesia although it had experienced serious setbacks resulting from an extensive crackdown by the Indonesian and Malaysian authorities since the Bali bombings in 2002.¹⁰

According to Interviewee 18, JI has been using Sabah as a route to the Southern Philippines. Usually, they venture into the sea using small boats to avoid detection by Malaysian and the Philippines border patrols. The use of small boats is a tactical move to avoid being searched by the authorities because it is a popular way for locals to move around the area for legitimate social and economic activities. Bigger ships, according

⁶ Angel Rabasa & Peter Chalk. Non-Traditional Threats and Maritime Domain Awareness in the Tri-Border Area of Southeast Asia. The Coast Watch System of the Philippines. *Occasional Paper*.

⁷ Ian Storey. Trilateral Security Cooperation in the Sulu-Celebes Seas: A Work in Progress. *Perspective* No. 48. 27 August 2018. p. 2. https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2018_48@50.pdf

⁸ Febrica, Senia. "Securing the Sulu-Sulawesi seas from maritime terrorism: a troublesome cooperation?" *Perspectives on Terrorism* 8, no. 3 (2014): 64-83.

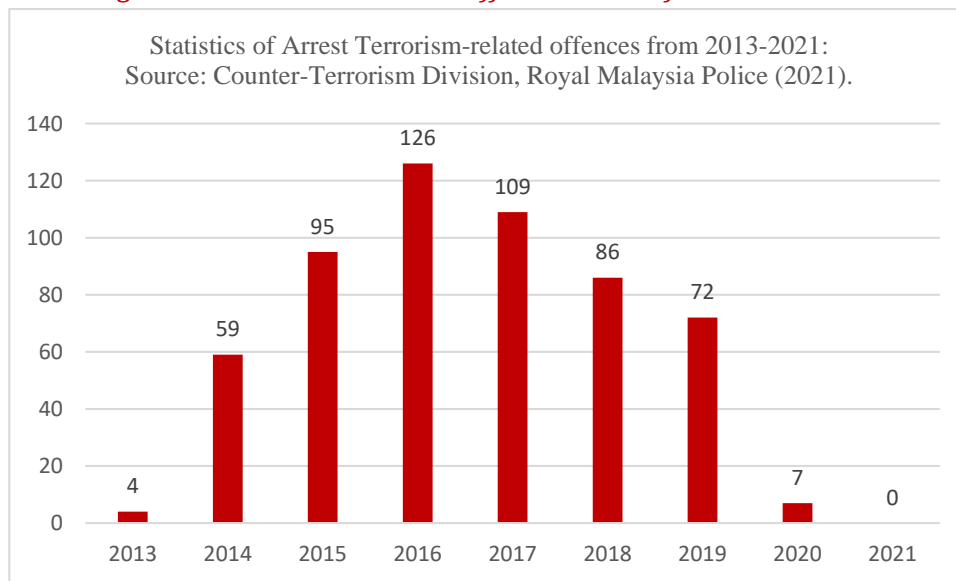
⁹ Interview 16, Online September 6, 2021

¹⁰ Interview 1, Online, February 2, 2021

to Interviewee 19 are often subjected to thorough searches by the authorities. JI has exploited this knowledge to transport people and contrabands.¹¹

The Malaysian peninsula is equally facing the threat of VEG. Most VEGs in Peninsular Malaysia are locally formed, regionally connected, and globally inspired. For instance, the Black Crow group, an IS-affiliate group created by Muhammad Wannady has regional networking in Southern Philippines, particularly with Dr. Mahmud Ahmad who escaped to the Philippines, and Indonesian militants. Since February 2013, Malaysian police have detected indicators of radicalization among Malaysian youth who were inspired by the Syrian conflict and ISIS propaganda.

Figure 1: Terrorism-related offense arrests from 2013-2021



Based on the above statistics (Figure 1), shows a dramatic increase in terrorism-related offenses from 4 cases in 2013, to 59 in 2014, and 95 in 2015. In 2016, terrorism-related offense arrests reached their peak with a total of 126 individuals both in Sabah and Malaysian peninsular arrested, it has since been reduced to 109 in 2017, 86 in 2018, 72 in 2019, 7 in 2020, and finally 0 cases in 2021. According to Interviewee 20, terrorism cases dropped to zero during the COVID-19 pandemic lockdown.¹² Three reasons given for this dramatic decrease include: 1) the government of Malaysia introduced a total lockdown as a strategy to control the spread of COVID-19, and this has impacted the VEGs activities in terms of movement and mobilization; 2) VEGs activities slowed down because they also faced difficulty operating during this pressing period; 3) the counter-terrorism division of the Royal Malaysia Police continued monitoring their activities and pursued CT operations; and, 4) A combination of these elements contributed to the decrease of the cases in 2019, 2020, and 2021.

¹¹ Interview 19, Online, July 15, 2021.

¹² Interview 20, Online, December 1, 2021.

Inherent Vulnerabilities: Sabah Experience

One of the main research questions this project aimed to address was: *If there are cases involving the exploitation of cross-border movement between Sabah and the Philippines, what would the explanation be?* The following discussion focuses on some aspects of inherent vulnerabilities that Sabah has in the context of the region. In this study, five inherent vulnerabilities (Diagram 1) are identified, namely geographical, historical, social, economic, and political dimensions that contribute to the exploitation of Sabah in the security context.

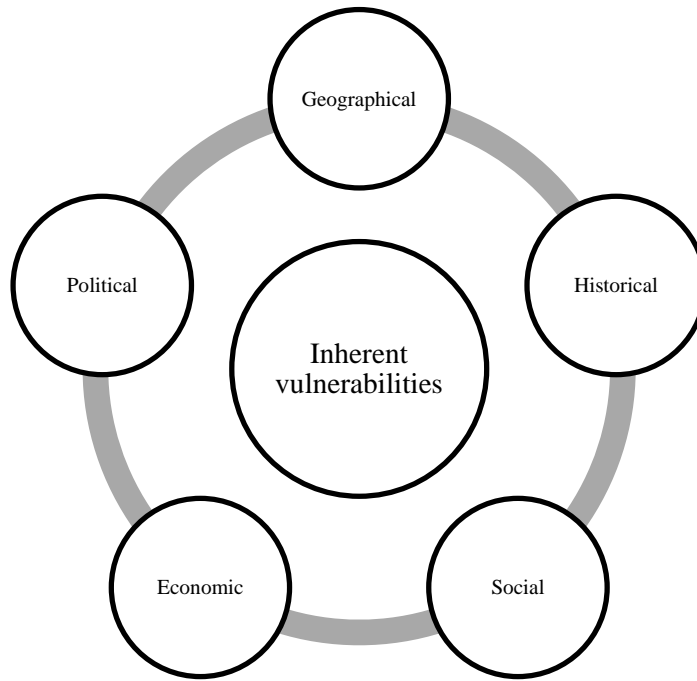


Diagram 1: Five key vulnerabilities based on Sabah experience

Geographical Dimensions

The geographical location of a country or region matters a lot in understanding the dynamics of its geopolitics. This is true in the case of Sabah. Sabah is situated between the Philippines and Indonesia. It shares highly porous and complex borders, both land and sea, with both countries. More specifically, Sabah shares a land border with Sarawak to the southwest and Indonesia’s North Kalimantan province to the south. Sabah also shares maritime borders with Vietnam to the West and the Philippines’ Sulu Islands to the north and east. Many issues emerge from Sabah’s geography. Most importantly, Malaysia shares 1450-kilometers of coastal borders with the Philippines’ Sulu Islands located in the Celebes Sea.¹³ This long and porous border has the potential for penetration from both sides.

Based on the observation by Interviewee 19, VEGs, such as JI, ASG, and the RSF “understood this reality well, and they capitalize on this reality to conduct their operation”.¹⁴ This exploitation manifested in the form of criminal activities such as kidnapping for ransom, illegal crossings by immigrants, and violent extremist groups, including the 2013 incursion of Lahad Datu. Geographical proximity, compounded by

¹³ Britannica, T. Editors of Encyclopedia. "Sabah." Encyclopedia Britannica, August 22, 2013, available at <https://www.britannica.com/place/Sabah-state-Malaysia>, date accessed, December 02nd, 2021.

¹⁴ Interview 19, Online, July 15, 2021.

lack of border control, and monitoring offer a perfect opportunity for exploitation by various parties capable of destabilizing the region as evidenced by the 2013 incursion.

Historical Dimensions

The geographical proximity between Sabah and the Southern Philippines of Sulu Islands is also impacted by historical dimensions in the region. More specifically, the Philippine government continues to make historical claims to Sabah as it once belongs to the Sultan of Sulu that ruled the Islands in the Sulu Archipelago. The area under the Sultanate covers part of Mindanao, certain parts of Palawan, and northeast Borneo which includes Sabah and Kalimantan, Indonesia.

Map 2 shows the area under the rule of the Sultan of Sulu (1405-1915)¹⁵



According to Interviewee 3, historically, the indigenous people of the region move back and forth between Borneo and Sulu Islands, including the area around it. They never considered the national borders created after the formation of the nation-states because in their view all these lands and waterways belong to their ancestors or part of their lands.¹⁶ In the view of Interviewee 15, for the indigenous of the Sulu islands to come to Sabah it is not viewed as coming to a foreign country (Malaysia), it is coming home. Clearly, for them, the national borders that separate modern states today are not highly regarded.

Many still believe that the region is still operating in the way it was before the formation of nation-states. Such views present a unique challenge to Malaysia and the Philippines' security forces, particularly to enforce the laws upon its citizens who live along coastal areas between Sabah and Sulu Islands. Equally true, this reality offers an opportunity for VEGs and organized crime groups to conduct their activities under the guise of local mobility.¹⁷ ASG has been using this opportunity to conduct KFR for years.¹⁸ Long and porous borders and lack of border control compound the security problem for Sabah and Southern Philippines. There is also a government report cited by Interviewees 11 and 18 on a deal between

¹⁵ Map source: https://en.wikipedia.org/wiki/Sultanate_of_Sulu#/media/File:Sulu_Sultanate_1822.svg

¹⁶ Interview 3, Online, February 12, 2021.

¹⁷ Interview 19, Online, July 15, 2021.

¹⁸ Interview 17, Online, July 17, 2021.

kidnappers and corrupt security officials involved in kidnappings operations. Both parties benefited from the ransom money collected from the families or the company where the victims worked.¹⁹

For Malaysia, the issue of the historical claim of Sabah has been settled long ago since the formation of Malaysia in 1957. However, this view is not shared by the Sultan of Sulu and the Philippines. In the view of the Philippines, Sabah was part of the Sultanate of Sulu, which once ruled the southernmost region of the Philippines, and the Sultanate asserts that the territory of North Borneo or Sabah in particular, was a gift from the Sultan of Brunei given to him as a reward for Sulu's aid in a war in the 1600s.

Furthermore, Manila maintains that the Sultanate's agreement with the British North Borneo Co. in 1878 was merely a lease, not a transfer of sovereignty.²⁰ Thus, there is support for the reclaiming of Sabah. This is evidenced by a report of a gathering of 19 mayors in Mindanao before the 2013 incursion to support the invasion of Sabah.²¹ Thus, the territorial claim issue has been a point of contention between Malaysia and the Philippines. Even recently, the Sabah claim resurfaced when the Philippines Foreign Secretary Teodoro Locsin Jr tweeted, "the rest of the world has forgotten our Sabah claim, casually designing it as another country's territory when we have not forgotten it."²² This statement was received with strong criticism from the Malaysian government. Malaysian foreign minister Hishamuddin Hussein summoned the Philippines ambassador to protest against the statement. It is also reported that Malaysia made a formal complaint to the United Nations through a letter of protest over the Philippines' statement.²³

Social Dimensions

The geographical and historical dimensions entangling Sabah and the Philippines have spillover effects. When two geographical areas are close to one another, social mobility will occur, and it affects many aspects of social interactions. There are three pertinent points worth highlighting here. First, is the presence of ethnic similarity. In the case of Sabah-Philippines, people who are living in the region are blended, particularly the Tausug people, who reside in Sabah, Mindanao, Southern Philippines, and in South Kalimantan, Indonesia. In Sabah, they are better known as Suluk people, even though in Mindanao or Palawan Islands they are known as Tausug. In principle, Tausug (Suluk) people are of the same ethnic group, they share the same culture, language, norms, even physical appearance.²⁴ Second, inter-marriage practices due to the similarity of culture, language, and religion are common among people in the region.

Again, geographical proximity plays an important role in this context. Third, geographical and social proximity between Sabah and the southern Philippines allows VEGs and criminal organizations to exploit for criminal or terrorism-related activities. Interviewee 3 claims that some people in the southern Philippines came to Sabah to seek protection from their families in Sabah as they ran away from security

¹⁹ Interview 11, Online, June 28, 2021.

²⁰ Francesca Regalado, "Malaysia's spat with Philippines over Sabah: Five things to know", September 29, 2020, Nikkei Asia, available at <https://asia.nikkei.com/Politics/International-relations/Malaysia-s-spat-with-Philippines-over-Sabah-Five-things-to-know>, date accessed December 3, 2021.

²¹ The Star, "Plot to invade Sabah with 600 fighters involves '19 mayors' from southern Philippines, says security source", Thursday, December 3, 2021, available at <https://www.thestar.com.my/news/nation/2021/12/09/plot-to-invade-sabah-with-600-fighters-involves-03919-mayors039-fromsouthern-philippines-says-security-source>, date accessed December 3, 2021.

²² Rappler, "Philippines to step up Sabah claim by reviving North Borneo Bureau", September 15, 2020, available at <https://www.rappler.com/nation/philippines-stepup-sabah-claim-revive-north-borneo-bureau/>, date accessed Dec 1, 2021.

²³ Francesca Regalado, "Malaysia's spat with Philippines over Sabah: Five things to know", September 29, 2020, Nikkei Asia, available at <https://asia.nikkei.com/Politics/International-relations/Malaysia-s-spat-with-Philippines-over-Sabah-Five-things-to-know>, date accessed Dec 3, 2021.

²⁴ Borneo Today, "Suluk, Tausug Rakyat Sabah juga, elakkan ketegangan kaum", January 27, 2018, available at <https://www.borneotoday.net/suluk-tausug-rakyat-sabah-juga-elakkan-ketegangan-kaum/>, date accessed Dec 4, 2021.

threats in Mindanao.²⁵ When the security situation in the Southern Philippines devolves, some might cross over to Sabah.²⁶ Similarly, after the signing of the peace agreement (Comprehensive Agreement on Bangsamoro) in 2014, which led to the deactivation of the MILF, some of the former fighters migrated to Sabah to build a new life. The presence of their relatives in Sabah makes the transition of life more convenient for the former fighters.

Economic Dimensions

Given the geographical proximity to Sabah and also extensive social mobility between Sabah and Mindanao pre-dating the formation of nation-states, it is natural for the people in Mindanao to come to Sabah for work, especially when it is difficult for them to find a job in the Philippines.²⁷ Even to buy foodstuff it is easier for them to cross the border to Sabah to obtain necessities such as foodstuff, petrol, and other things in Sabah than getting them in the mainland of Mindanao which is far away.²⁸ People in the Southern Philippines, in general, consider Sabah as a place to find stable employment, income, and security.²⁹ The exploitation of this belief and practice by ASG for example manifests in the form of KFR and smuggling of goods and people.³⁰ Lack of border control and monitoring also have contributed to the security problems for Sabah.³¹

Political Dimensions

Given the above mentioned, these dimensions also have political implications particularly politicization of the issues for political mileage. The historical claims over Sabah for instance have often been used by local politicians in Sabah and the Philippines. Tweet by the Philippines Foreign Secretary Teodoro Locsin Jr saying “Sabah is not in Malaysia if you want to have anything to do with the Philippines”³² is a good example. Another issue is the narrative of cessation of Sabah from Malaysia played out by local Sabahan politicians which contribute to national security threats.

For Malaysia, it is a blatant violation of its sovereignty and territorial integrity as stated in the National Security Policy.³³ Some politicians in Sabah have been detained under the now-defunct Internal Security Act 1960 (ISA) between 1990 to 1991 for allegedly promoting cessation narratives.³⁴ Admittedly, this political dimension did not directly link to violent extremism or terrorism issues that we are dealing with, but it does contribute to the sense of grievances among the public in Sabah, particularly a group of people who felt that they are being discriminated against in Sabah society and may indirectly impact the violent extremism landscape in Sabah.³⁵

In short, the abovementioned dimensions constitute inherent vulnerabilities for Sabah and the region and thus expose it to continuous exploitation by vested interest groups such as VEG, criminal organizations, and politicians. In more specific terms, it can be concluded that despite facing external violent extremism threats, based on the report of arrests and involvement of individuals in terrorism-related offenses, the Sabahan cases merely constitute a small percentage of people as compared with violent extremism cases

²⁵ Interview 3, Online, February 12, 2021.

²⁶ Ibid.

²⁷ Interview 12, Online, July 17, 2021.

²⁸ Interview 19, Online, July 15, 2021.

²⁹ Interview 3, Online, February 12, 2021.

³⁰ Interview 12, Online, July 17, 2021

³¹ Interview 2, Online, February 3, 2021

³² Tweeter, Teodoro Locsin Jr, July 27th 2020.

³³ National Security Policy, Putrajaya: National Security Council, 2020.

³⁴ Lim, Kit Siang. *Battle for Democracy in Malaysia*. Democratic Action Party, pp. 203–214. 1992.

³⁵ Interview 3, Online, February 12, 2021.

in Peninsular Malaysia. In addition, Sabah has been used as a convenient route by VEG to travel back and forth from Indonesia to the Southern Philippines. Although recruitment of the locals does take place in Sabah, it is not likely a homegrown activity rather it is initiated by the outsiders that exploit local grievances.

Therefore, many of our participants argue that the conflict in the southern Philippines will continue to have spillover effects on the security context of Sabah.³⁶ As a result, Sabah is highly vulnerable to various cross-border crimes, especially maritime crimes including drug trafficking and illegal smuggling of goods, safe passages for regional VEGs, the exploitation of organized crime groups, and also possibly, the threat of violent extremism. This never-ending conflict is a major challenge to Malaysia in managing its security, especially on the East Coast of Sabah.

Part III: Social Settings, Geopolitical, and Security Contexts in the Southern Philippines

Malaysia realizes that the progress in the southern Philippines remains crucial for the greater stability of the region, particularly towards the state of Sabah. Therefore, this explains why Malaysia continues to support the peace process in the Philippines as part of its foreign policy, “Prosper Thy-Neighbor” since the 1990s, indicating Malaysia’s concern for the stability and security of its neighboring countries.³⁷ Part and parcel of this effort are also to understand the rapidly changing geopolitical and security context in the southern Philippines.

One of the most challenging issues in dealing with security issues in this area is the conflict in the southern Philippines. BARMM’s recent progress shows that the peace process has a long way to go due to several factors. Many of our respondents even argue that the peace process is getting dimmer due to many factors including the Maguindanao-Tausug divide, the existence of spoiler groups such as the Bangsamoro Islamic Freedom Fighters (BIFF), the role of the warlords, and the prospective policy of the new incoming president on the peace process in the southern Philippines, etc.³⁸ Also, the BARMM is underfunded due to the GRP’s financial hiccups because of the pandemic.³⁹ On 28th October 2021, the Philippines President Rodrigo Duterte agreed to extend the first parliamentary elections in the BARMM from 2022 to 2025, which also means the delay of the Bangsamoro Organic Law (referring to Philippines Republic Act 11054) will be extended to three years⁴⁰.

The Bangsamoro Organic Law, which formally created the new autonomous entity in the southern Philippines in early 2019, provided for a three-year interim period before holding the BARMM’s first parliamentary elections that would formally mark the end of the transition⁴¹. According to Engelbrecht, postponing the vote is tantamount to extending the term of the region’s caretaker government, the

³⁶ Interview 14, Online, September 21, 2021; Interview 4, Online, October 25, 2021; Interview 6, Online, May 6, 2021; Interview 2, Online, February 3, 2021; Interview 1, Online, February 2, 2021; Interview 9 Online, June 15, 2021; Interview 17, Online, December 2, 2021; Interview 21, Kota Kinabalu, June 21, 2021; Interview 24, Online, August 4, 2021.

³⁷ Interview 11, Online, June 28 2021; Interview 5, Online, March 4, 2021; Interview 13, Online, September 8, 2021; Interview 6, Online, May 6, 2021.

³⁸ Interview 11, Online, June 28, 2021; Interview 5, Online, March 4, 2021; Interview 13, Online, September 8, 2021; Interview 6, Online, May 6, 2021.

³⁹ Interview 10, Online, June 24, 2021; Interview 11, Online, June 28, 2021; Interview 6, Online, May 6, 2021.

⁴⁰ Georgi Engelbrecht, “The Philippines: Three More Years for the Bangsamoro Transition”, 29th October 2021, The International Crisis Group (ICG), Available at <https://www.crisisgroup.org/asia/south-east-asia/philippines/philippines-three-more-years-bangsamoro-transition>, date accessed November 1, 2021

⁴¹ Ibid

Bangsamoro Transition Authority (BTA, which combines both executive and legislative functions), until 2025, as the Organic Law stipulates that parliamentary polls in the region must be synchronized with national elections that take place every three years⁴². The bill underwent intense deliberation and scrutiny in both the House of Representatives and the Senate, the two chambers of the Philippine Congress before lawmakers passed it and submitted it to the president⁴³.

Overview of the Historical Settings in the Southern Philippines: Impact of Colonization

This section explores the impact of colonization towards the socio-political context in the Southern Philippines. The Muslim population make-ups of 6 per cent of the Philippines. Better known as the Bangsamoro, the population consists of 13 ethnic-linguistic group of Maguindanao, Tausug, Maranao, Badjao, Iranun, Jama Mapun, Kalagan, Samar, Yakan, Kalibugan, Palawanon, Molbog and Sangil.⁴⁴ The Bangsamoro are dominant in five provinces of Maguindanao, Lanao del sur, Basilan, Sulu and Tawi-Tawi and also in some municipalities of Cotabato, Lanao Del Norte, Zamboanga Del Norte and Davao del sur. The arrival of Islam in the 11th century has created a centralized political structure in the form of a sultanate later established in Sulu and Mindanao.⁴⁵ The Bangsamoro has suffered a prolonged history of colonization after nearly 500 years of Spaniard rule in 1521 to 1898, the American rule in 1899 to 1946 and the modern day under the Philippines from 1946 onwards.

The Spaniards in the 16th century started a policy to convert the Philippine population to Catholicism, including the Moros which resulted in war and resistance.⁴⁶ The Bangsamoro in 1935 declared the Dansalan Declaration requesting not to be included in the Philippines' independence, and the Bangsamoro wanted to remain under American rule until it was granted independence.⁴⁷ According to Mukul-Abdul, the Spanish colonization impacted the Moros in two ways. First, the Spaniards succeeded in their efforts to convert the non-Islamized inhabitants to Catholicism. However, the colonization failed to convert the Muslim Moros. This led the Christianity as the dominant religion in the country⁴⁸. Second, the prolonged colonization enhanced the Sultanate's resistance in Mindanao and Sulu. The Jabidah massacre on 17 March 1968, became a turning point to a more organized resistance movement among the Moro leaders in the southern Philippines.⁴⁹

Land Policy

The land policy is a significant policy that has changed the geography of Mindanao. To halt the Moro Muslim resistance, the Spaniards systematically destroyed the Moro plantations, fields, and orchards as well as their flourishing trade and commerce including trading vessels. This has destroyed the Moro's livelihood and prevented them from commerce activities with neighboring countries.⁵⁰ Christianity's education has

⁴² Ibid

⁴³ Ibid

⁴⁴ Jamail A. Kamlian. Ethnic and Religious Conflict in Southern Philippines: A Discourse on Self-Determination, Political Autonomy, and Conflict Resolution. *Global & Strategis*. 2011. 5 (1), p.2.

⁴⁵ Edilwasif Baddari, "Personal Reflections on the Bangsamoro Struggle", Beyond Intractable, April 2007, available at <https://www.beyondintractability.org/reflection/baddiri-personal>, date accessed November 28, 2021.

⁴⁶ Pute Rahimah Makol-Abdul. Colonialism and Change: The Case of the Muslims in the Philippines. *Journal of Muslim Minority Affairs*. 1997. 17(2) pp. 311-323.

⁴⁷ Ibid, p.319.

⁴⁸ Ibid p.314.

⁴⁹ Salah Jubair. *Bangsamoro: A nation under endless tyranny*, 3rd Ed. (Kuala Lumpur: IQ Marina, 1999), 136. Rodolfo C. Severino *Where in the World is the Philippines? Debating its National Territory*, (Singapore: ISEAS, 2011), 51-54.

⁵⁰ Ibid p.315.

been used by the Spanish as an instrument to expand their imperial ambition resulting in the Moro's strong resistance against the Spanish, especially in accepting Christian teachers in schools.⁵¹

As for the American occupation's impact, there are two issues that significantly affected the Muslim population: education and land laws.⁵² The Moro Muslim communities resisted the education system introduced by the Americans except for some of the Muslim elites who were not severely affected by the colonization. According to Charbonneau, "public schools were burned in protest and public education in the province ceased almost entirely."⁵³ As for the land law, the introduction of the new land laws clearly favored and attracted the Christian North for land grabbing in Mindanao.⁵⁴ It is this phenomenon that dispossessed the Bangsamoro and "Lumad"⁵⁵ from their traditional ancestral domain practice (as part of the Sultanate system) and enforced a new "Torrent"⁵⁶ system (the land registration system). The arrival of migrant settlers greatly affected the Bangsamoro and it has been irreversible in altering the political, social, and economic dynamics in Mindanao.

Filipinization Policy

The 'Filipinization' policy of Mindanao and Sulu introduced in 1920 aimed at bringing more Christians from the northern Philippines to Muslim areas. Consequently, after 1920, except for Lanao, all the other Muslim provinces in Cotabato, Sulu and Zamboanga were governed by Christian governors⁵⁷. This stirred anxiety among Muslims as they perceived the arrival of the Christian as an internal form of colonization contrasting to their religious values of the Muslim society.⁵⁸

Poverty & Economic Hardship

Poverty plagues many parts of the Philippines, and Muslims predominantly live in some of the most impoverished provinces. While the national poverty rate is 21.6 percent, the BARMM's poverty has been considered as the highest-rated at 53.7 percent in the Philippines.⁵⁹ Another study stated that the BARMM provinces scored significantly below the national average in the Human Development Index, which measures per capita income, life expectancy, and education.⁶⁰ Muslims population in this area claim they have been pushed toward VEGs or organized crime because they felt that the state was not providing for social and economic assistance including job opportunities and housing. From 1997 to 2009, there has been a sharp increase in poverty in ARMM by at least 20 percent for all provinces, with Basilan and Maguindanao rated as the most impoverished areas.

⁵¹ The Moros were reluctant to accept Christian teachers worried that they would be converted. But the Moro elites (known as "datus") however, took advantage and sent their children to study at the Christian schools

⁵² Charbonneau, Oliver. "Civilizational Imperatives: American Colonial Culture in the Islamic Philippines, 1899-1942." (2016), Electronic Thesis and Dissertation Repository, 3508, available at <https://ir.lib.uwo.ca/etd/3508>, date accessed December 5, 2021.

⁵³ Ibid p.59.

⁵⁴ The land policy introduced by the American amongst other as follow: The Land Registration Act in 1902, the Public Land Act in 1905, the Mining Act in 1905, the Cadastral Act in 1907, the Resettlement Program in 1911 to 1960s, the Public Land Act in 1913-1914 and the Amendment of Public Land Act in 1919.

⁵⁵ Lumad is indigenous Non-Muslims group in Mindanao who are also related with the Muslim Moro through kinship ties.

⁵⁶ Torrent system refers to a land title system enacted by the Americans to institutionalize the land registration system. However, the torrent system did not resolve the land dispute in the Philippines.

⁵⁷ Pute Rahimah Makol-Abdul. Colonialism and Change: The Case of the Muslims in the Philippines. *Journal of Muslim Minority Affairs*. 1997. 17(2) pp. 311-323.

⁵⁸ Syed Serajul Islam. *The Politics of Identity in Southeast Asia*. (Singapore: Thomson. 2005).

⁵⁹ The BARMM provinces also has the highest school youth dropout at 14.4 percent compared to 10.6 percent nationwide. Available at Asia Foundation & The Rappler, *Understanding Violent Extremism: Messaging and Recruitment Strategies on Social Media in the Philippines*. (Pasig City: The Asia Foundation & The Rappler. 2018) p.10-11.

⁶⁰ Ashley I. Rhoades & Todd C. Helmus. *Countering Violent Extremism in the Philippines: A Snapshot of Current Challenges and Responses*. (Santa Monica: Rand Corp. 2020). p. 6

The “All-Out-War” policy introduced by the former president Joseph Estrada (1998 to 2001) against the secessionist movements substantially contributed to the rapid increase of poverty since 2000. This policy resulted in the destruction of infrastructure, loss of private property, and disruption of economic activities. Residents in conflict areas were internally displaced, forcing them to abandon their livelihood and properties. To flee the fighting, most of them became poor overnight as they lost their livelihoods, homes, livestock, and farms.⁶¹ Meanwhile, the sudden increase of poverty in the province of Basilan from 1997 to 2000 has largely been due to a spike in criminal activities notably by the ASG and KFR. Massive military actions were undertaken by the GRP to fight the ASG resulting in large damage to property, infrastructure, and an increase in internally displaced persons (IDPs). Many of the evacuees lost their means of livelihood and became poor overnight.⁶²

The economic and social conditions in Muslim Mindanao were lagging behind compared to other provinces and regions, as evidenced by its poor record in the Philippines, especially in terms of employment, poverty, and health.⁶³ Extreme poverty constitutes among Muslim Mindanao accounted for 45 percent, as compared to the national average of 36 percent. Unemployment is five times higher than the national average. Meanwhile, the expected life at birth (ELB) in Muslim Mindanao is only 52 years, in comparison to the national average of 71 years for the Philippines. In addition, infant mortality is higher in Muslim Mindanao, where 55 infants die per thousand compared to 49 for the rest of the country.⁶⁴ The overall conditions in Mindanao- are rife with conflict and have the highest levels of illiteracy and poverty as well as a weak rule of law and poor accountability, inadequate social services, and limited economic opportunity. This created an environment in which radical thought and further violence can thrive.⁶⁵ As a turbulent region and without infrastructure, it had failed to attract investors to invest in the region. With no investment in the region, it failed to create jobs for the population in the region.

Clan Politics and “Rido”

The term “*rido*”, a word designated for clan or family feuding, is important in Mindanao. Many clans have also received support from the GPH, the AFP, the PNP, and factions of armed rebel groups, including the VEGs who have declared their support to serve as private armies to the local acumen. Conflicts that have their roots in rido arise from a variety causes such as the following: the electoral system (19.2 percent of cases), land disputes (14.7 percent), livestock theft (10.5 percent), chastity crimes (10.1 percent), and suspicions of different sorts (5.5 percent).

A number of studies cite there are 218 cases of rido between 1970 and 2004, with half of them resolved mainly through mediation.⁶⁶ In all of these rido cases, there were 811 deaths, 369 injuries, 46 arrests, and

⁶¹ Acram Latiph. What’s wrong with Mindanao? The Unequal Development in the Philippines. PhD Thesis submitted to Australian National University. 2014, p. 221.

⁶² Ibid p. 222.

⁶³ Francisco J Lara Jr & Phil Champin. Muslim Mindanao: Revisiting the Dynamics of Conflict & Exclusion: Understanding Conflict. Building Peace. (London: International Alert. 2009). p. 8.

⁶⁴ Ibid.

⁶⁵ Ashley I. Rhoades & Todd C. Helmus. Countering Violent Extremism in the Philippines: A Snapshot of Current Challenges and Responses. (Santa Monica: Rand Corp. 2020). p. 6.

⁶⁶ One of the rido and clan politics examples can be shown with the Ampatuan clan which was previously governed by Maguindanao. The clan’s patriarch, Datu Andal Senior, currently stands accused murdering 57 people in Maguindanao in 2009. Datu Andal Senior is a former governor of Maguindanao province, who now lists his occupation as farming. The clan is believed to own 500 hectares of land, comprising farmland in Maguindanao and Cotabato, as well as residential lots in ‘ritzzy’ neighborhoods. Andal Senior’s son was regional governor of the ARMM at the time of the killings. He has been accused as a co-conspirator. Many of Andal Senior’s other children and close relatives are local government officials at both the provincial and the municipal levels.

6 disappeared persons have been recorded. Rido is considered a consequence of Mindanao's inefficient legal system, which regional authorities seem to have exacerbated.⁶⁷

Firearms

Firearms are commonly available in the Philippines as a result of the inheritance of the American colonization in the Philippines. These are such as; the right of gun ownership, the experience of guerrilla fighting in World War II, and a strong inheritance of the gun culture among the Muslim population.⁶⁸ The uncontrolled proliferation of small arms in Mindanao is important in understanding the situation. It is an underlying problem throughout the Philippines. As of 2019, the total statistics of firearms possession by civilians in the Philippines is estimated to be between 2,666,418 and 3,977,237.⁶⁹ The number of shotguns incidents caused by civilians in the Philippines is estimated to be 78,689. According to Bruce, unregistered and illegally owned weapons cannot be enumerated, however, they are estimated to number between 726,181 and 2,037,000 in the Philippines.⁷⁰ Reasons for the proliferation are many, beginning with the power and prestige gun possession bestows, especially among the Moro population that have experienced the prolonged war and resistance against the colonization.

In addition to this, the availability of access to gun ownership, both licit and illicit, made gun possession possible for the common people. Weapons can be supplied by a variety of sources: thefts or losses of military or police arsenals, vast numbers of unlicensed producers, arms that have gone astray, foreign shipments from countries like Afghanistan, arms traffickers operating to the south of Mindanao, and manufacturing by armed opposition groups themselves.⁷¹ The firearms available in the Philippines has been a source for terrorist and criminal group to smuggle weaponry into Malaysia and Indonesia. In the 1990s, it is an open secret that JI and other terrorist groups have been relying on firearms from the Philippines to carry their agenda in Indonesia. However, the penalty for trafficking in firearms is either death or life imprisonment plus six strokes.⁷² The availability of firearms was the reason JI sent its members for paramilitary training at Camp Hudaibiyah, Mindanao after 2000.

Shadow Economic Activities

The shadow economy in Bangsamoro consisted of illegal activities such as drug trafficking and smuggling of goods, illicit ownership of firearms, informal land markets, cross-border trade, informal credit provision, and the KFR. The International Alert argues that shadow economic activities can be a source of conflict because they embody a significant amount of economic and political capital for local strongmen, armed insurgents and powerful clans.⁷³ Powerful clans could become peace spoilers if the peace process disrupts the shadow economic activities which provide them with economic and political resources. The fact that shadow economic activities were thought to be the main source of income for powerful clans, thus, they will somehow guard this interest to the fullest. Therefore, any attempt to disrupt the shadow economic

⁶⁷ Rizal G. Buendia. The State-Moro Armed Conflict in the Philippines: Unresolved national questions or question of governance? *Asian Journal of Political Science*. June 2005.13(1) p. 8.

⁶⁸ Stuart J. Kaufman. Symbols, Frames, and Violence: Studying Ethnic War in the Philippines. *International Studies Quarterly*, December 2011, Vol. 55, No. 4: pp. 937-958.

⁶⁹ The estimated rate of private gun ownership (including licit and illicit) per 100 people is between 2.48 and 3.70. The number of rifles in civilian hands in the Philippines is estimated to be 68,738. For further information, see: Concepcion, Bruce. 2019 'Firearm Numbers and Management in the Philippines.' Personal Interview with GunPolicy.org Director of Research Mike Picard. Manila: GunPolicy.org. 20 February.

⁷⁰ Ibid.

⁷¹ Boada, Albert Caramés. *Past, present and future in Mindanao: Analysis of the MNLF and MILF peace and reintegration processes*. Peacebuilding Papers 07 July 2009.

⁷² Act 37. Firearms Increased Penalties. 1971. (Kuala Lumpur: Percetakan Nasional. 2006). p.8.

⁷³ A policy brief on the shadow economies by International Alert emphasizes the importance of differentiating between informal credit provision and cross-border trade, which are described as 'relatively innocuous,' and activities such as drug trafficking and kidnapping for ransom, which are criminal.

activities by the GRP will be often perceived as a failure. For example, Duterte's war on drugs during his tenure, clearly portrays the extent that drugs trafficking had actually involved many legal entities including politicians.

Early Resistance and Radicalization of Muslims in the Southern Philippines: The rise of the MNLF and the MILF

The emergence of MILF representing the Moro-Muslim rebellion was first led by the MNLF, established in 1968⁷⁴. In response to martial law and armed struggle introduced by the Marcos administration in the southern Philippines, the Moro separatist became more organized with the establishment of the MNLF in the 1960s.⁷⁵ Starting in 1969, with the help of dissatisfied Muslims aristocrats, cadres were sent abroad for military training. The MNLF from the beginning was more interested to harbor support from the international Muslim community than to develop its own self-governance and institution for its Muslim community.

From 1972 to 1976, military and civilian casualties in the southern Philippines reached over 120,000, more than 100,000 citizens fled to neighboring countries such as Malaysia and Indonesia, and about one million people have been internally displaced in the southern Philippines. This civil war and mass atrocities to the Muslim community in the southern Philippines had inspired the creation of MNLF and MILF. The MNLF struggle would soon be followed by the MILF and other Moro splinter movements such as the ASG, al-Khobar, the Pentagon Gang, and the Rajah Solaiman Movement (RSM), the Bangsamoro Islamic Freedom Fighters (BIFF). However, conflict among Bangsamoro leaders continued to hamper the peace process as they struggled against the GRP.⁷⁶

The MNLF was formally organized on Pangkor Island in Malaysia, and Nur Misuari, who was in the first group trained, was named chairman.⁷⁷ The MNLF's early and lasting contribution was to make the "Moro" respectable and the basis of a common identity and consciousness as a nation of the 13 disparate ethnolinguistic groups of Muslims in their historic homeland of Minsupala. In practice, the MNLF tended to project the nationalist (national self-determination) and territorial (homeland) dimensions, instead of religion.⁷⁸

The Bangsamoro has been accepted as a common identity to unite the 13 ethnolinguistic groups is a success for the Muslims in the struggle against the Philippines Government. Misuari himself is Tausug, successfully led the MNLF that comprises Maguindanao, Maranao, and 10 other ethnolinguistic groups. The MNLF claimed to have between 5,000 to 30,000 fighters to carry their task to fight Manila.⁷⁹ At its peak in 1975, the MNLF had about 30,000 members; membership had dropped to about 17,700 by 1996.

Although efforts had started since the Marcos administration in the 1970s to negotiate with MNLF leaders, there were no fruitful outcomes. The MNLF leadership, however, succumbed to pressure from its foreign

⁷⁴ Liow, Joseph Chinyong. *Religion and nationalism in Southeast Asia*. Cambridge University Press, 2016.

⁷⁵ *Ibid*, p.66.

⁷⁶ For example, the old traditional elite were not happy with the young leaders in Misuari or Salamat Hashim. This is clear in the case of Qadhafi. Che Man noted that perhaps a revolutionary government like that of Libya would rather see young energetic leaders like Misuari and his group, as opposed to the old traditional elite and politicians, lead a revolutionary struggle. For further reading: Wan Kadir Che Man. *Muslim Separatism: The Moros in Southern Philippines and The Malays in Southern Thailand*. PhD Thesis submitted to Australian National University. 1987. p. 116.

⁷⁷ *Ibid*. 413.

⁷⁸ Santos, Soliman. "Evolution of the armed conflict on the Moro front." Human Development Network Foundation, Inc (2005).

⁷⁹ Noble, Lela Garner. "The Moro National Liberation Front of the Philippines." *Pacific Affairs*. 49, no.3 (1976): p.413.

supporters, i.e., the Organization of Islamic Conference (OIC) and, more specifically, Libya and Saudi Arabia. As a result, the MNLF signed a Peace Agreement with the GRP known as the 1976 Tripoli Agreement. This sparked internal divisions among the MNLF leaders which led to its splintering, the MILF. The MNLF gradually lost its earlier vigor and momentum.⁸⁰

The MNLF signed a peace agreement with the Philippine president, Ramos in 1996. However, Misuari failed to deliver during his time in ARMM. The creation of the Autonomous Region did not make any sense because it did not grant the autonomy that was promised to the MNLF under the Tripoli Agreement.⁸¹ Since then, the MNLF has sporadically engaged in political activities and violent attacks, but its popularity has declined, and it has largely been sidelined in further negotiations with the GRP.

The inability to resolve the issue, among other reasons, led by Salamat Hashim (the MNLF's co-founder) to form the "New MNLF" in 1977 which advocated for the autonomy of the southern Philippines rather than achieving independence for the southern Philippines. Salamat later renamed it MILF in 1984 with the religion of Islam its official ideology, in contrast with Misuari's secular and nationalist orientation. Salamat challenged Misuari as the rightful leader of the Bangsamoro. He headed the MILF from its inception until his death on July 13, 2003. With this socio-trajectory of the MNLF-MILF nexus, the MNLF has been perceived as a Tausug-dominated movement, while the MILF has been assumed as Maguindanao and Maranao's oriented movement.

In the earlier years of the MILF establishment, it had multiple goals and struggles against the Manila government. One, the MILF demands independence from the GRP and insists that it will not accept any solution to the problems of the Bangsamoro short of independence. The MILF also aspires to establish an Islamic state and government. Camp Abu Bakar As-Siddique, established during the three decades of struggle, serves as a model of an Islamic polity based on their religion and culture. The MILF also justifies the use of armed violence to advance the Bangsamoro people's struggle against oppression and colonialism. The MILF also has its Special Operation Group (SOG) that is accused of various crimes associated with terrorism.

While the MILF recognizes the importance of peace talks with the government to advance the right to self-determination of the Bangsamoro people, it also leans towards violent extremism by conducting a war against the Philippine military for "defensive" and "counter-offensive" purposes by conducting a war against the Philippine military for "defensive" and "counter-offensive" purposes. After the demise of Ustaz Salamat Hashim, the MILF began to face leadership change leaning towards moderation. Since 2003, Al Haj Murad Ebrahim who led the MILF spearheaded the Bangsamoro Organic Law (BOL) until the establishment of BARMM.

The Impact of Political Transition in the New Autonomous Region of the Bangsamoro under the BARMM

The peace process between the GRP and the MILF in the southern Philippines is significant involving multiple stakeholders of the peace process that seeks to put an end to nearly fifty years of secessionist rebellion. The peace accord was truly a negotiated compromise, requiring both parties to make

⁸⁰ Taya, Shamsuddin L. "The political strategies of the Moro Islamic Liberation Front for self-determination in the Philippines." *Intellectual Discourse* 15, no. 1 (2007).

⁸¹ Syed Serajul Islam. *The Politics of Islamic Identity in Southeast Asia*. (Singapore: Thomson. 2005) p. 48.

substantial and substantive compromises. Within a unitary state, it has developed a collaborative power and revenue-sharing mechanism. Table 1 demonstrates the timeline of the Bangsamoro Peace Process.

Table 1 indicating the timeline of the Bangsamoro Peace Process

Year	Event
1996	First Peace agreement reached between MNLF and the GRP
2003	The GRP and the MILF commenced a peace talk
2007	Fully drafted Peace accord was rejected by the Philippines cabinet members
2008	The Philippine Supreme Court concedes the peace agreement as unconstitutional
2010	President Benigno Aquino III commenced secret talks with MILF chair Al Haj Murad Ebrahim.
2011	Peace talk resume between the GRP and the MILF
2012- 2013	Framework of Agreement and the Four annexes concluded
2014	Comprehensive Agreement on the Bangsamoro concluded
2015	Mamasapano clash leads to the suspension of the peace process, MILF demobilized crew served weapons
2018	Philippine Congress signs Bangsamoro Organic Law
2019	Two-phase plebiscite held; BARMM government in the southern Philippines is finally established
2021	The decommissioning process of 21,000 MILF has been delayed due to the pandemic of Covid-19. On October 28 th 2021, the first parliamentary elections for the BARMM had been postponed from 2022 to 2025.

There are many milestones in the peace process that are crucial in ensuring the stability in the region. This begins first with demobilization of the MILF fighters. A total of 1,060 MILF fighters were decommissioned and 940 weapons were returned on September 7th, 2019, to the GRP⁸². 12,000 of the additional Bangsamoro Islamic Armed Forces (BIAF) belonging to the members of the MILF will be decommissioned by the end of 2020. This demobilization process monitored by Turkey, Norway and Brunei officials⁸³. The process of demobilization and demilitarization was scheduled to be completed by 2022 until the recent changes of postponement of the BARMM's first parliamentary election from 2022 to 2025⁸⁴.

The MILF transformed into a legal political party called the United Bangsamoro Justice Party which was founded in December 2014 and headed by a veteran of the MILF, as part of its provisions for the 2022 elections.⁸⁵ The newly born political party led by former MILF has received training in managing a political party from a number of both domestic and foreign civil society organizations. This transformation from a militant group to a political party was never smooth together with the decommissioning process. There are

⁸² Carmela Fonbuena. "Government wants MILF to give up more weapons," Rappler, Sept 7, 2019, available at <https://www.rappler.com/nation/239536-government-wants-milf-give-up-weapons/>, date accessed Dec 3, 2021.

⁸³ Sarmiento. "Southern Philippines: Keeping Normalization on Track in the Bangsamoro Region." *International Crisis Group*, February 20, 2020, available at <https://www.crisisgroup.org/asia/south-east-asia/philippines/313-southern-philippines-keeping-normalisation-track-bangsamoro>

⁸⁴ Zachary Abuza and Luke Lischin, "The Challenges Facing the Philippines' Bangsamoro Autonomous Region at One Year", The United States Institute of Peace, June 10 2020, Available at < <https://www.usip.org/publications/2020/06/challenges-facing-philippines-bangsamoro-autonomous-region-one-year>>

⁸⁵ Sarmiento. "Southern Philippines: Keeping Normalization on Track in the Bangsamoro Region." *International Crisis Group*, February 20, 2020, available at <https://www.crisisgroup.org/asia/south-east-asia/philippines/313-southern-philippines-keeping-normalisation-track-bangsamoro>

valid concerns that certain MILF leaders will not engage in the political process, and it is uncertain how they will adapt to changes in political constituencies if local rivalries emerge.

Another good achievement of the peace process is the development of the Bangsamoro justice system that will combine a Sharia high court with an appeal authority over the Sharia district courts. Given the absence of confidence in the Philippine court system among the Mindanao population, the sharia court system is intended to provide a valid legal framework that is relevant to the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) Muslim citizens. The Organic Law approval from congress in July 2018 also acknowledges the rights of indigenous people residing in the BARMM and includes provisions that validate their customs and preserve their rights, while ancestral domain policies are inchoate.

In addition, through groups led by Nur Misuari and Yusop Jikiri groups, the government has also actively included the MNLF in the peaceful dialogue. This effort is in line with the priorities made between the government and the MNLF to achieve the fulfillment of the obligations under the 1996 Final Peace Agreement. President Rodrigo Duterte wants all Filipinos to have a comfortable life and an equal share of the fruits of our growth. The GRP aims to ensure that their agreement in 1996 to be completely honored⁸⁶. The Duterte administration acknowledges that the signing of peace agreements would not stop the search for a just and lasting peace although this involved a more complicated process. All conflict-affected and vulnerable communities across the country must undergo the reconciliation process therefore, this is the rationale behind the Social and Peacebuilding (SHaPE) program of OPAPP.

On 28th October 2021, the Philippines President Rodrigo Duterte agreed to extend the first parliamentary elections in the BARMM from 2022 to 2025, which also means the amendment of the Bangsamoro Organic Law (referring to Philippines Republic Act 11054) will be extended into three years⁸⁷. The Bangsamoro Organic Law had formally created the new autonomous entity in the southern Philippines in early 2019, providing for a three-year interim period before holding the BARMM's first parliamentary elections that would formally mark the end of the transition⁸⁸.

Political instability and prolonged civil war from the colonial era towards the Marcos administration in the southern Philippines contributed to the influx of Filipino immigrants to Sabah in the early 1970s⁸⁹. In addition to the geography as proximity factor and political stability as well as economic attractiveness in Sabah, this attracted the masses of Muslim mobilization of the Filipino immigrants to Sabah. Moreover, Sabah did not impose strict border control in the 1970s which led to their arrival in a large number during the civil war in the southern Philippines in the 1970s. These Filipinos who are mostly drawn from the Tausug ethnic community later on were naturalized and they became the citizens of Malaysia albeit the process was complex and longer for gaining the Malaysian citizenship.

⁸⁶ PeaceGovPH. "Philippine peace process has transformed more than 15,000 lives," Jul 23, 2020, available at <https://peace.gov.ph/2020/07/philippine-peace-process-has-transformed-more-than-15000-lives/>, date accessed Dec 2, 2021.

⁸⁷ Georgi Engelbrecht, "The Philippines: Three More Years for the Bangsamoro Transition", 29th October 2021, The International Crisis Group (ICG), Available at < <https://www.crisisgroup.org/asia/south-east-asia/philippines/philippines-three-more-years-bangsamoro-transition>>, date accessed November 1, 2021.

⁸⁸ Ibid. According to Engelbrecht, "postponing the vote is tantamount to extending the term of the region's caretaker government, the Bangsamoro Transition Authority (BTA, which combines both executive and legislative functions), until 2025, as the Organic Law stipulates that parliamentary polls in the region must be synchronised with national elections that take place every three years. The bill underwent intense deliberation and scrutiny in both the House of Representatives and the Senate, the two chambers of the Philippine Congress, before lawmakers passed it and submitted it to the president".

⁸⁹ Hassan, Wan Shawaluddin & Ramli Dollah. "Pendatang dan keselamatan di Sabah." Kota Kinabalu: Penerbit UMS (2011).

However, the recent flux of Filipino immigrants to Sabah especially in the recent decades posed a continuous risk with the emergence of radical Islamist groups in the southern Philippines. Understandably, the arrival of Filipino immigrants to Sabah is due to economic opportunities and a better quality of life as compared to the southern Philippines especially from the areas of Basilan, Tawi-Tawi and Sulu islands which is approximately to the eastern coast of Sabah. In this case, in all areas, whether political, social, economic or environmental, the devastation caused by this community can arise. According to Zaini Othman, the peace in southern Philippines will bring stability in that region and will hamper the spillover effects, ranging from security to social problems brought by the Filipino immigrants to the state of Sabah over decades⁹⁰.

Numerous peace processes that took place in the southern Philippines will be detrimental to the greater stability and security in Sabah and the greater region. In order to ensure security and stability of Sabah, the Malaysian government had taken several steps to control the borders. Sabah is one of the most attractive states in Malaysia with its nature, and therefore, to boost an income from the tourism sector while ensuring the security of Sabah would always remain a dynamic challenge for Malaysia. As discussed in previous section two of this research, the Malaysian government has taken to approach the dynamics of the security situation in Sabah. At present, there are several challenges towards the transition of the autonomous region of the BARMM as further discussed below:⁹¹

Governance and Inclusiveness

The BARMM has a setup of cabinet, ministries, and it has passed some elements of the priority legislation and spearheaded some other minor ordinances⁹². Despite this, the transition remains slow exacerbated by the pandemic of Covid-19, albeit the peace-making effort has been applauded by all the participating parties⁹³. The MILF structurally as an organization has been led by the central committee for decades with predominantly drawn by Maguindanao and Maranao.⁹⁴ Therefore, for the MILF to reform as a movement by promoting inclusivity has proven to be a challenging task.⁹⁵

According to participant 11, the MILF is facing two major challenges. First is, the continuous effort to achieve the peace process with the GPH-MILF agreement as the MILF must fulfil the “Normalization program and Decommissioning of MILF combatants” while simultaneously, executing its responsibility on the administration and governance of the BARMM⁹⁶. According to participant 11, given these two important tasks and the amount of time of 3 years permitted under BARMM transition, the BARMM led by the MILF has not satisfactorily accomplished its target. With hurdles of the pandemic covid-19, the newly established government has not maximized its resources and capacity to fulfil the wishes and expectations of its constituencies⁹⁷.

Inclusiveness especially towards the non-MILF members to spearhead the equal representation in the BARMM governance remains a contested issue, especially towards the MNLF and the Sulu faction⁹⁸. For

⁹⁰ Muguntan Vanar. “Duterte’s peace efforts in southern Philippines good for Sabah.” The Jakarta Post, Aug 8, 2016, available at < <https://www.thejakartapost.com/seasia/2016/08/08/dutertes-peace-efforts-in-southern-philippines-good-for-sabah.html>>, date accessed Dec 3, 2021.

⁹¹ Interview 5, Online, March 4, 2021.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ Interview 11, Online June 28, 2021.

⁹⁷ Ibid.

⁹⁸ Interview 5, Online, March 4, 2021; Interview 11, Online, June 28, 2021; Interview 12, Online, July 12, 2021.

example, there has been a slow progress over the appointment of the Deputy Chief Minister of the BARMM albeit, the appointment may only remain as only a symbolic representation towards a more inclusive BARMM governance⁹⁹. Despite this, the MILF seeks to integrate the MNLF when the ICM Murad left the decision to the MNLF with due respect to MNLF-MILF gentleman’s agreement as the following: “MILF as the Chief Minister and MNLF shall hold the Deputy Chief Minister for the Island provinces”¹⁰⁰.

According to participant 11, the MNLF under Muslim in Sema chairmanship has not been assertive in filling up the vacancy due to wide internal polarization among senior members that has started to rumble for the Deputy Chief Minister position after the death of DCM MP Abdul Sahrin and Chairman Yusop Jikiri.¹⁰¹ This proves the “quota system”¹⁰² in the designation of position in the BARMM is detrimental to the BARMM institution¹⁰³. There is no space for deserving public servants for outsiders. The seat for governance and public institution is only allotted for those who have been the front runner as they demonstrate capability and experience in performing the public service¹⁰⁴.

MILF-MNLF Nexus

The MNLF faction under Muslimin Sema especially 2017 in Maguindanao began to coalesce with the MILF led by the ICM Murad, thus indicating a rather united coalition¹⁰⁵. An effort of reconciliation between the MILF and the MNLF under the Sema faction during the BARMM transition has been gradually progressing due to their proximate ethno linguistic similarities of Maguindanao in Mindanao¹⁰⁶. The agility of the MNLF-MILF is also heightened by the final implementation of the 1996 Final Peace Agreement. The MNLF opposed the BBL legislative and it has been seeking for the new revision of the implementation of the 1996 Final Peace Agreement¹⁰⁷. However, it was the OIC which intervened for the unity of the MNLF-MILF, perhaps upon the request of the GRP.

However, despite this, there are two main challenges within the MILF-MNLF competing relationship marked by the MNLF-MILF fragile partnership and also the growing dissatisfaction of the Sulu faction over the MILF-BARMM leadership¹⁰⁸. There is a problem of distrust and confidence between the two

⁹⁹ Interview 5, Online, March 4, 2021; Interview 11, Online, June 28, 2021.

¹⁰⁰ Interview 11, Online, June 28, 2021.

¹⁰¹ Ibid.

¹⁰² Quota system on the power sharing is a crucial concept in indicating the Framework Agreement on the Bangsamoro, comprising the third and the four Annexes to the Annexes to the Framework Agreement on the Bangsamoro (FAB) that will complete the Comprehensive Peace Agreement on the Bangsamoro. It is composed of four parts: Part I on Intergovernmental Relations enumerates the principles that will govern the relationship between the Central Government and the Bangsamoro Government, as well as with the local governments in the Bangsamoro; Part II on Governance Structure provides some details on the ministerial form of government for the Bangsamoro, including the composition of the Bangsamoro assembly; Part III on Delineation of Powers identifies the powers under the three lists of powers – reserved, concurrent, and exclusive; and Part IV on Other Matters provides guiding principles in relation to taxation, transportation and communication, mineral and energy resources, and powers already devolved to the Autonomous Region in Muslim Mindanao (ARMM). The Annex on Power Sharing will guide the Bangsamoro Transition Commission (BTC) in the drafting of the Bangsamoro Basic Law (BBL) that will be submitted to the Philippine Congress. Together with the Annex on Revenue Generation and Wealth Sharing, it aims to ensure that the Bangsamoro Government will enjoy meaningful autonomy based on the inhabitants’ “distinctive historical and cultural heritage, economic and social structures, and other relevant characteristics” (Sec. 15, Art. X, 1987 Constitution). Moreover, it provides the Bangsamoro with the competencies to be able to exercise accountable and effective self-governance. Further read available at the Office of the President of the Philippines: Office on the Presidential Adviser on the Peace Process < <https://archive.ph/20140325082612/http://opapp.gov.ph/milf/news/faqs-annex-power-sharing#selection-605.54-653.632>>.

¹⁰³ Interview 11, Online, June 28, 2021.

¹⁰⁴ Ibid.

¹⁰⁵ Interview 5, Online, March 4, 2021.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Interview 5, Online, March 4, 2021; Interview 11, Online, June 28, 2021; Interview 12, Online, July 12, 2021; Interview 13, Online, September 8, 2021.

leaders of the MNLF and MILF¹⁰⁹. Chairman Sema has been perceived by the MILF main leadership as a politician rather than a revolutionary actor¹¹⁰. Chairman Sema also was not satisfied with the declaration of the MNLF-MILF partnership in governance¹¹¹. According to participant 11, Sema was looking at the very thin margin of power sharing arrangement and Murad is also reading Sema’s dissatisfaction and frustration.¹¹² Sema’s importance in pioneering the MNLF leadership remains significant as Sema has ruled the Cotabato City as a Mayor for more than two terms in 2001, 2004, 2007, and 2010 to 2013¹¹³. MNLF’s new factionalism since the death of its leader, Yusop Jikiri also may demonstrate a status-quo to the MILF. The Jikiri of the MNLF faction and the MILF agreed on political partnership in governing the BARMM autonomous region, following the OIC initiatives.¹¹⁴ However, when the BARMM has been established, the two fronts have turned into a fallacious relationship. Dialogue between the MNLF and the MILF that is expected to be a routine engagement has become aloof.¹¹⁵

The Rise of the Sulu Faction

Ethno-politics remains a contentious issue towards peace and stability in the southern Philippines since time immemorial¹¹⁶. At present, the BARMM is facing two rising actors that can impede the transition of the autonomous region process and these are the Sulu faction led by Governor Abdusakur Mahail Tan (also known as Governor Abdusakur Tan), the MNLF’s faction and the faction of the Sulu Sultanate. BARMM-MILF Maguindanao led is also critical to the Maranao much more with the island tribes.

Ethno-political grievances towards the BARMM governance also seems to impede the stability of the political transition of the autonomous region especially in imparting a more inclusive governance. Ethno-political grievance is more prevalent among the Sulu faction as compared to the rest of ethnicities in the region¹¹⁷. There has been a turbulent relationship particularly with the MILF main leaders with the Sulu faction under the influence of the Governor Abdusakur Tan¹¹⁸.

Governor Abdusakur Tan is an influential Tausug leader in Sulu. He regards the Tausug as the leading tribe who had championed the Bangsamoro struggle through the emergence of the MNLF. He has seemingly no confidence in the Maranao and Maguindanao governance as far as Moro leadership and authority is concerned although at times, he is also willing to engage with the BARMM. His opposition to BARMM is not political but apparently an ethnic factor despite, there has been an effort for reconciliation between the Sulu faction led by Tan with the MILF leaders¹¹⁹.

According to participant 11, the political forecast in Sulu on the 2022 election, Tan’s candidacy can be unopposed as his leadership has been recognized among all Sulu mayors. He also had succeeded in uniting all the political clans in Sulu Archipelago including his foremost political opponent Congressman, Munir Arbison including his effort to unite the conflicting Royal families of Sulu¹²⁰. In recent months, Tan also has

¹⁰⁹ Interview 11, Online, June 28, 2021.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

¹¹⁷ Interview 5, Online, March 4, 2021.

¹¹⁸ Interview 11, Online, June 28, 2021; Interview 5, Online, March 4, 2021; Interview 12, Online, July 12, 2021; Interview 13, Online, September 8, 2021.

¹¹⁹ Interview 5, Online March 4, 2021; Interview 11, Online, June 28, 2021.

¹²⁰ Interview 11, Online, June 28, 2021. His effort to unite the conflicting Royal families of Sulu had earned him the royal title of “Datu Shabandar” equivalent to Royal Minister.

taken control over both factions of the MNLF led by Sema and Jikiri signaling his influence and status quo in the Sulu Archipelago¹²¹.

There are also several factors leading to the tension over the Sulu faction. First, is with the indecisiveness of the BARMM with regards to the Sabah's claim by the Sulu Sultanate¹²². Second, the Sulu faction criticized the failure of BARMM to address the issue over irregular migration involving population from the Sulu Archipelago to Sabah. In particular, the Sulu faction criticized BARMM due to its inability to address and assist Filipinos in attaining a legal document to work legally in Sabah¹²³. This led to the issue of illegal migration among the Filipinos, particularly the Tausug people from Sulu Archipelago by traveling using the rat lanes or backdoor to travel and work in Sabah¹²⁴. The only unifying link of these ethnolinguistic tribes is Islam¹²⁵. The Sulu Sultanate and the family lineage of Sultan of Sulu, Sultan Kudarat established his own Kingdom in mainland Mindanao other than in Sulu.¹²⁶ The two kingdoms were the pride of each ethnic or clan Tausug and the Maguindanao.¹²⁷

Countering Violent Extremism

The prevention of countering violent-extremism (P-CVE) initiative in the southern Philippines comprising efforts such as the decommissioning of the former MILF fighters; the re-integration, return and rehabilitation programme in Sulu; and the reconciliation military efforts between the AFP and the MNLF Task Force in defeating the ASG and KFR elements in the Sulu Archipelago. In recent years, through a strong coordination and cooperation from the GRP, the PNP, the AFP and other non-governmental organization such as civil society has committed to achieve the “whole-of-nation approach” as part of its counter-insurgency and the P-CVE efforts in dealing with various security threats in Philippines.¹²⁸

The transition phase for the former armed rebels to enter, normalize and embrace the newly governance of the autonomous region has proven to be one of the major challenges in BARMM led by the MILF¹²⁹. The BARMM also are still fully reliant on the AFP and the PNP to address the security threats in the region.¹³⁰ Recent delay in social and financial assistance in the process of decommissioning of the former MILF fighters will also continue to pose vulnerability towards long-term issues such as the engagement of former rebels into militancy. The GRP's commitment and assistance in the execution and delivery of social and financial assistance towards decommissioning process for the former MILF fighters continue to attract the current attention on the overall success of the BARMM transition¹³¹.

On the other hand, the execution of the reintegration and rehabilitation program as part of peacebuilding in Sulu dedicated former ASG rebels and their families has led to their withdrawal from the ASG through an economic and social assistance in Panamao, Patikul and Balik Barangay in Sulu¹³². This led to a major

¹²¹ Ibid.

¹²² Interview 12, Online, July 12, 2021.

¹²³ Ibid.

¹²⁴ Interview 11, Online, June 28, 2021; Interview 12, Online, July 12, 2021.

¹²⁵ Interview 11, Online, June 28, 2021.

¹²⁶ Interview 5, Online March 4, 2021.

¹²⁷ The Sulu Sultanate survived the Spanish onslaught until 1898 unlike the Maguindanao Sultanate which started to weaken in the 18th century. The fact that the Sulu Sultanate survived longer than the Maguindanao Sultanate had made the Tausug proud of their Sultanate ancestry as compared to the Maguindanao.

¹²⁸ Interview 16, Online, October 25-2021.

¹²⁹ Interview 5, Online March 4, 2021.

¹³⁰ Ibid.

¹³¹ Ibid.

¹³² Al-Amin Julkipli, “Towards A P/CVE Policy Framework for Reintegration and Return in Sulu: A Policy Brief”, The Non-Violent Peace Force, 30 September 2021; Interview 6, Online, May 6, 2021; Interview 15, Online, Nov 4, 2021.

turnout among former ASG members that has surrendered and participated in the reintegration and rehabilitation program in Sulu facilitated by different stakeholders including civil society organization¹³³.

In addition to this, the MNLF Task Force which was appointed to develop a close affiliation with the AFP as part of the counter-terrorism strategy in the southern Philippines is not part of the integration program for the MNLF¹³⁴. Most of them are new enlisted members of MNLF. During the time of Chairman Jikiri, the OPAPP and MNLF proposed to continue the integration but in the form of regular enlistment in the AFP. Although MNLF advocated for replacement of those who retired in service, and some died, and AWOL integration, the proposition did not materialize shortly after Jikiri's program when he died everything was lost.

However, the MNLF Task Force can be reactivated when there is the reactivation of the MNLF-AFP local command coordination¹³⁵. But so far there has been no initiative yet under the chairmanship of Muslimin Sema. Besides the formation of TF is locally done and there is no acknowledgement whether it is absorbed or not in the national security program by the government or by the AFP highest command¹³⁶. It is merely a local initiative of late Chairman Jikiri and his friends in the AFP in Sulu.

The GRP May 2022 Election

The MILF and some officials in the BTA have been lobbying for an extension of the transition to 2025. Under the present provision on the Philippine senate version, the term for BTA ends on June 2022 and subsequently, the appointment of the new BTA to serve until 2025 shall be done by the new president¹³⁷. The new president is yet to be elected. The only concern of the MILF and the BTA is when the next president still holds the BARMM as an important factor in Mindanao peace and security stability. The advantage for the BARMM would be if the president-elect comes from the administration candidate of Duterte as this will reflect all the decision-making regarding the political transition process will be based on the status quo¹³⁸. However, there is still a difference in leadership style even between Duterte, the father and Sarah Duterte, the daughter of Duterte.

Murad was bidding that the appointment of the new BTA shall be done by President Duterte in October 2021 and will continue the term until 2025¹³⁹. This is a safety bulb for the BARMM to run normally. Otherwise, there will be massive lobbying of BTA members for their seats in the parliament in 2022 under the new administration¹⁴⁰. In case if the new president will be elected from the opposition party, there be likelihood the new president will also appoint his allies to as an MP members who have shown support for the president's candidacy during the election¹⁴¹. It is in the political and government culture of the Philippines, programs and policies of the past president are not carried by the new president because any potential candidate will develop the presidencies and agenda for the new administration.

¹³³ Interview 15, Online, November 4, 2021.

¹³⁴ Interview 11, Online, June 28, 2021.

¹³⁵ Ibid.

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

Part IV: Exploring Migratory Flows in the Greater Sulu-Celebes Sea towards Sabah

Before discussing this issue further, it is necessary to discuss a few critical issues in Malaysia-Philippines relations. In this regard, Malaysia-Philippines relations are tinged with a variety of complex issues. Among the key issues in this relationship is the Philippines' claim over Sabah¹⁴², the Spratly Island dispute, and more importantly, the presence of Filipino immigrants, workers, and refugees in Sabah,¹⁴³ and others. However, there are two primary issues of contention in the relationship between the two nations: The Philippines' claim on Sabah and the presence of Filipino workers, immigrants, and refugees in Sabah.

The Philippines' claim on Sabah has also been the major challenge between Manila and Kuala Lumpur. In general, during 1946-1962, there was no attempt to claim Sabah until Diosdado Macapagal, the head of the legal division at the Foreign Affairs Department, brought the Philippines' claim on Sabah. This claim was exacerbated when in June 1962, Manila informed the British government of the Philippine's intention to claim Sabah's territory. Subsequently, when the Federation of Malaysia formed on September 16, 1963, Manila refused to recognize Malaysia and subsequently acted to downgrade the status of its representation in Kuala Lumpur to the Consular level.¹⁴⁴ However, several attempts were made to re-establish contact between the two sides until diplomatic relations were resumed in June 1966.¹⁴⁵ However, the Sabah claim was revived again in 1968 and 1969 during the Corregidor incident, leading to the suspension of diplomatic relations between the two countries.¹⁴⁶ In fact, to date, some issues in the relationship of the two are difficult to finalize, including also the issue of immigrants and some other security cooperation, due to the Sabah claim.

In addition to this, the contentious issues regarding the Filipino immigrants, foreign workers, and refugees in Sabah also continue to resurface over the years. Immigrants in Sabah have mostly come from neighboring countries such as the Philippines and Indonesia. For Filipinos, their existence in the state of Sabah may be explained in various ways. From one point of view, it is due to both historical and present 'push forces', such as internal political unrest, Muslim Filipino fear of Christianization by the Spanish, and economic factors, inter alia. Not surprisingly, there was an influx of Filipino migrants to North Borneo in the 1880s. The Bajau and Tausug people, the dominant ethnic groups in the southern Philippines who dwell

¹⁴² M. Ariff Othman, *Tuntutan Filipina Terhadap Sabah: Implikasi dari Segi Sejarah, undang-undang dan Politik* (Kuala Lumpur, DBP, 1988); Nik Anuar Nik Mahmud, *Tuntutan Filipina ke atas Borneo Utara*, (Bangi, UKM, 1999); Michael Leifer, "The Philippines and Sabah irredenta", *World Today*, 24 (1968); Nestor M. Nisperos, *Philippines Foreign Policy on the North Borneo Question*, (University of Pittsburgh, 1969, PhD Thesis); Lela Noble, *Philippine Policy toward Sabah*, (Tucson: University of Arizona, 1977); Marvin Ott, *The sources and content of Malaysian Foreign Policy towards Indonesia and the Philippines: 1957-1965* (The Johns Hopkins University, 1971, PhD Dissertation); Muhammad Abu Bakar. "Corregidor: A Study in Malaysian-Philippine Crisis Politics", In Muhammad Abu Bakar et.al. (eds.), *Historia: Essays in Commemoration of the 25th Anniversary of the Department of History*, (Kuala Lumpur: Universiti of Malaya, 1984), 452-468; M. Ghazali Shafie. *Malaysia: International relations*, (KL: Creative Entertainment, 1982)

¹⁴³ Kamarulnizam Abdullah and Shawaluddin W. Hassan. "The Security Implications of Illegal Immigrants in Sabah". *SSIR Occasional Paper*. (Bangi: UKM, 2002); Tengku Shamsul Bahrin & Sothi S. Rachagan. "The Status of Displaced Filipinos in Sabah: Some Policy Considerations and Their Longer-Term Implications", In. L. J. Jock & Vani S. (eds.). *Armed Separatism in Southeast Asia*, (Singapore: ISEAS, 1984); Sothi S. Rachagan. "Refugees and Illegal Immigrants: The Malaysian Experience with Filipino and Vietnamese Refugees", in John R. Rogge (Ed.), *Refugees: A Third World Dimension*, (London: Rowman Littlefield, 1987), 235-268; Wan Shawaluddin Wan Hassan & Ramli Dollah. *Pendatang dan Keselamatan di Sabah*, (Kota Kinabalu: Universiti Malaysia Sabah, 2013); Azizah Kassim (ed.). *Proceedings of seminar on public responses to foreign workers in Sabah*. (Kota Kinabalu: UMS Press, 2004); Azizah Kassim (ed.) *State Responses to the presence and employment of FW in Sabah*. (Kota Kinabalu: UMS, 2005); Azizah Kassim. *Dasar pekerja asing di Malaysia: Perlunya anjakan paradigma*. (Bangi: UKM, 2012); Bilson Korus. *Migrant labor: The Sabah experience*. *Asian and Pacific Migration Journal*, 7 no. 2-3 (1998): 281-294

¹⁴⁴ Paridah Abd Samad & Darusalam Abu Bakar. "Malaysia-Philippines relations: the issues of Sabah". *Asian Survey*, 32 no. 6. (1992): 556-557.

¹⁴⁵ Paridah Abd Samad & Darusalam Abu Bakar. (1992): 557.

¹⁴⁶ For more info, see on Corregidor incident, see Muhammad Abu Bakar. "Corregidor (1984)

in Basilan, Tawi-Tawi, Sitangkai, Zamboanga, and many major islands in the Philippines, are the most prevalent ethnic groups migrated to Sabah.

During 1887 and 1892, for example, there was a large-scale migration of the Bajau community to Sabah, especially from Tawi-Tawi Island in the Philippines.¹⁴⁷ This migration began with the Spanish military siege of the Sulu Sultanate in the 1630s, which eventually forced the Sulu Sultanate to grant several coastal territories and islands in Sabah to Bajau leaders from Tawi-Tawi. Furthermore, for migrants from Sibu Island, for example, many went to North Borneo in the 19th century, owing to the uncertain situation in the Philippines, in which many opposed Spanish rule and also economic opportunities in Sabah. Majority of those who migrated later established settlements in Sabah, especially in some water villages such as in Semporna.

In addition, 'pull factors' in the receiving/host country (Malaysia in this example), can be divided into several phases. Before the arrival of colonial power, most immigrants came from the 'Malay world,' and migration was driven by barter trading, geographical proximity, and kinship ties.¹⁴⁸ Second, during the colonial period, migration was motivated by British government policy in North Borneo; third, during the early years of independence until the 1970s, migration was motivated by Sabah government policy and uncertainties in neighboring countries; and finally, from the 1980s to the present, migration was primarily motivated by Sabah economic development and its reliance of foreign workers for low skilled labor.¹⁴⁹

The Filipino's migration to Sabah continued after Sabah achieved its independence due to several factors. These are such as the high demands of Filipino foreign labor in the state. However, due to the tension of Kuala Lumpur-Manila diplomatic relations in 1963-1964 and 1968-1969 over the issue of the Philippine claims on Sabah, Malaysia has banned the entry of immigrants and foreign workers from the Philippines into Malaysia.

However, this changed after the Jabidah massacre in the Philippines on March 17, 1968. The massacre became a turning point in the resistance among the Moro leaders in the southern Philippines.¹⁵⁰ The conflict forced a massive number of Filipinos to take refuge in Sabah. This was followed by the influx of refugees from the southern Philippines when the Philippine president, Ferdinand Marcos declared martial law in 1972 as the conflict escalated.

The situation worsened in 1974 with the destruction of the town of Jolo.¹⁵¹ Consequently, between 20,000 to 70,000 Filipino refugees fled to Sabah. At the time, Sabah's leader Mustapha allowed it due to several factors, including a response to Manila's claim over Sabah¹⁵², a labour shortage in Sabah¹⁵³, and to achieve his political ambitions to challenge the increasing federal power in Kuala Lumpur.¹⁵⁴ The state

¹⁴⁷ Yap Beng Liang, *Politik dan ekonomi masyarakat Bajau Kota Belud, Sabah* (KL: Universiti Malaya, 2001)

¹⁴⁸ Maruja M.B. Asis. The Filipinos in Sabah: Unauthorised, unwanted, and unprotected. In. S. Jatrana, M. Toyota & B.S.A. Yeoh (eds.). *Migration and health in Asia*. (London: Routledge, 2005)

¹⁴⁹ Bilson Kurus. "Migrant labor; Bilson Kurus. "Regional migrant worker's flows: Outlook for Malaysia". In. A. Ananta and Evi Nurvidya Arifin. (eds.). *International migration in Southeast Asia*. (Singapore: ISEAS, 2004); Ramli Dollah & Kamarulnizam Abdullah. "Kepesatan pembangunan ekonomi dan dasar tenaga kerja di Sabah", 1960an-1980an. *Manu*, 25 (2017): 49-74; Wan Shawaluddin & Ramli. *Pendatang* (2013)

¹⁵⁰ Salah Jubair. *Bangsamoro: A Nation Under Endless Tyranny*, (3rd ed.). (Kuala Lumpur: IQ Marina, 1999): 136. Rodolfo C. Severino. *Where in the World is the Philippines? Debating its National Territory*, (Singapore: ISEAS, 2011): 51-54.

¹⁵¹ S. Sothi Rachagan, "Refugees and Illegal Immigrants: The Malaysian Experience with Filipino and Vietnamese Refugees" in John Rogge (Ed.), *Refugees: A Third World Dilemma*, (Rowman & Littlefield: New Jersey, 1987): 256.

¹⁵² Lela Noble, *Philippine Policy Toward Sabah*, (Tucson: University of Arizona, 1977), pp. 409-410

¹⁵³ Rachagan, 'Refugees and Illegal Immigrants, (1987) 259

¹⁵⁴ Audrey Kahin. Crisis on the Periphery: A rift between KL and Sabah, *Pacific Affairs*, 65 no. 1 (1992): 39

government's first policy on refugees began during the time of the Berjaya government and was spelled out in the State Legislative Assembly on 26 April 1976.¹⁵⁵ Filipinos were issued a special pass called HF7 (later changed to IMM13) to recognize their refugee status. However, this status was only granted to people who came before 1976. Meanwhile, those who came after that year were referred to as economic migrants.

Therefore, since 1979 no Filipino migrants have been granted refugee status in Sabah. In 2007, Nazri Aziz, Minister in Prime Minister Department in charge of refugee affairs, revealed that 10,000 to 15,000 refugees did not possess the IMM13 document¹⁵⁶ but were holders of the census certificate issued by the government in the 1990s.¹⁵⁷ Nevertheless, the distinction between refugees and Filipino migrants was often blurred because of the continuous inflow of other Filipinos arriving after 1976 searching for a better life in Sabah. In early 2000, statistics showed that there were 10,082 houses in all refugee settlements with more than 42,069 occupants.¹⁵⁸

In the early 1980s, many Filipino economic migrants came to Sabah due to its favorable economic factors. Migrants from the Philippines (and Indonesia) were welcomed since they provided a low-cost labor force critical to the state's economic growth.¹⁵⁹ It should also be noted that the majority of Sabahan locals are uninterested in what are called "5D" (dirty, dangerous, difficult, demeaning, and demanding) professions.¹⁶⁰ Consequently, almost all of these industries are dominated by immigrants, and it may be said that most of the economic sectors in Sabah, mainly plantation and construction, have been 'dominated' by foreigners.

Modern Migratory Flows into Sabah

As a result of several phases of the migration process, immigrants constitute a large percentage of the population in Sabah. This argument is based on the growth of Sabah's population between 1970 to now where the total population of Sabah increased from 697,000 in 1979 to over 3 million today. In 2000, there were an estimated 624,000 foreign workers in Sabah. From this number, 140,000 are registered foreign workers and the rest are undocumented.¹⁶¹ In some areas such as Beluran, Kinabatangan, Kunak, Lahad Datu, and Tawau where there are a large number of major plantations, the number of foreign workers exceeded the local population indicating their major presence in the economic sector in Sabah.

Meanwhile, the Malaysian Immigration Department (MID) estimates that there are more than half a million immigrants in the state, involving various categories of foreigners, including expatriates (and dependents); foreign workers and dependents (non-citizens), permanent residents; temporary residents, Filipino refugees (holder of IMM13); Chinese surrender from Indonesia; holder of *kad burung-burung* (Chief Minister's Department); census certificate (Federal Special Task Force-PPKP), *Pala'u*, children of birth

¹⁵⁵ See, The Head of State (TYT), *Majlis Undangan Negeri Sabah* [Sabah State Legislative Assembly], (SSLA), (26 Apr. 1976).

¹⁵⁶ This document will grant the Filipino migrants the privilege to stay and work legally in Sabah.

¹⁵⁷ Ramli Dollah. "Sekuritisasi Pendatang di Sabah", PhD Thesis, Universiti Utara Malaysia (2018).

¹⁵⁸ Ibid.

¹⁵⁹ Bilson Kurus, Ramlan Goddos, and Richard T. Koh. "Migrant labour flows in the East ASEAN region: Prospects and Challenges". *Borneo Review*, 9 no. 2 (1998): 156-186.

¹⁶⁰ Azizah Kassim. *Dasar pekerja asing di Malaysia: Perlunya anjakan paradigma*. (Bangi: UKM, 2012); Azizah Kassim. "Pendatang Asing Tanpa Izin (PATI) sebagai musuh nombor dua negara?". In. Nor Azizan Idris & Zarina Othman. (eds.) *Migrasi dan keselamatan*. (Kuala Lumpur: DBP, 2015); Ramli Dollah & Kamarulnizam Abdullah (2018) The Securitization of Migrant Workers in Sabah, Malaysia. *Journal of International Migration & Integration (JIMI)*. 19(3). 17-735.

¹⁶¹ Azizah Kassim. *Dasar pekerja asing di Malaysia: Perlunya anjakan paradigma*. (Bangi: UKM, 2012); Azizah Kassim. "International migration: Prospects and challenges in Malaysia". In. M. Yaakub Johari and Chang S. Y. (eds.) *Reinventing Sabah*. (Kota Kinabalu: KAF, 2002): 33; DOSC. *Population & housing census of Malaysia*. (KL: 2001): 15-16.

certificate holders (non-citizens) for the year 2003-2014 and illegal immigrants.¹⁶² The table below compares the population and immigrants in Sabah, 1991-2010.

Table 2: Sabah Population and Immigrants by District, 1991-2010¹⁶³

District	1991		2000		2010	
	No. of Population	No. of Foreigners	No. of Population	No. of Foreigners	No. of Population	No. of Foreigners
Beaufort	48,742	3,382	62,200	3,341	66,406	4,023
Beluran	54,539	17,255	75,586	26,263	106,632	45,891
Keningau	88,456	19,081	145,984	37,877	177,735	40,029
Kinabatangan	59,072	32,095	88,697	64,856	150,327	117,689
Kota Belud	58,259	916	72,357	1,545	93,180	5,970
K. Kinabalu	209,175	37,095	355,435	51,839	462,963	112,145
Kota Merudu	42,747	1,784	58,862	2,008	68,289	1,945
Kuala Penyu	14,271	441	16,558	564	19,426	900
Kudat	56,047	2,375	70,267	3,722	85,404	8,494
Kunak	39,873	22,741	48,591	25,309	62,851	31,202
Lahad Datu	118,096	54,361	156,297	53,468	206,861	77,003
Nabawan	19,999	5,257	23,944	3,285	32,309	4,580
Papar	59,473	4,888	88,626	9,213	128,434	21,500
Penampang	86,941	10,574	131,972	16,680	125,913	20,854
Pitas	24,240	924	32,408	2,146	38,764	1,285
Putatan**	-	-	-	-	55,864	3,681
Ranau	49,358	4,175	70,685	5,111	95,800	5,739
Sandakan	222,817	67,433	348,930	102,795	409,056	148,438
Semporna	91,828	36,993	108,526	33,078	137,868	41,722
Sipitang	24,349	3,749	29,256	3,139	35,764	3,756
Tambunan	19,726	654	27,825	1,588	36,297	2,137
Tawau	244,728	92,033	322,705	93,207	412,375	171,409
Tenom	37,954	3,726	46,106	3,619	56,597	4,509
Tongod*	-	-	23,730	3,923	36,192	9,635
Tuaran	63,995	3,243	81,215	4,391	105,435	5,243
Sabah	1,734,685	425,175	2,486,249	552,967	3,206,742	889,779

Note: * New Administrative District.

But on the other hand, the number of undocumented migrants in the state cannot be determined clearly. It is estimated that the number of undocumented migrants accumulated between 100,000-150,000 people.¹⁶⁴ However, the Ops Nyah Secretariat, Bukit Aman estimates that the number of undocumented migrants in Sabah is more than 500,000.¹⁶⁵ Krishna Dielani, Chief Representative of the Indonesian Consulate, Tawau estimates that the number of undocumented Indonesian immigrants in the state was estimated at 500,000

¹⁶² Ramli. "Sekuritisasi" (2018)

¹⁶³ Department of Statistics (1991: 9; 2000: 36-37; 2015: 10)

¹⁶⁴ Graeme Hugo. "Labour migration from East Indonesia to East Malaysia: recent trends." *Revue Européenne des Migrations Internationales*, 16 no. 1 (2000): 97-126; Graeme Hugo. "Indonesia's labor looks abroad". *Migration Information Source* (2007), <http://www.migrationinformation.com>

¹⁶⁵ Ramli Dollah. "Sekuritisasi Pendatang di Sabah". PhD Thesis, Universiti Utara Malaysia (2018).

people in 2016. This figure does not include the number of undocumented Filipinos in the state of Sabah. However, based on these numbers, it is understood that the number of irregular migrants in Sabah is very high and that the number is difficult to determine due to various factors.

Sabah's Reliance on Foreign Workers

Migrants are continually being blamed for any issue relating to cross-border crime in Sabah, since they are usually condemned for colluding with the terrorism-crime nexus network.¹⁶⁶ This is a major issue as Sabah is highly dependent on foreign workers. In the context of Sabah's modern history after independence, especially in the 1960s and 1970s, Sabah's impressive economic growth at a rate of 8-10 percent per year required a lot of labor. Furthermore, between 1972-1980, Sabah's economy grew 9.4 percent compared to 8.1 percent in Peninsular Malaysia, the highest growth rate in the Southeast Asian region.¹⁶⁷ During this era, the problem of labor shortage in Sabah cannot be ignored owing to the fast economic expansion of the state of Sabah.

In 2008, for example, Felda Plantation required a workforce of at least 10,524 to work more than 260,000 acres successfully. Yet, it has only 7,688 employees on record, indicating that the remaining workforce comprises irregular foreign workers. The same thing is also experienced in other sectors such as construction, domestic workers, and fisheries. Based on the official data, in the 1980s, migrants formed 64% of the workforce in the wood-based industries and 90% in plantations.¹⁶⁸ Between 1995 and 2000, they constituted 90% of the labor force in the agriculture sector, 62% in construction, and 55% in forestry and logging industries.¹⁶⁹

Their numbers are expected to rise due to high demand from key sectors in Sabah. Data in 2016 shows that dependency on foreigners continue to be a salient feature of Sabah's economy. Essentially, not only do smallholder farmers rely on foreigners but conspicuously 90% of the workers in giant plantations such as Felda, Sime Darby, and IOI Corp in Sabah are foreigners.¹⁷⁰ Similarly, migrants have also contributed significantly to the construction industry in the state. In 2016, it is estimated that 90% of the labor force in the construction sector were migrants, mostly Filipinos.¹⁷¹ The economic dependence of Malaysia and Sabah, in particular, is seen when the Federation of Malaysian Manufacturers (FMM) stated that the manufacturing sector needs 600,000 more people by 2022 to ensure that the sector grows.¹⁷² Due to the dependency on migrant workers, most of the state's key economic sectors have been dominated by migrants.¹⁷³

¹⁶⁶ Berita Harian, "Pendatang disyaki jadi tali baru penculik", Sept14, 2000; Daily Express, "17 Filipinos on two boats held near Sipadan", Jan 22, 2003; Berita Harian, "Malaysia tidak boleh dianggap sedia terima PATI - Wan Junaidi", May 15, 2015; Utusan Borneo, "ESSCom beri amaran keras kepada kumpulan penculik rentas sempadan", Apr 14, 2021; Mstar, "'Orang Dalam' Disyaki Dalang Kes Culik di Sandakan", May 17, 2015.

¹⁶⁷ Peter Dauvergne, *Shadows in the Forest: Japan and the Politics of Timber in Southeast Asia*, (Cambridge, Mass.: MIT Press, 1997), 104-105

¹⁶⁸ Charles Stahl, *International Labour Migration: A case study of the ASEAN countries* (NY: Center for Migration Studies, 1986). and Patricia Regis, "Demography". In. Jeffery Kitingan and Maximus Ongkili (eds.) *Sabah: 25 Years Later, 1963-1988*, (KK: IDS Sabah, 1989), 405-448.

¹⁶⁹ Bilson Kurus, Ramlan Goddos. and Richard T. Koh. "Migrant labour flows in the East ASEAN region: Prospects and Challenges", *Borneo Review*, 9, no. 2 (1998): 156-186; M. Yaakob Johari and Ramlan Goddos, "Dynamics of Labour Movement in the ASEAN region: The Sabah Experience", *Borneo Review*, 12 no. 2 (2002): 89-123; M. Yaakob Johari and Ramlan Goddos. "Profiles of Foreign Workers in Sabah: Policy Implications", In M. Yaakob Johari and Chong Shu Yaw (eds.) *Reinventing Sabah: Global Challenges and Policy Responses* (Kota Kinabalu: IDS, 2002).

¹⁷⁰ Ramli Dollah & Kamarulnizam Abdullah. "Kepesatan pembangunan ekonomi dan dasar tenaga kerja di Sabah", 1960an-1980an. *Manu*, 25 (2017): 49-74

¹⁷¹ Ramli Dollah & Kamarulnizam Abdullah "The securitization of migrant workers in Sabah", Malaysia. *Journal of International Migration & Integration*. 19 no. 3 (2018): 717-735.

¹⁷² FMT, "600,000 migrant workers needed next year, says FMM", December 4, 2021.

¹⁷³ Ramli Dollah & Kamarulnizam Abdullah "The securitization of migrant workers in Sabah", Malaysia. *Journal of International Migration & Integration*. 19 no. 3 (2018): 717-735.

Therefore, when ESSCOM and the Immigration Department carry out several large-scale operations to arrest irregular migrants in Sabah, it poses a problem. Complaints are rife among entrepreneurs, towkays, business owners, public transportation drivers, small-scale farmers, and businesses. Among hardware shop owners, fishmongers, vegetable sellers, local farmers, restaurants, tailors, and more, they all feel that their businesses thrived in the presence of foreigners. Worse, every time a large-scale operation takes place, the prices of everyday items such as vegetables, fish, and other necessities increase in Sabah. Migrants have become indispensable to the Sabahan economy.¹⁷⁴ This also explains why the government has not been consistent with migration policy because of its over-dependence on foreign workers. This is identified as the dilemma ‘go-away-come-hither’ where security policy requires increasing raids and deportations, but at the same time, the economic policy requires more migration to occur.¹⁷⁵ Sabah's economic dependence on foreign workers poses a dilemma to Sabah's security management. As long as this issue is not resolved, the problem will continue.¹⁷⁶

Migratory Flows: Geographical Factors & Border Porosity

One of the main reasons migrations is difficult to control is due to geographical factors. Geographical factors include topography and terrain, vast maritime area, long coastlines, geographical proximity to Indonesia and the Philippines, and several other factors that are primary obstacles in addressing security concerns in Sabah. Apart from that, Sabah's extensive land area consists of dense forests and vast palm oil plantations that make it difficult for migration enforcement to occur. This combination of geographical factors makes it exceedingly difficult to manage immigrants attempting to enter the state.

Topography

Apart from the geographical location of Sabah, which is close to the southern Philippines, the topography aspect of Sabah is also a contributing factor why cross-border criminal groups from the southern Philippines make Sabah their target. Sabah has a unique topography surrounded by complex waterways, beaches and estuaries, shallow coral areas, and extensive mangrove swamp forests. Meanwhile, on the mainland, the state borders of Sabah and Indonesia are marked by hilly terrain, full of dense jungle, filled with palm oil plantations that are difficult to reach. The diversity of Sabah's topography is a challenge to security forces, especially the East Coast of Sabah. Several features of these geographical factors contribute to border porosity and also the existence of clandestine channels and pathways which is the biggest challenge for security forces to patrol. The shape of Sabah's terrain makes it easier for criminal groups to sneak into Sabah and then escape to the high seas after committing crimes in Sabah. Criminal groups often use clandestine channels and waterways to outmaneuver the authorities.

Area Vastness

From a geographical point of view, the state of Sabah has a land area (including islands) of 73,621 km² and a water area of 854,390 km². The length of Sabah's coastline is 2,344.6 km from Tg Mengalong Labuan to Sebatik Island, Tawau. Two-thirds of the coastal length of Sabah is the Eastern Sabah Security Zone (ESSZONE) region which covers a coastal length of 1,733.7 km. The sea area is approximately 106,823 sq km covering ZEE or 56,794 sq. km covering MTW.¹⁷⁷ Sabah is surrounded by three main seas, namely the

¹⁷⁴ Interview 14, Online, September 21, 2021; Ramli & Kamarulnizam “The securitization (2018); Ramli & Kamarulnizam. “Kepesatan pembangunan ekonomi (2017).

¹⁷⁵ Interview 14, Online, September 21, 2021.

¹⁷⁶ Interview 20, Kota Kinabalu, June 25, 2021; Interview 17, Online, December 2, 2021

¹⁷⁷ Hazani Ghazali, Pesuruhjaya Polis Sabah, Webinar Keselamatan Sempadan Sabah: Dalam Senario Ancaman Covid19, Nov. 11, 2020.

South China Sea on the west side of Sabah and the Sulu Sea, and the Sulawesi Sea to the east. On the mainland, Sabah shares land borders with Sarawak, Brunei, and Indonesia. The land border of Sabah-East Kalimantan is about 2,330.01 km¹⁷⁸. This land and sea area is one of the main challenges for security forces in Sabah because it requires many assets and sufficient manpower to control the area.

Proximity Factors

Apart from the vast maritime and land area, the proximity factor is also one of the main security challenges. The distance between Sabah and some provinces in the Philippines is very close. Bongao (Philippines) and Semporna are only about 150km away. Meanwhile, the distance between Sitingkai (Philippines) island to Semporna (Sabah) is only about 92km. Therefore, it takes a few minutes by boat to enter the Philippine water, particularly near points like Tg. Labian (Lahad Datu), Tambisan (Sandakan), and Matakang Island (Semporna). In Semporna, for example, a speedboat would take just a few minutes to escape from Sabah to the southern Philippines' Sitingkai Island and roughly 15 minutes (around 5 km) from Matakang Island in Semporna to the next island of the Philippines.

The provinces of Sibu, Taganak, Bongao, Mangsee Island, Balabac, and Cagayan in the southern Philippines are quite near to Malaysia's international territorial waters. For example, Tawi-Tawi Island in the Philippines is just 27 nautical miles from the Sabah coast. That Tawi-Tawi and Bongao Islands can be seen from Tanjung Labian in Lahad Datu¹⁷⁹. For example, areas such as Tg. Labian in Lahad Datu, Tambisan in Sandakan, Matakang Island, Semporna, and several islands are among the areas that are very close to the Philippines. Meanwhile, Sebatik Island and the mainland along the Malaysian-Indonesian border are separated by small rivers, wilderness, and extensive palm oil plantations. This situation makes it easy for immigrants, smugglers, and any form of extremist elements to enter the state.¹⁸⁰

Many islands, scattered, and uninhabited

Apart from the above, the existence of many scattered and uninhabited islands makes it easier for any illegal activities to enter the state of Sabah. These islands are not only difficult for authorities to monitor but they are fully used by groups of smugglers, immigrants, and others to enter Sabah using clandestine channels. The presence of many islands in Sabah waters complicates the surveillance process. Sabah has about 495 islands, including sand-dunes. Of the total, 215 are unnamed and 280 are unnamed.¹⁸¹ In the Semporna district alone, several islands, Kapalai, Maiga, Bohey Dulang, Matakang, and Pandanan, allow individuals to stop, hide, and get help. This is a big problem faced by the authorities as these islands are often used to prevent security forces from capturing individuals or illegal goods.¹⁸² Even more challenging from a security perspective is that most of the islands are scattered, which makes it easy for any outside elements to flee and hide if sought by security forces. The state's lengthy coastline as well as these dispersed islands further contribute to the easy transit of trained kidnappers through maritime routes and hideouts on the islands.¹⁸³

In addition, the existence of uninhabited islands further complicates enforcement. For example, in the context of ESSZONE, there are more than 100 uninhabited islands. In the district of Semporna alone, there are 49 islands and 17 are inhabited. The existence of scattered and uninhabited islands makes it more

¹⁷⁸ RCI, *Royal Commission of Inquiry on illegal immigrants in Sabah* (Putrajaya: Malaysia, 2014).

¹⁷⁹ Ramli, 2018.

¹⁸⁰ Interview 23, Online, July 15, 2021.

¹⁸¹ Hazani Ghazali, Police Sabah Commissioner, Webinar Sabah Border Security: Covid19 threat scenario, Nov. 11, 2020.

¹⁸² Interview 8, Online, Jun 6, 2021; Interview 24, Online, August 4, 2021.

¹⁸³ Ramli Dollah *et. al.* *Old Threats, New Approach and National Security in Malaysia* (2016).

difficult for the security forces to govern the entire island and makes it possible for cross-border criminal groups, including KFR groups, to use uninhabited islands as staging grounds. For example, in the case of Semporna, the authorities identified five islands as staging points of KFR activities.¹⁸⁴

Clandestine Channels

The unique and challenging topography makes way for many clandestine routes which are difficult to monitor and enforce. A large number of immigrants enter the state through these clandestine channels.¹⁸⁵ Clandestine channels are associated with illegal routes between countries. Clandestine channels while mostly used by migrants are also increasingly exploited by the terrorism-criminal nexus. While these clandestine routes are characteristic of transnational kinship networks and longstanding migratory movement and trade patterns, increases in illicit and illegal smuggling (e.g., firearms), acts of piracy, kidnapping, and extremist activities in Sabah have highlighted the need to secure Sabah's borders.¹⁸⁶

The implementation of the *Ops Benteng* in safeguarding the borders control during the pandemic of Covid-19 has mitigated and weakened the clandestine channels from facilitating the entry of illegal migrants to Sabah. It is important to note; these clandestine channels have been responsible for the encroachment of illegal immigrants to Sabah. The Malaysian Home Ministry has identified at least 37 landing points in ten districts in Sabah which undocumented migrants used to enter Sabah: eleven points in Sandakan; five in Lahad Datu; four each in Tawau, Kudat, and Beluran; three in Kunak; two each in Kota Marudu and Kinabatangan; and one each in Semporna and Pitas as shown in Map 3^{187,188}

Sabah's land borders, especially the Sabah-Kalimantan border, are difficult to monitor as a vast network of clandestine channels weave through dense jungle. ESSCOM Commander Ahmad Fuad Othman stated that Tawau, the most active clandestine channel over land, includes the border areas in Kampung Kandoangan, North Kalimantan, and Kilometer 11, Kalabakan on the Malaysian side. Often groups of 10 to 15 people will move through these clandestine channels and will be 'greeted' by agents/smugglers using four-wheel-drive vehicles at the Malaysian border to bring individuals inland. In Tekong, the cost to smuggle an undocumented migrant into Sabah is between RM200 to RM800. From Nunukan, Indonesia, it only takes 40 to 50 minutes by boat with 200 horsepower (hp) along the Serudong River and Silimponon River (Tawau). The Sungai Serudong forked route makes cross-border criminal activities in Kalabakan more difficult to detect as they can enter and hide among the numerous inlets. Upon reaching the mainland, individuals are taken through palm oil plantation roads, which are usually difficult for common vehicles to pass through before continuing their journey either to Keningau or Tawau or to other areas on the east coast of Sabah.

Although the deployment of General Operation Force (GOF) security posts at Burs Point and Pos Serudong operated by the Malaysian Armed Forces (MAF) managed to thwart several attempts to infiltrate Sabah, it

¹⁸⁴ Ramli Dollah *et. al.* Old Threats, New Approach and National Security in Malaysia: Issues and Challenges in Dealing with cross-border crime in East Coast of Sabah. *Mediterranean Journal of Social Sciences*. 7 no. 3 (2016): 178-186; Abdul Rashid Abdul Hamid, "Ancaman Non-Tradisional Dan Keselamatan Nasional Di Malaysia: Kajian Kes Ke Atas Ancaman Kidnapping for Ransom (KFR) Di Pantai Timur Sabah, 2000-2018", PhD Thesis, Faculty of Social Sciences and Humanities, Universiti Malaysia Sabah, (2021).

¹⁸⁵ Interview 14, Online, September 21, 2021; Interview 20, Kota Kinabalu, June 25, 2021; Interview 17, Online, December 2, 2021; Interview 24, Online, August 4, 2021.

¹⁸⁶ Interview 17, Online, December 2, 2021.

¹⁸⁷ See p.58 for Map 3.

¹⁸⁸ Malay Mail, "Home Ministry identifies 37 illegal landing points in Sabah, says minister", June 14, 2020.

also faces a difficult task as a result of several complex factors. It is difficult to control the area because there are more than five 'staging points' detected between five to ten kilometers from KM11-Kandoangan which is used as a clandestine channel for smuggling activities, among them at Kretam Jetty, Ladang Kretam. Although patrols are carried out frequently, the size of the area makes it difficult to monitor completely. In Kalabakan alone there are five large plantation companies each exceeding 50,000 acres, which of course makes it difficult for security forces to monitor.¹⁸⁹

All these factors are major challenges to Malaysia's security forces and law enforcement. Brig-Gen Sheikh Mohsen Sheikh Hassan, Joint Forces 2 Commander stated that the security forces face a considerable task in carrying out Ops Pasir to curb the threat on the East Coast of Sabah due to the proximity of the international water.¹⁹⁰ The same issue was also voiced by Sabah Police Commissioner Jalaluddin Abdul Rahman who stressed that geographical factors have made the East Coast of Sabah vulnerable to cross-border security threats, especially in the Sulu-Sulawesi Sea.¹⁹¹ These geographical factors become increasingly difficult when Malaysia does not have sufficient assets and personnel to patrol the Malaysia-Indonesia maritime and land borders at the same time as patrolling the Malaysia-Philippines maritime border.¹⁹²

Inherent Vulnerabilities in Migratory Flows in Sabah in Greater Sulu-Celebes Sea

There is no denying that the Malaysian government through several federal and state agencies continues to address and reduce the presence of irregular migratory flows into Sabah. The Malaysian government spent a large amount of money to set up ESSCOM in 2013 which was given the responsibility to curb the presence of irregular migrants and cross-border elements entering Sabah. To curb the presence of irregular migrants and cross-border crime, the Malaysian government strengthened its security presence in its territorial waters with several layers of defense. This increased defense involves various security agencies such as the Royal Malaysian Navy, Malaysia Maritime Enforcement Agencies (MMEA), Marine Police, Army, and the GOF on the islands and along the coastal borders of Sabah. New security practices also extend to land areas, where enforcement agencies carry out continuous operations to deal with the irregular migrants and employ various other strategies such as demolition of squatter areas, roadblocks, and random inspections of civilians.

Nevertheless, irregular movement of people and goods continues to be a challenging issue. During the Covid-19 pandemic, the government introduced step-up measures to seal the maritime and land borders, inter-district travel prohibitions were established, and arrest and repatriation operations were increased, yet this problem remains largely unresolved.

With a large number of migrants in the state of Sabah, the question arises how did irregular migrants enter the state of Sabah even though the country's territorial waters are strictly controlled? How do they avoid being detected by the Malaysian authorities? And where do they find protection from authorities? In this regard, we argue that difficulties dealing with irregular migration are due to several factors namely, the

¹⁸⁹ Bernama "Lorong tikus, hutan tebal mencabar ESSCOM tangani PATI", MyMetro, Nov 9, 2020, available at <https://www.hmetro.com.my/mutakhir/2020/11/639725/lorong-tikus-hutan-tebal-mencabar-esscom-tangani-pati>, date accessed December 3, 2021.

¹⁹⁰ New Straits Times, "Threats to Sabah hard to contain", August 11, 2008.

¹⁹¹ MStar, "Sabah Terdedah Kepada Ancaman Kerana Kedudukan Geografi", December 26, 2015.

¹⁹² Interview 20, Kota Kinabalu, Jun 25, 2021; Interview 17, Online, Dec 2, 2021; Interview 21, Kota Kinabalu, Jun 21, 2021; Interview 8, Online, June 6, 2021; Interview 24, Online, August 4, 2021.

existence of barter trade, the role of smuggling, the availability of several major types of transportation between Sabah-Philippines, kinship networks, and cultural similarities.

Part V: Regional Crime-Terrorism Nexus in Sulu-Celebes Sea

This section explores the elements of regional crime-terrorism nexus and how it can be potentially exploited by the VEGs operating in the greater Sulu-Celebes Sea. The most recent militant activities involving the ASG, the MILF, the MNLF and the BIFF as part of the enablers behind the Marawi Siege lasted from May to October 2017¹⁹³. The Marawi Siege was an attempt to replicate Islamic state model of Syria and through capture of the Marawi that lasted for five months involving the long clashes between the Philippine's authority and the elements of VEGs.¹⁹⁴ The Marawi Siege also symbolizes an attempt to turn the city into the "Caliphate", emulating the state of ISIS in Iraq and Syria.¹⁹⁵

The Marawi Siege brought forward three important recent developments in assessing the threat demonstrated by the VEGs in the southern Philippines. First, there is a new discovery of narcoterrorism employed by VEGs in the southern Philippines as a source to finance the Marawi Siege¹⁹⁶. The discovery of drug as a source of financing terrorism brought a new revelation that VEGs have used drugs as a lucrative business¹⁹⁷. This is not a surprise as conflict zones in the southern Philippines were plagued by drug problems among its local population.¹⁹⁸ The Philippine government revealed that there are at least 44 drug warlords responsible for financing the Marawi City siege in 2017.

Second, Marawi Siege also illuminates the capacity of the ASG leadership under Isnilon Hapilon to form alliance and mobilized with both pro-ISIS and pro-al-Qaeda camps in the southern Philippines among the Muslim Moro insurgents¹⁹⁹. This includes ISIS' cell in Southeast Asia, known as Katibah al-Mujahir, spearheaded by Malaysian and Indonesian members operating in the southern Philippines. The rise of the Isnilon Hapilon and its pro-ISIS network in the southern Philippines indicate that the threat posed by the ASG, and other VEGs demonstrate that there is a gradual learning curve among the VEGs in the southern Philippines²⁰⁰.

The recent ASG activities under Isnilan Hapilon in Basilan also demonstrated a strong connection with Malaysian top militants such as Dr. Mahmud Ahmad @ Abu Hadzalah, a former lecturer from the University of Malaya, Muhammad Joramee Awang Raimee @ Abu Nur, from Selayang, and Mohd Najib bin Hussein @ Abu Anas al-Mujahir²⁰¹. These three Malaysian militants who fled to Mindanao on April 22, 2014, received protection from the ASG and they were in communication with ISIS members in Syria²⁰². Within this dynamic, clearly the ASG poses a significant threat to the security in the region of Southeast Asia with its ability to expand and maintain its allies with VEGs from Indonesia and Malaysia. Given the approximate location of east coast Sabah, the ASG certainly could exploit the east coast of Sabah for the extension of their

¹⁹³ Jasminder Singh S/O Bilveer Singh, 2019 "Filipino Suicide Bombings": Breaching Another Threshold?", RSIS Commentary, No.210, October 18 2019; Jasminder Singh, Bilveer Singh 2019. "From "bandit" to "Amir"—The Rise of the Abu Sayyaf Group as a Jihadi Organization in the Philippines", *Asian Politics & Policy*, <https://doi.org/10.1111/aspp.12480>

¹⁹⁴ Ibid.

¹⁹⁵ Rommel C. Banlaoi, 2019, "*The Marawi Siege and its Aftermath: The Continuing Terrorist Threat*", Cambridge Publishing Scholar, p. 172

¹⁹⁶ Ibid, p.160

¹⁹⁷ Ibid, p.160

¹⁹⁸ Ibid, p.160

¹⁹⁹ Bilveer Singh & Jasminder Singh. From "bandit" to "Amir"—The Rise of the Abu Sayyaf Group as a Jihadi Organization in the Philippines. *Asian Politics & Policy*. 11(3) 2019. Pp. 399-416.

²⁰⁰ Ibid.

²⁰¹ Institute for Policy and Conflict Analysis, Report No.33, 2016. p.9

²⁰² Institute for Policy and Conflict Analysis, Report No.33, 2016. p.9

operation involving activities such as networking and funding as previous activities have shown among these groups. This section explores the current trajectories of the VEGs operating in the greater Sulu-Celebes Sea.

Abu-Sayyaf Group (ASG)

Abdur-Rajak Janjalani claims to have founded the ASG to seek justice for the Bangsamoro people through Jihad.²⁰³ The ASG, however, rapidly degenerated into a band of bandits soon after the death of Abdurajak in 1998. Yet, the ASG, at present, has proven to be a resilient group of Bangsamoro engaged in banditry, terrorism, and violent extremism. Its links with personalities associated with Jemaah Islamiyah and Al-Qaeda have even strengthened the violent extremist leaning of the ASG in order to promote the cause of a Bangsamoro identity.²⁰⁴ Janjalani argued that he founded the ASG as an alternative resistance group of Bangsamoros who were disappointed with the secular leaderships of the MNLF and the moderate Islamist position of the MILF.²⁰⁵

The ASG resorted to KFR activities, blackmailing, extortion, and smuggling and marijuana sales as a mechanism to finance the movement.²⁰⁶ At its inception, the ASG was closely linked to al-Qaeda. Abdurajak Janjalani, a veteran of the jihad in Afghanistan, established the group in 1991 with the support of bin Laden's brother in-law Mohammed Jamal Khalifa, who ran a branch of the Saudi-funded Islamic International Relief Organization in the Philippines.²⁰⁷ ASG was named after his mentor, Rasul Sayyaf, who later on became an Afghan Mujahideen leader during the war.

Rasul Sayyaf remains, to this day, an important adherent of Wahhabi theology, which has greatly influenced Abdurajak's radical belief in the need for violent jihad and the vital importance of establishing an Islamic State.²⁰⁸ While it is the smallest of all Islamist groups in the Philippines, it remains the most violent. In August 1991, the ship, *Motor Vessel Doulos*, carrying Christian missionaries to Zamboanga City, was bombed while docked in port. Abdurajak justified his violent act by defending Islam against the missionary Christians.²⁰⁹

During the early years of its establishment, the ASG was only a very miniscule VEG. The ASG threat looms large because it yields tremendous strength from its notorious ability to network with countless VEGs in Mindanao that are engaged in various criminal, terrorist, insurgent and even partisan political activities. These VEGs serve as force multipliers of the ASG. Strictly speaking therefore, the armed strength of the ASG can be much more than 300 armed followers if their force multipliers are included.²¹⁰

Nevertheless, the ASG has been noted for its notoriety as the most violent VEGs. The ASG not only kidnapped hostages for ransom but also beheaded them whenever, ransom had not been met by Western

²⁰³ Banlaoi, Rommel C. "Bangsamoroism and the Nexus of Identity Politics and Violent Extremism in the Southern Philippines." *Policy Brief, August (2012)*: 4.

²⁰⁴ Ibid.

²⁰⁵ Ibid.

²⁰⁶ Clarke, Colin P. *Terrorism, Inc.: The Financing of Terrorism, Insurgency, and Irregular Warfare: The Financing of Terrorism, Insurgency, and Irregular Warfare*. ABC-CLIO, 2015.

²⁰⁷ Rabasa, Angel, and Peter Chalk. *Non-Traditional Threats and Maritime Domain Awareness in the Tri-Border Area of Southeast Asia: The Coast Watch System of the Philippines*. RAND NATIONAL DEFENSE RESEARCH INST SANTA MONICA CA, 2012.

²⁰⁸ Bilveer Singh & Jasmininder Singh. From "bandit" to "Amir"—The Rise of the Abu Sayyaf Group as a Jihadi Organization in the Philippines. *Asian Politics & Policy*. 11(3) 2019. Pp. 399–416.

²⁰⁹ Ibid, p. 402.

²¹⁰ Banlaoi, Rommel C. "Bangsamoroism and the Nexus of Identity Politics and Violent Extremism in the Southern Philippines." *Policy Brief, August (2012)*: 4.

countries. Several Western hostages have been beheaded at the hands of the ASG. Furthermore, according to participant 5,

“And I think that’s also an indicator that ultimately, the patterns of this radicalization in the Philippines are very specific. And I think conflict needs to be part of it, a culture of banditry maybe, as well. But if you don’t have the opportunities, as an ASG commander to conduct operations, people will not follow you. So, I think that is probably right now the situation that many criminals are hiding, they’re not sure what they can do, and they’re waiting for the opportunities to come.”²¹¹

The GRP together with other state agencies in the southern Philippines such as the AFP and civil society organizations has been actively culminated the reintegration and rehabilitation program as part of peacebuilding in Sulu dedicated to assist former ASG rebels and their families through economic and social assistance in Panamao, Patikul and Balik Barangay in Sulu.²¹² Despite this, the ASG cell continues to expand and revive in other parts of the Sulu-Celebes Sea. Participant 10 argues that the ASG will continue to survive due to a number of reasons, particularly due to kinship ties and historical linkages such as the following:

“.....because the ASG for me is not a very typical militant group, that you can just count its members, it’s more of a disorganized, chaotic network that sometimes grows or splinters according to various factors. The group degenerated completely and lost its tracks, split up, leadership changes, and also the killings of their leaders. So, I think right now, what we have is a much-weakened organization, and we also see fewer and fewer incidents in and around Sabah and the greater Sulu-Celebes region for a variety of factors. But I think that ultimately, people in the Sulu Archipelago will always have relatives, and people will always have memories, so whenever there’s an external factor that would make some of these guys come to Sabah to reconnect these linkages, it will happen.”²¹³

In recent years, the ASG has been seeking to expand its network towards Sabah as the movement has been closely monitored by both of the local authorities; the ESSCOM in Sabah and the WestMinCom in the southern Philippines. According to participant 10, the ASG could also exploit the discrimination on the Tausug²¹⁴ by projecting the ethnic as representing their ideological cause;

“The ASG also loves to exploit the historical narratives which have been describing the Tausug people as pirates and rebels. This perception will turn the Tausug as a whole ethnic community will be continuously perceived as a threat to Sabah.”²¹⁵

Since 2016, the Malaysian authority in the east coast of Sabah spearheaded by ESSCOM have begun to notice the expansion of the ASG network in Sabah extended from the east Coast of Sabah towards the western Coast of Sabah²¹⁶. Although the ASG group in Sabah has remained small in terms of the arrest location of its

²¹¹ Interview 5, Online March 4, 2021.

²¹² Interview 16, Online, October 25-2021.

²¹³ Interview 5, Online March 4, 2021.

²¹⁴The ethnic Tausug in Sabah migrated to the state of Sabah, largely since the Tun Mustapha era in the 1970s. Due to this, they have also gained citizenship status over the years. The migration of the Tausug alongside with other ethnics from the southern Philippines in the later years especially since the 1990s has been perceived as “irregular migration” representing the flux of illegal migrants.

²¹⁵ Interview 10, Online, June 24, 2021.

²¹⁶ Interview 23, Online, September 8, 2021.

members in Sabah, their presence and threat have been carefully monitored and investigated by the ESSCOM and other local state agencies²¹⁷. Between 2013 to 2021 since the establishment of ESSCOM in Sabah, there are 41 ASG cells that has been thwarted by the local authority²¹⁸. Adding to this statistic, there were 83 militants that has been arrested in Sabah affiliated with the ASG and KFRGs²¹⁹.

In addition to this, the death of the ASG top leaders such as Hatib Munap Binda and Bensio Barahama in military operation in Jolo, in Sulu Archipelago by the AFP also have reinforced the ASG to search for a new safe haven by expanding their cell to Sabah²²⁰. Sansibar Bencio and A Mabar Binda were previously the ASG leaders²²¹ based on the east Sulu Archipelago²²². In addition to this, there are eight Sulu-based ASG main leaders known as Sansibar Bencio, Firdaus Omar, Munimar Binda, Ladin Mujahirin Faizal, Hamzah Faizal, Sansis Mohammad, Halim Akhir, and Yusuf Akram. All of them have been arrested by the ESSCOM and handed over to the PNP (the Sulu Provincial Police) in Taganak, Tawi-Tawi June 2021.

Before the arrest of Bencio in Complex Bud Bawis, Panamao in east Sulu Archipelago, he instructed the expansion of the ASG cell in Sabah as a strategy to expand the ASG's revenue through crime-terrorism activities in the Sulu-Celebes Sea²²³. This also includes other related crime-terrorism activities such seeking safe passage in Sabah and also, extending the connection of the ASG with other militant groups such as the RSF and the Maute group, and Darul Islam.

However, based on the research findings, the existence of ASG cells in Sabah has been notably severe as compared to the rest of the other groups. In addition to this, their presence in Sabah so far has been only limited to seeking for a safe passage, generating revenue through shadow economic activities and crime-terrorism and searching for a safe haven. However, ESSCOM and other related state security agencies have been, so far, on high alert in monitoring any VEGs movement in Sabah and succeeded in thwarting any of the VEGs elements in the state with close cooperation from the WestMinCom in the southern Philippines.

The linkage between the Abu-Sayyaf Group (ASG) and the Kidnapping for Ransom Groups (KFRg)

The Sulu-Celebes Sea is where the ASG resorted to the KFR tactic²²⁴. While the ASG has been involved in KFR for some years, it has relied on this activity primarily for ransom and financial revenue. Even though the ASG started KFR activities by focusing on local and foreign targets within the Philippines, the group looked beyond the Philippines' borders for their targets when they first kidnapped foreign tourists in holiday resorts in Sipadan, Malaysia in 2000.²²⁵

²¹⁷ Ibid.

²¹⁸ The Malay Mail, December 8th 2021, "ESSCOM crippled 41 Abu Sayyaf groups since formation 2013, says commander" Available at < <https://www.malaymail.com/news/malaysia/2021/12/08/esscom-crippled-41-abu-sayyaf-groups-since-formation-in-2013-says-commander/2026920>>

²¹⁹ Anton Alifandi, may 20th 2021, HIS Markit, "Philippine Islamist militants confirmed in Sabah", Available at < <https://ihsmarkit.com/research-analysis/philippine-islamist-militants-confirmed-in-sabah.html>>

²²⁰ Ibid.

²²¹ Mabar Binda is the known successor of his father, Hatib Munap Binda.

²²² Julmunir I. Jannaral, June 3rd 2021, Philippine Muslim Today, Available at < <https://philmuslim.today/2021/06/03/asg-terrorists-arrested-in-sabah-now-in-custody-of-philippine-authorities-9-daulah-islamiah-maute-group-members-nabbed-in-lanao/>>

²²³ David, Nisha and Ken Cheng, Ken. August 20th 2021, BenarNews "Dua Anggota Abu Sayyaf Maut Dalam Serbuan Awal Pagi Di Sabah", Available at < <https://www.benarnews.org/malay/berita/my-mati-abusayyaf-210820-08202021162901.html>>

Anton Alifandi, May 20th 2021, HIS Markit, "Philippine Islamist militants confirmed in Sabah", Available at < <https://ihsmarkit.com/research-analysis/philippine-islamist-militants-confirmed-in-sabah.html>>

²²⁴ Cited from Yaoren et al. Maritime Malice. p. 2.

²²⁵ Bilveer Singh. Crime-Terror Nexus in Southeast Asia: Case Study of the Abu Sayyaf Group. *Counter Terrorist Trends and Analyses*. 10(9). September 2018: 6-10.

Between 2014 and the end of January 2020, crew members were kidnapped from 30 commercial vessels and fishing boats by ASG or associated groups in the Sulu and Celebes seas. Kidnapping for ransom from vessels in this area peaked in 2016 with 17 reported cases (Joubert, 2020). Many AFP security personnel perished at the hands of the ASG. For instance, from June 2001 to April 2016 more than 100 security personnel were involved. However, the strength of the group is beginning to decrease from 1,000 in 2000 to 400 members in 2013.²²⁶ At this rate, with many of its members either killed or surrendered, the group will get weaker.

*Table 3: The Strength of Abu Sayyaf Group 1995-2013 * (estimate)²²⁷*

Year	Numbers
1995	600
1998	500
2000	1,000-1,500
2002	200-500
2006	200-500
2010	200-400
2013	400

Although ASG is small compared to the New People’s Army, with its 8,000 men and MILF with more than 10,000 men, ASG is extremely violent. The number of fatalities and casualties they have committed proves that the impact and achievements of ASG have been far beyond its size.²²⁸ Another aspect of ASG that has been notoriously highlighted is the beheading of its hostages. As many as 6 foreign hostages have been beheaded by the ASG, including a Malaysian nationality by the name of Bernard Than, a Canadian, a German national, and two Vietnamese sailors. Normally, individuals are beheaded because their family or the government did not provide the ransom money. The objective of the beheading is clearly to scare others by the cruel and violent nature of the ASG.

From the early 1990s to about 2010, it was closely affiliated with al-Qaeda and the JI. The Al-Qaeda core provided them with financing and training. The connection to Al-Qaeda ran through bin Laden’s brother-in-law, Muhammad Al Khalifa, who headed the International Islamic Relief Organization (IIRO), as well as other charitable organizations used as fronts for financing terrorist activities.²²⁹ ASG ties with JI were established in 2001.²³⁰ ASG formed these ties because, firstly, the JI wanted to establish a camp for training. This led to the establishment of Camp Hudaibiyah in 1995. Secondly, JI’s Dulmatin and Umar Patek got refuge from the MILF after the Bali bombing but later on, was under the ASG protection.²³¹

From 2000-2018, ASG & KFRG conducted 25 KFR involving 79 hostages. UNODC stressed that while not all kidnapping for ransom activities are undertaken by ASG in the Philippines, it is believed that the group of

²²⁶ START-UMD. Narratives Abu Sayyaf Group. <https://www.start.umd.edu/baad/narratives/abu-sayyaf-group-asg>

²²⁷ Ibid.

²²⁸ Bilveer Singh & Jasminder Singh. From “bandit” to “Amir”—The Rise of the Abu Sayyaf Group as a Jihadi Organization in the Philippines. *Asian Politics & Policy*. 11(3) 2019. p. 404.

²²⁹ Zack Fellman. Abu Sayyaf Group. *CSIS Case Study No. 5*. November 2011. https://csis-website-prod.s3.amazonaws.com/s3fspublic/legacy_files/files/publication/111128_Fellman_ASG_AQAMCaseStudy5.pdf

²³⁰ Interview 23. Online July 15, 2021.

²³¹ IPAC. Protecting the Sulu-Celebes Seas from Abu Sayyaf Attack. *IPAC Report No 53*. January 9, 2019. http://file.understandingconflict.org/file/2019/01/IPAC_Report_53_Sulu.pdf

fewer than 500 members is responsible for raising over \$35 million from kidnapping activities between 1992 and 2008.²³² Two years after the Marawi siege, which saw the Mindanao city overrun by IS fighters and a wilayah (province) declared, the Philippines could see an influx of FTFs seeking haven in the jungles and remote villages in the area, which has a long history of lawlessness, clan rivalry and separatists, and Islamist rebellions.²³³

Foreign fighters from the Middle East can be found in the southern Philippines. Hatib Sawadjaan has been known to give sanctuary for the foreign fighters before the Marawi siege in July 2017. More than 900 ISIS members including foreign fighters were killed during the Marawi siege. Amin Baco was a son in law for Hatib Sawadjaan. Dr Mahmud Ahmad who was an academic from the University of Malaya took refuge in the southern Philippines after fleeing Malaysia. He was killed with Isnilon Hapilon during the Marawi siege in 2017. Kenneth Yeo Yaoren observed that armed with extensive conflict experience, FTFs are known to train local fighters, provide funds and access to a global support network. They also play a crucial role in overcoming parochial divisions among Filipino groups.²³⁴

Sabah has also been a transit point for regional VEGs who fled the authorities and wanted to reside in the southern Philippines. Traveling through Sabah had become the favorite option for regional VEGs compared to other routes, like from Manado, north of Sulawesi in Indonesia, to Davao, south Mindanao in the Philippines. These routes proved unreliable, where the ferry service from Manado to Davao is off and on. Differently, there's a daily service from Makassar to Tarakan and then Nunukan to Tawau. From Tawau, the radical fighters would go to Sandakan or Semporna to take boats, legal or illegal, to Tawi Nunan or Zamboanga City in the southern Philippines.²³⁵ Since Sabah is a safe place, they will not commit terror attacks in Sabah. It is only a place to rest, look for money, smuggle arms and then move out. This has been clarified by one informant in an interview, saying that Sabah is the preferred route compared to Manado-Davao.²³⁶

Other than as a transit point, Sabah is a lucrative area, where it is easy to make money to fund their terrorist activities. In Sabah, they can do odd jobs on highway projects, oil palm plantations, or vegetable farms where they can earn between RM1,000 and RM1,500 a month. From Tarakan in Indonesia, the militants would then enter Kalabakan in Tawau, Sabah, and go by road to Keningau to look for jobs. Some Indonesians will not travel directly to a southern Philippines destination, like poverty-stricken Jolo Island because there are no jobs there. A case involving Andi Baso, an Indonesian fugitive wanted by the Indonesian authorities, is a good case in point. Andi Baso managed to avoid being detected by the Malaysian authority by working as an undocumented worker in the oil palm sector before making his way to the southern Philippines. Andi Baso has been linked with the January 2019 bombing in Jolo²³⁷.

In a new development, ESSCOM, in Sabah, captured 8 wanted ASG members in Beaufort, a town on the west coast of Sabah²³⁸. The Joint Task Force Sulu (JTFS) alerted ESSCOM leading to the second raid. Following

²³² UNODC. Kidnapping for Ransom and Terrorism. ND. <https://www.unodc.org/e4j/en/organized-crime/module-16/key-issues/kidnapping-for-ransom-and-terrorism.html>

²³³ Kenneth Yeo Yaoren. Philippines' Foreign Fighter Phenomenon. *Counter Terrorist Trends and Analyses*. 11(7) (September 2019), pp. 16- 21.

²³⁴ Yaoren. Philippines' Foreign. p. 17.

²³⁵ Straits Times. September 5, 2021. Malaysia's Sabah is South-east Asian terrorist' preferred transit point: Expert. Available at <https://www.straitstimes.com/asia/se-asia/malaysias-sabah-is-south-east-asian-terrorists-preferred-transit-point-experts>.

²³⁶ Interview 23, Online July 15, 2021.

²³⁷ IPAC. Stopping Abu Sayyaf Kidnappings: An Indonesian-Malaysian Case Study. *IPAC Report No 63*. March 22, 2020. http://file.understandingconflict.org/file/2020/03/IPAC_Report_63.pdf.

²³⁸ Benar News, "Malaysia: Philippine Tip Leads to Capture of 8 Abu Sayyaf Suspects," May 10, 2021, available at <https://www.benarnews.org/english/news/malaysian/eight-caught-05102021132739.html>.

the capture in May 2021, ESSCOM managed to kill two ASG members who planned to kidnap a plantation manager in Timbang Island on August 20, 2021.²³⁹ Again, this has been made possible with the intelligence information sharing between ESSCOM-JTFS. The latest events illustrate ASG members fleeing to Sabah to avoid detainment by the Philippines authority. Now, the new ASG cell in Sabah lays low and has been working as a laborer in the construction and plantation sectors in Sabah albeit this has been closely monitored by the local authority in Sabah. However, the concern remains under scrutiny if they potentially recruit a new member and to revive the ASG in the greater Sulu-Celebes Sea.

Bangsamoro Islamic Freedom Fighter (BIFF)

BIFF is a VEG based in the North Cotabato is a splinter of the MILF. The BIFF also represent “the latest manifestation of organized militancy in Bangsamoro Muslim grievances in Mindanao.”²⁴⁰ Headed by Ameril Umbra Kato, the former commander of the MILF 105th Base Command and founded in December 2010. The BIFF rejected the on-going peace talks between the Philippines Government and the MILF.²⁴¹ Kato even argues that the right to self-determination of the Bangsamoro people cannot be negotiated as it can only be won through the armed rebellion. Kato also criticizes the endless peace negotiation between the GRP and MILF.²⁴²

Kato, a staunch supporter of hardline leadership of Salamat Hashim, aims to establish an independent Islamic state in all areas of southern Philippines.²⁴³ Kato is a Saudi trained and he was strongly influenced by the Muslim Brotherhood’s ideology of the Sayed Quttub. Kato also accused the leadership of the MILF had departed from the original goals of the Bangsamoro movement and effectively sold out the Moro Islamic cause by negotiating for Mindanao’s autonomy rather than full independence.²⁴⁴

Kato claimed to be supported by 5,000 former MILF members but many believe that the figure was inflated, and the number of BIFF members is no less than 300. BIFF link with ASG has been observed by security apparatus and fear both would work together closely to be future spoilers of the peace process. In one latest incident, 30 BIFF on 29 September 2021, BIFF insurgent attacked government soldiers who were patrolling near Shariff Saydona Mustapha town in Maguindanao.²⁴⁵ 16 members of BIFF perished in the attack.

The Maute Group (MG)

The MG, headed by Omarkhayyam and Abdullah Maute also known as the IS Ranao pledged allegiance to Abu Bakar Al-Baghdadi. The MG is from the Maute clan, a political family who actively fields candidates for local government elections who headed a private militia for extortion from sawmill operators and rural electrical infrastructure.²⁴⁶ The MG has been operating in Marawi City and the main leadership is drawn

²³⁹ Daily Express, “23 Abu Sayyaf mastermind planned to kidnap plantation owners on Sandakan Island”, August, 20, 2021.

²⁴⁰ Chalk, Peter. “The Bangsamoro Islamic Freedom Fighters: The Newest Obstacles to Peace in the Southern Philippines?” *CTC Sentinel* 6, no. 11 (2013): 15-17.

²⁴¹ Rommel, C. Banlaoi. “Al-Harakatul Al-Islamiyyah: Essays on the Abu Sayyaf Group.” *Philippines Institute for Peace, iolence and terrorism Research (PIPVTR)* (2012).

²⁴² Ibid.

²⁴³ Chalk, Peter. “The Bangsamoro Islamic Freedom Fighters: The Newest Obstacles to Peace in the Southern Philippines?” *CTC Sentinel* 6, no. 11 (2013): 15-17.

²⁴⁴ Ibid.

²⁴⁵ Maitem, Jeoffrey & Navales, Mark. Philippine Army: BIFF Militants Suffer Heavy Death Toll in Weekend Fighting. BENARNEWS. September 27, 2021, available at <https://www.benarnews.org/english/news/philippine/philippine-militants-islamic-state-09272021121817.html>

²⁴⁶ Franco, Joseph. The Maute Group: New Vanguard of IS in Southeast Asia? *RSIS Commentaries, No. 107*. <https://dr.ntu.edu.sg/bitstream/10356/83322/1/CO17107.pdf>. Also see Joseph Franco. Detecting Future ‘Marawis’: Considering Alternative Indicators for Assessing the Potential for New Manifestations of Violent Extremism in Mindanao. *Perspectives on Terrorism*. February 2020. 14(1): 3-12.

from the ethnic of Maranao. In 2016, the MG gained public notoriety after the declaration of “*baiah*” (oath of allegiance) towards the ISIS leadership. This has been demonstrated through the raise of the ISIS black flag in Butig.

Isnlon Hapilon, a leader of the ASG faction was appointed as the Emir after he pledged his allegiance to ISIS. The Hapilon’s faction broke away from the Basilan province to establish a permanent ISIS presence in the southern Philippines. This strategy was also part of Hapilon’s attempt to link his faction with the MG. Hapilon’s strategy is to leverage the MG’s access to resources and finance to advance his faction from Basilan to central Mindanao. Hapilon’s effort to integrate with the MG expedited has increased the number of the VEGs supporters.²⁴⁷

The MG together with Isnlon Hapilon, the Emir or leader of ISIS with other VEGs and the elements of FTFs participated in the Battle of Marawi. During the siege, the MG had a strength of 80 fighters. What started as the security forces attempting to arrest Isnlon Hapilon, degenerated into a series of skirmishes in the city centre of Marawi. The calamity of the MG towards the destruction of the Marawi city as pointed out by Singh and Jani as followed:

“They aim to turn the residents of Marawi against the military, the government, and countrymen; expose the state’s inability to protect its citizens; and slowly weaken the state’s resolve to secure its peripheral territories. To achieve these objectives, what has come to be known as IS in the Philippines (ISP) strive to ensnare the military in a prolonged battle and create a humanitarian crisis with evacuations and displacement of people.²⁴⁸ The Maute’s strategy drew the military into an urban environment and pulled them deeper into Marawi. As a result, after the battle, Marawi City was totally devastated, and rebuilding and the reconstruction of the city is still work in progress.”²⁴⁹

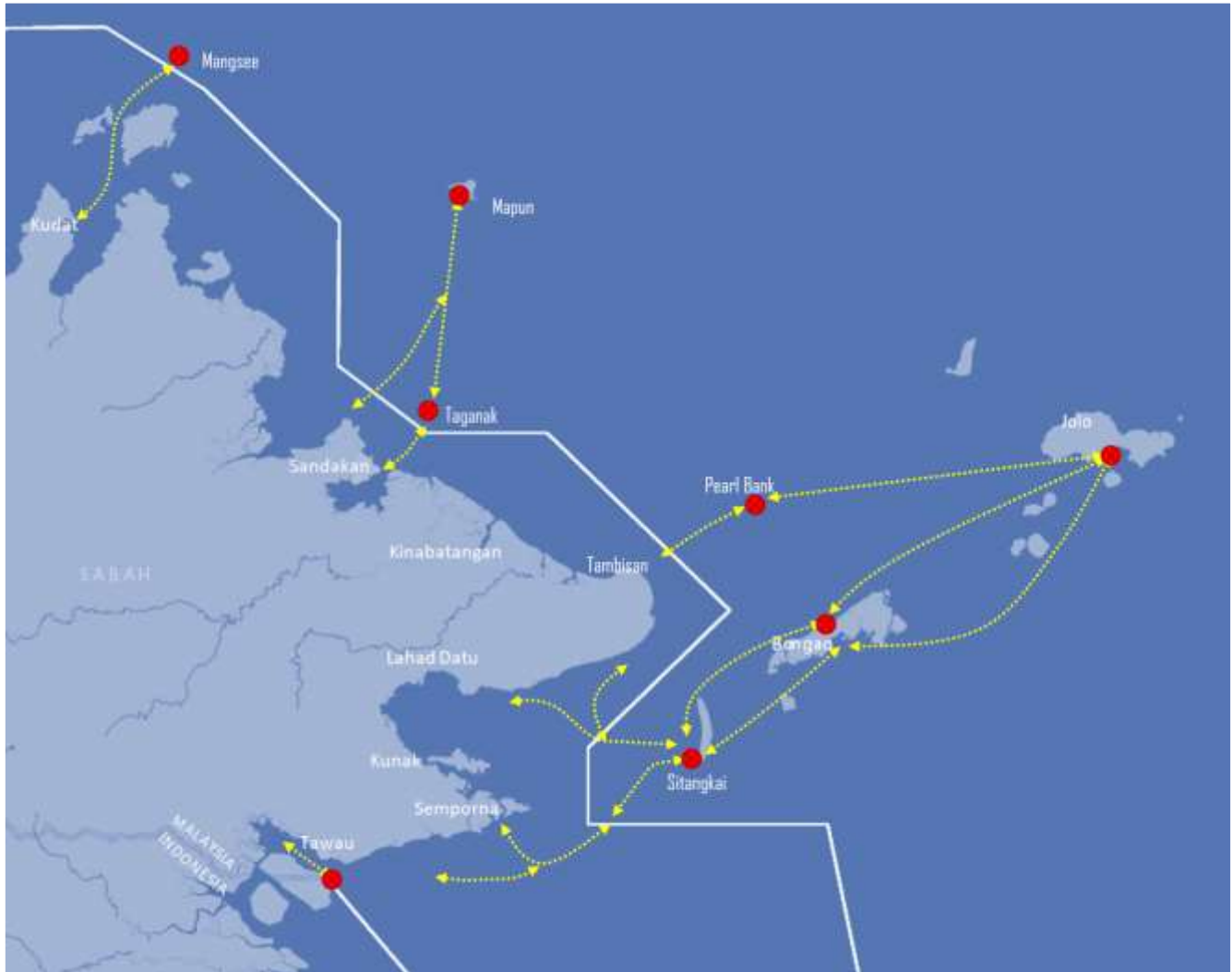
With the recent trends of the VEGs operating in Mindanao towards the Sulu-Celebes Sea, the threat of VEGs remains under scrutiny over their potential expansion in Sabah. With the existing vulnerabilities of porous borders and irregular migratory flows, the VEGs and other elements of organized crime groups could certainly exploit these flows. Map 3 for example illustrates routes of the rat lanes and irregular migratory routes that have been used by various elements of regional VEGs and other organized maritime crime groups. The extent to which irregular migratory flows can be exploited by regional VEGs and organized maritime crime groups in the region will be further explored in the next section of this study.

²⁴⁷ Ibid.

²⁴⁸ Jasminder Singh & Muhammad Haziq Jani. The Siege of Marawi City: Some Lessons. *RSIS Commentary No 153*. <https://www.rsis.edu.sg/wp-content/uploads/2017/08/CO17153.pdf>

²⁴⁹ Ibid.

Map 3 illustrates routes of the rat lanes used by irregular migratory flows and elements of regional VEGs and other organized maritime crime groups.²⁵⁰



Map is generated by the author, Hafiza Nur Adeen nor Ahmad

Part VI: Migratory Flows in Explaining “Regional Crime-Terrorism Nexus” in Sabah towards the Greater Sulu-Celebes Sea

Since the September 11 attacks, ethno-religious violence in the Southern Philippines, and religious unrest in Indonesia, a strong movement and cooperation between regional extremist groups, like MILF, JI, and ASG. Because of these linkages, terrorists and extremist organizations believe the Southern Philippines-Sandakan-Lahad Datu-Tawau-Nunukan corridor to be essential. One of the JI's former prominent leaders, Nasir Abbas stated in his book *"Membongkar JI"* (Unveiling JI: Confessions of an Ex- JI Member)²⁵¹, that Sandakan district in Sabah were used as his transit point before traveling to the southern Philippines²⁵².

²⁵⁰ Map is generated through ESRI by the author (Hafiza Nur Adeen Nor Ahmad), date generated: December 12, 2021.

²⁵¹ Nasir Abbas, *"Membongkar JI"*, 2005.

²⁵² Kompas, "Sandakan, Jalur Transit Teroris dan Penyeludup", January 13, 2006.

The Indonesian newspapers reported that in early 2006, individuals on the wanted list by the Indonesian government such as Nordin Top, Dr. Azahari, Umar Patek, and many others of the JI members, have been freely roaming around the Indonesian territory, especially between East Kalimantan-Sabah and the southern Philippines. In addition to this, since 2003, JI had also transferred funds totalling \$27,000 to the MILF²⁵³ as a gesture of gratitude to MILF for protecting the JI members in the southern Philippines.²⁵⁴ In addition, it is believed that JI members opened an account in Malaysia and transferred funds into the account. The ATM card was passed to the MILF members based in Sabah²⁵⁵.

There is no doubt that in the early 2000s, there was an effort by regional VEGS to establish an extremist movement in Sabah, but it was foiled by Malaysian authorities. Former Prime Minister Tun Mahathir Mohamad, for example, warned in January 2003 that more JI members will be caught following the arrest of two religious teachers in Sandakan who were suspected JI members.²⁵⁶ Apart from that, Sabah Police Commissioner Datuk Ramli Yusuff stated in January 2003 that the police had detained six suspected JI members in Sabah for about a month.²⁵⁷

Next in March 2005, the Philippine press reported the arrest of 21 Indonesians suspected of being JI members who had entered the Philippines in January 2005 seeking training at a MILF training camp in Lanao del Sur. According to the report, 26 people believed to be members of the JI group had arrived in two different groups. The first group arrived on January 21 and the second group arrived on January 28, 2005. They entered the Philippines through Sabah where they were granted protection by the MILF representative, Ismael Haraiba. The groups then moved to Palembang before arriving at the MILF camp in Lanao del Sur.²⁵⁸

A similar incident occurred for Sabah's Darul Islam (DIS) movement. This can be seen in the arrest of 12 DIS members in Sandakan and Tawau in May 2006. The former Inspector General of Police, Bakri Omar, stated that the role of DIS was to assist the Indonesian militants to travel to the southern Philippines enroute Sabah, facilitate the smuggling of weapons from the Southern Philippines to Indonesia and also to undergo the paramilitary training in the Southern Philippines.²⁵⁹

Similarly, the ASG and the KFRg have also targeted the east coast of Sabah towards the Sulu Celebes Sea, broadly as their geographical horizon to expand their revenue through the KFR activities. The ASG's first successful kidnapping of 10 foreigners in Sipadan and Pandanan in April 2000 led the group to continue to carry out kidnapping activities almost every year in Sabah and became a threat to security in the country. As of 2020, ASG has successfully executed 28 kidnapping incidents in Sabah. Meanwhile, the RSF that invaded Tanduo in Lahad Datu in 2013 was also understood as one of the greatest national security threats to the state of Sabah. In October 2014, two members of the RSF were killed by the Malaysian police in

²⁵³ The money was transferred through Bashir bin Lap, an aide to Hambali specifically to buy weapons.

²⁵⁴ Zachary Abuza. "Funding Terrorism in Southeast Asia: The Financial Network of Al Qaeda and Jemaah Islamiyah", *The National Bureau of Asian Research*, 14(5) (2003): 46.

²⁵⁵ Ibid.

²⁵⁶ Daily Express, "PM: More JI arrests expected", January 13, 2003.

²⁵⁷ Daily Express, "JI influence in RMAF not serious: Najib", January 27, 2003.

²⁵⁸ Zachary Abuza. *Balik-Terrorism: The Return of the Abu Sayyaf*, (Carlisle, PA: Strategic Studies Institute 2005).

²⁵⁹ Zachary Abuza. "Malaysia Announces the Arrest of 12 Darul Islam Members". *Terrorism Focus* 3 no. 22, <https://jamestown.org/brief/malaysia-announces-the-arrest-of-12-darul-islam-members/>.

Penampang, Sabah.²⁶⁰ The authorities believe that RSF militants in Sabah plan to inflict more security threats in the state and conduct armed robbery to finance their militant activities.²⁶¹

Despite tight security control by the Malaysian authorities especially through *Ops Pasir*, the establishment of MMEA in 2006, the establishment of ESSCOM in 2013, and the strengthening of Sabah East coast security through several policies and measures, the elements of regional VEGs are still able to penetrate into the coastal area and perform their crime-terror oriented activities, particularly the KFR. In this respect, we observe that, in addition to using their knowledge of Sabah's topography and geographical features, regional VEGs also use tactics and strategies by taking the advantage of clandestine channels to pursue their activities. This demonstrates how migratory patterns are exploited by VEGs to carry out their crime-terror activities in the region.

How regional VEGs and Cross Border Criminals Exploit the “Barter Trade”

Barter trade is an old business transaction practice referring to the act of two or more parties exchanging goods or services without the use of money. The barter trade is still being used as a way to exchange goods or services in the greater Sulu Celebes Sea. The Sabah state government has also relaxed the rules to allow ships in the coastal region to practice the barter trade. Barter and trade are perennial activities since the pre-colonial times in the region.²⁶² The barter trade practice began during the North Borneo colonial rule and until Sabah's achieved its independence. Sabah's strategic location, once ruled by the Sultanates of Brunei and Sulu, has made it a major barter trade port in the region.²⁶³ For the Maranao group from Lanao, they also buy goods from Sabah and export these goods to Mindanao for sale.

Therefore, it is not surprising that there are a large number of boat “*kumpit*” as shown in Figure 3 operating in Zamboanga, Sulu, Tawi-Tawi, and several other areas for barter trade in Sabah. After the formation of Malaysia, barter trading continued, albeit more formally, regulated by the government through supervision and monitoring of the Sabah Customs, the Sabah Port, and the Marine Department, etc. Several barter trade ports are located near the maritime border between Sabah and the Philippines; for example, Kudat, Sandakan, and Tawau ports in Sabah. The barter trade port in Semporna, which was previously one of the leading destinations for this activity permanently ceased in 1976 due to the constant threat of piracy or ‘*mundu*’ in Sabah.²⁶⁴ The Roxas, Puerto Princesa City, Brook's Point, Rio Tuba, Balabac and Zamboanga City ports in the Philippines still continue until today.

*Figure 3: Barter Trade Kumpit*²⁶⁵

²⁶⁰ NST, “Duo shot in Penampang linked to Royal Sulu Force”, November 5, 2014.

²⁶¹ Jasmine Jawhar & Kennimrod Sariburaja. *The Lahad Datu Incursion and its impact on Malaysia's Security* (KL: Southeast Asia Regional Centre for Counter-Terrorism, 2016).

²⁶² James Warren *the Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery and Ethnicity in the Transformation of a Southeast Asian Maritime State*. (Quezon City: New Day Publishers, 1985); Ramli Dollah & Ahmad Mosfi Mohamad. “Perdagangan Tukar Barang Tawau (Sabah)-Indonesia: Implikasi dan Cabaran”, *Jati*, 12 (2007): 83-106; Marja Azlima Omar, Ramli Dollah & Fazli Abd. Hamid “The Flow of Goods and Remittance in Sabah”, *Sabah Society Journal*, 23. (2016): 49-69.

²⁶³ Ramli & Ahmad Mosfi. “Perdagangan Tukar Barang (2007).

²⁶⁴ Ibid.

²⁶⁵ Personal Collection (Ramli Dollah) date collected: December 21, 2018.



Several agreements to regulate the business activities between Malaysia and the Philippines, including the Anti-Smuggling Agreement (1st December 1967) and the Basic Agreement on Trade and Economic Relations Agreement (11th May 1967). There is also the Border Trade Agreement (BTA) (1970) between Malaysia and Indonesia. The BTA stipulated that the transaction rate for every business is USD600.00 and it must be operated within the district of Tawau’s sea and land area. The BTA was discussed in the Brunei-Indonesia- Malaysia-Philippines-East ASEAN Growth Area (BIMP-EAGA) and the development is monitored by the Ministry of International Trade and Industry (MITI).²⁶⁶

Initially, the barter trade activity involved the exchange of agricultural goods or sea products such as fruits, wood, and food or forest products from neighboring countries. Although the current barter trade activity has changed and evolved to import and export goods, the practice of using the traditional transportation such as *tempel*, *kumpit*, *jongkong*²⁶⁷, and others still continues.²⁶⁸ Today, Sandakan and Tawau in Sabah have become the main ports for *kumpit* barter trade ships from the Philippines. In 2015 alone, about 1,199 Filipino ships entered the Sandakan barter trade port. Meanwhile, Tawau's port is also the main destination for these Philippine *kumpit* ships.²⁶⁹ In 2004, for example, there were 40 units, mainly *Kumpit*, entering and exiting the Barter trade area in Tawau.

In 2003, the number of ships entering and exiting this port was 68.²⁷⁰ In 2012, the number increased to 173 ships, showing the importance of this activity. Furthermore, the main products traded with the southern Philippines’ community are everyday consumer products and goods. These are agricultural products such as packet oils and vegetables; foods such as snacks, rice and beverages; secondhand items such as clothing and vehicles such as motorcycles. Meanwhile, the total export from Sabah to the Philippines and Indonesia between 2011 to 2015 is estimated to be around RM148 million (to Indonesia) and RM20 million (to the Philippines).²⁷¹ In this regard, the barter trade activities in Sandakan contributed to RM2 million monthly to the state government revenue.²⁷²

²⁶⁶ Ramli Dollah, Amrullah Maraining & Sabturiana Abas. “Perdagangan Tukar Barang (Barter Trade) Melalui Tawau (Malaysia)-Indonesia: Isu dan Cabaran”. In. Ramli Dollah, Eko Priyatno Joko & Abd Rashid Faizal (eds.) *Sabah dalam Hubungan Malaysia-Indonesia*. (KK: Universiti Malaysia Sabah, 2019).

²⁶⁷ *Tempel*, *kumpit* and *jongkong* refers to a type of boat transportation. The most common used boat in the coastal area of Sabah is the pump boat.

²⁶⁸ Ramli & Ahmad Mosfi. “Perdagangan Tukar Barang (2007).”

²⁶⁹ Interview 22, Online, July 19, 2021; Interview 14, Online, July 1, 2021.

²⁷⁰ Ramli & Ahmad Mosfi. “Perdagangan Tukar Barang (2007).”

²⁷¹ Abdul Rashid Abdul Hamid, “Ancaman Non-Tradisional Dan Keselamatan Nasional Di Malaysia: Kajian Kes Ke Atas Ancaman Kidnapping for Ransom (KfR) Di Pantai Timur Sabah, 2000-2018”, PhD Thesis, Faculty of Social Sciences and Humanities, Universiti Malaysia Sabah, (2021).

²⁷² Ramli, Amrullah & Sabturiana. “Perdagangan Tukar Barang (2019).”

Unfortunately, while the barter trade is seen as important to Sabah's economy and helping to stimulate trading activities with traders from the neighboring countries, this barter activity is also has been exploited to smuggle goods, especially prohibited or controlled items out of the country.²⁷³ In this case, barter trade ships are often used as the main transportation to smuggle subsidized goods such as sugar, petrol, rice, fuel, and illegal shipments of firearms or contraband items.²⁷⁴ For example, on October 26, 2009, the MMEA successfully detained a boat that tried to smuggle controlled goods into the Philippines. The controlled items seized were 30 liters of petrol, 10 kg of wheat flour, 8 kg of cooking oil, 216 kg of sugar, and 14 kg of gas canisters. Apart from that, the MMEA also confiscated other daily necessities found in the boat.²⁷⁵ Meanwhile, in an incident that occurred in December 2019, the Semporna Region 4 Marine Police Force (MPF) managed to detain three Filipino smugglers near Sisipan Island, Semporna caught with 1,270 liters of petrol.²⁷⁶

Similarly, vessels camouflage themselves as barter trade shops but the truth is, these vessels transport irregular migrants to Sabah.²⁷⁷ To avoid being detected by the authorities, migrants use Barter Trade ships as transportation. For example, in July 2003, the Malaysian Marine Police successfully detained 53 irregular migrants who used barter trade boats to enter Sabah.²⁷⁸ This is cause for concern because extremist groups and other cross-border criminals have also started to exploit the barter trade to pursue their activities.²⁷⁹ There are substantial claims that barter trading ships are also utilized to support the KfR activities by obfuscating them from the local security forces.²⁸⁰ In the kidnapping incident in Sandakan in 2015, the Police believed that the kidnappers arrived in Sandakan and pretended to be barter traders to avoid detection from the local authorities.²⁸¹ Similarly, the abduction of four tugboat crew members on the East Coast of Sabah in April 2016 by a gang of eight armed men at the border of Ligitan Island, Semporna, was also linked to barter trading.²⁸²

Barter trade activities are also said to be involved in helping to channel funds to VEGs in the southern Philippines. Inevitably, one of the main issues with the VEGs movement in Southeast Asia is related to the financing of terrorism activities.²⁸³ In this regard, there are allegations that barter trade activities have also been exploited for funding terrorism in the Philippines. Participant 17 argues that while the number linked back to barter trade activity is relatively small, this terrorism-crime nexus is also believed to transfer cash through barter trade ships entering the state from the Philippines.²⁸⁴ This circumstance indicates how VEG has used this barter trade activity to its advantage.

This resulted in the changes of legislative measures in barter trade. Recognizing the problem of exploitation of barter trade by VEG and other organized crime groups, the Sabah state government has decided to close all barter trade and transshipment business activities at all barter trade ports in April 2016.²⁸⁵ However,

²⁷³ Interview 14, Online, July 1, 2021; Interview 22, Online, July 19, 2021.

²⁷⁴ Ramli & Ahmad Mosfi. "Perdagangan Tukar Barang (2007); The Star, "Ramlee: Barter trade makes smuggling easier", April 19, 2016; Interview 8, Online, June 6, 2021; Interview 24, Online, August 4, 2021; Interview 17, Online, December 2, 2021.

²⁷⁵ Ramli, Amrullah & Sabturiana. "Perdagangan Tukar Barang (2019)

²⁷⁶ Borneo Today, "Tiga Penyeludup Warga Filipina Ditahan", 31 December 2019.

²⁷⁷ Interview 24, Online, August 4, 2021; Interview 1, Online, February 2, 2021.

²⁷⁸ Ramli & Ahmad Mosfi. "Perdagangan Tukar Barang (2007).

²⁷⁹ Jawhar & Sariburaja. *The Lahad Datu Incursion* (2016)

²⁸⁰ Daily Express, "Barter trade suspension necessary: Minister", June 1, 2016); Daily Express, "Sabah's action justified: Teo", June 28, 2016.

²⁸¹ Interview 8, Online, June 6, 2021; Interview 24, Online, August 4, 2021.

²⁸² Ridzal Abdullah, "Sistem perniagaan barter dihentikan di ESSZone - Musa Aman". *Astro Awani*. April 6, 2016.

²⁸³ Abuza. "Funding Terrorism in Southeast Asia; and Croissant & Barlow (2007).

²⁸⁴ Interview 17, Online, December 2, 2021.

²⁸⁵ Willie Jude Junaidi. "Sabah gantung serta merta perniagaan tukar barang", *Berita Harian*, April 6, 2016.

the barter trade activities are very important to the borders communities²⁸⁶, especially in thriving the daily basic needs of border communities in Jolo,²⁸⁷ Tawi-Tawi, Sitangkai, and Bongao in the Philippines²⁸⁸. In fact, during the suspension of barter trade activities, there was a sharp increase in the smuggling of goods at the borders of Sabah-Kalimantan, Indonesia.²⁸⁹ These challenges put Sabah's lawmakers and security forces in a difficult position. Further issues arose as a result of the suspension of this barter trade, as well as demands from key economic players²⁹⁰ and politicians, prompting the Sabah state government to decide to resume the barter trade activities on January 1, 2019, with four ports identified for the activity located in Kudat, Sandakan, Tawau, and Lahad Datu.²⁹¹

How Extremist and Cross Border Criminal Groups Exploit Smuggling Activity

Smuggling is another common method often used by VEGs and organized crime groups to enter the state of Sabah. As is known, Sabah is a unique state compared to other states in Malaysia as the state's porous borders are closed with Indonesia and the Philippines.²⁹² Nunukan, Tarakan, and Kalimantan in Indonesia and Tawi-Tawi, Bongao, Taganak, Sibutu in the Philippines are among the hotspots for this smuggling activity.²⁹³ Because these provinces are far from large cities like Jakarta and Manila, the prices of essential goods in these regions are exorbitant. Therefore, smuggling was the common solution to access essential goods from Sabah.

This situation is exacerbated when Malaysian products are of better quality and subsidized by the government, making them cheaper than the Philippines' products. Sabah's geographical proximity to these provinces along with border porosity makes Sabah, particularly the East Coast of Sabah, one of the primary destinations for smuggling products to adjacent countries. Among the main items often smuggled out are basic and daily necessities such as rice, sugar, vegetables and fruits, meat, cooking oil, milk, eggs, salt, kerosene, and gas barrels.²⁹⁴ Prohibited and illegal goods such as cigarettes, firearms, etc. are more commonly smuggled into Sabah from the neighboring countries. In 2019, a total of 60 arrests involving cigarettes and liquor occurred with a seizure value exceeding RM16 million. Meanwhile, until September 2020, there were around 90 arrests with a total seizure of more than RM3 million.²⁹⁵

In short, the smuggler-terrorist-crime nexus relationship involves an intricate web of relationship between different actors due to several key issues involved. First, these smuggled materials constitute a significant source for nexus terrorism-crime groups to commit to other criminal activities. In 2017, for example, ESSCOM revealed that fuel smuggled out of Sabah was a major source of fuel for KFRs, especially the ASG, to commit cross-border crimes.²⁹⁶ Second, while carrying out smuggling activity, smugglers were also prone to transport everything as long as it yielded profit. Therefore, they are ready to accept any offer, including smuggling illegal goods and migrants to Sabah.²⁹⁷

²⁸⁶ Borneo Post, "1,199 Philippine boats visited Sandakan for barter trade in 2015", April 7, 2016.

²⁸⁷ Interview 14, Online, July 1, 2021; Interview 22, Online, July 19, 2021; Interview 14, Online, September 21, 2021.

²⁸⁸ Daily Express, "Goods more expensive in Mindanao", November 25, 2016; Daily Express, "Barter ban makes life in southern Philippines harder", November 25, 2016.

²⁸⁹ Berita Harian, "Perdagangan tukar barang bendung penyeludupan", January 8, 2019; Berita Harian, "Perdagangan tukar barang kurangkan penyeludupan", October 12, 2018.

²⁹⁰ Daily Express, "Barter trade issue: SUCCC hopes for win-win solution", April 21, 2016.

²⁹¹ Berita Harian, "Perdagangan tukar barang bendung penyeludupan", January 8, 2019.

²⁹² Interview 5, Online, March 4, 2021; Interview 14, Online, July 1, 2021.

²⁹³ Interview 22, Online, July 19, 2021.

²⁹⁴ Interview 8, Online, June 6, 2021; Interview 24, Online, August 4, 2021.

²⁹⁵ Hazani Ghazali, Pesuruhjaya Polis Sabah, Webinar Keselamatan Sempadan Sabah: Dalam Senario Ancaman Covid19, 11 Nov. 2020

²⁹⁶ Harian Metro, "Bekalan untuk Penculik", March 25, 2017.

²⁹⁷ Interview 22, Online, July 19, 2021.

Due to the high risk of smuggling activities carrying illegal carrying goods (and people) as well as tight border controls by Malaysian security forces in Sabah waters, smugglers often demand hefty fees to anybody who requires their services, depending on the terms of the negotiation. In this case, the smugglers will ensure that the boats they use are full of cargo, either human or contraband goods to ensure that they can minimize profits. A lightweight boat load will indicate a loss in profit to smugglers. Smugglers also spent a hefty amount of fuel costs and they had to anticipate the risk of being caught by the Malaysian authorities. As a result, smugglers will act accordingly to bring in any form of goods into Sabah. According to one of the respondents, apart from smuggled goods, these smuggling vessels also bring a range of illegal and illicit items, including humans and animals.²⁹⁸

Recognizing this profit motive, cross-border crime groups also exploit smugglers for their benefit. In short, the relationship between smugglers and how they are exploited by extremists, including the VEGs and cross-border crime groups like the ASG is tightly embedded. The ASG exploits all of these dynamics to ensure their success in penetrating into the state of Sabah to carry out their activities.²⁹⁹ In this situation, extremists and cross-border criminal groups enter Sabah by disguising themselves as ordinary people. This makes it easier for the VEGs and organized crime elements to move around freely and coordinate with smugglers, since the smugglers will not often check the background of their potential clients.³⁰⁰

It is clear that extremist members, including the ASG, are highly skilled at exploiting the tactics of smugglers to enter (or escape) Sabah. Extremist groups are aware and believe that their safety will be guaranteed because smugglers have extensive knowledge of Sabah's waters. Smugglers are knowledgeable about the geography, topography, and sea conditions; they are skilled on how to predict the weather and they are well-trained on the right timing to enter Sabah, especially in avoiding being detected by the security forces in Malaysia and the Philippines. It is not surprising entering or exiting Sabah is relatively easy because the smugglers have been known as the “expert” in conducting such activities ³⁰¹

Vulnerabilities of Water Villages

Another factor that facilitates the activities of extremist groups and cross-border crime is the existence of water villages and illegal squatters in the state of Sabah. The water village is a traditional settlement among migrant (and local) communities of Sabah. They have existed for a long time since the colonial occupation. Today, most of these types of settlements can be seen in almost all coastal districts and islands in the state of Sabah.³⁰²

Water villages are uncontrolled areas as most are illegally established and are considered to be squatter settlements. As a result, there are no official figures on the number of settlements or residents of water villages in Sabah. According to the RCI Report in 2014, it is estimated that there are approximately 131 villages with 20,457 houses comprising 116,497 occupants in the ten main districts in Sabah.³⁰³ In

²⁹⁸ Interview 24, Online, August 4, 2021.

²⁹⁹ Interview 24, Online, August 4, 2021; Interview 23, Online, July 15, 2021.

³⁰⁰ Ibid.

³⁰¹ Interview 14, Online, September 21, 2021; Interview 10, Online, June 24, 2021; Interview 8, Online, June 6, 2021.

³⁰² Ramli Dollah. & Wan Shawaluddin W. Hasan “Jenis-jenis dan Masa Depan Pengangkutan air dikalangan Masyarakat Bajau dan Suluk di Sabah”, *Malaysia dari segi Sejarah*, 34 (2006): 121-138; Wan Shawaluddin Wan Hassan & Ramli Dollah. “Impak kehadiran pendatang Filipina di kampung Air di Sabah”. *Kinabalu*, 15 (2007): 89-114; Wan Shawaluddin W. Hasan & Ramli Dollah. *Pendatang Di Kampung Air di Sabah: Pertempatan Tanpa Undang-Undang*. In. Abdul Halim Ali (ed). *Borneo-Kalimantan 2005: Transformasi Sosial Masyarakat-Masyarakat di Daerah Pesisir Borneo-Kalimantan*, (Semarahan: UNIMAS, 2006): 190-200.

³⁰³ RCI, *Royal Commission of Inquiry on illegal immigrants in Sabah* (Putrajaya: Malaysia, 2014).

Semporna alone, 33,983 people were living in 18 such water villages, thus demonstrating the difficulty of governing settlements.³⁰⁴ However, the number of water villages and squatters in Sabah increases day by day. Some settlements that were once small water villages and squatter settlements have now turned into large settlement areas due to the increasing number of families and new immigrants.

In Sabah districts such as Kota Kinabalu, Tawau, Lahad Datu, Sandakan, Semporna, and Kudat, the growth of water villages and informal settlements are visible. For example, in Kota Kinabalu, based on the census in 2016 Pondo Village, Gaya Island found about 830 houses, of which irregular migrants occupy 400. These water village and squatter areas are often considered prime areas for crime, drugs, smuggling, firearms, and several other criminal activities among enforcement forces.³⁰⁵ It is not surprising that the water village area is often labeled as a black area.³⁰⁶

Figure 4: Water Village in Sabah³⁰⁷



Although constant security and monitoring operations are carried out to mitigate this problem, it is challenging to solve due to the high number of dwellings. In Kota Kinabalu, between 2011-2015, 3,119 houses were successfully demolished to address squatters' issues in Sabah, most of which were located in a water village. Even the officers of the Demolition Department at the Kota Kinabalu City Hall stated that demolishing and evicting residents of water village and squatter settlements are among the most challenging tasks for enforcement authorities.³⁰⁸ In addition, not all residents in water villages are illegal immigrants, which further complicates the monitoring and surveillance by the security forces.. Therefore, any policy on water villages needs to be done with caution as it also affects other issues. For example, the state government has long sought to create a policy of 'zero squatters' (mostly water village settlements).

³⁰⁴ Borneo Insider, "RCI: 'Threats from water villages before massacre'", June 17, 2013.

³⁰⁵ Daily Express, "Sabah's water villages identified as 'hot spots for drug trafficking'", December 02, 2012; Borneo Insider, "RCI Sabah: Water villages a hotbed for illegal activities", June 19, 2013.

³⁰⁶ Amaluddin Bakeri & Mohammad Raduan Mohd Ariff. "Pembongkaran Petempatan Kampung Air Di Pulau Borneo: Kajian Kes Kota Kinabalu, Sabah". *Jati*. 9 (2004): 1-17; Wan Shawaluddin & Ramli. "Impak kehadiran pendatang (2007).

³⁰⁷ Personal Collection (Ramli Dollah) date collected: December 21, 2018.

³⁰⁸ Ramli. "Sekuritisasi (2018).

However, the central problem is that the local residents must be relocated as a consequence of the demolition of their houses. This is one of the key challenges towards Sabah as resettlement and relocation also requires public fundings that makes the situation even more difficult to tackle.

In this case, water villages may be potentially exploited by the elements of crime-terrorism nexus. In squatter areas, the community potentially provides social networking in the form of information, needs, and basic resources for new migrants in Sabah.³⁰⁹ This information can help and encourage newcomers to enter Sabah through a chain of migration practices.³¹⁰ This can be exploited by terrorism-crime-terrorism nexus groups that use water villages as a base of their operation because they are often operating in a clandestine settings. In addition, water villages can potentially serve as temporary logistic points, transit points, temporary shelter, and/or hideouts and for VEG and criminal organizations who have been traveling from Indonesia via Sabah to the southern Philippines and vice versa.

Therefore, not surprisingly, when the RSF militants invaded Lahad Datu in 2013, the security forces found that many were hiding in houses in water villages.³¹¹ Also, in an incident in March 2013, six Malaysian police officers involved in the undercover operation were killed in an ambush by militants' in Kampung Sri Jaya Simunul, one of the largest water villages in Semporna.³¹² Such activities are usually carried out through a clandestine setting where only their members are known, causing the surrounding community to be unaware of this threat.³¹³

As a result, it is difficult for the security forces to identify the hidden security threats especially in water villages albeit, strong monitoring on these areas. Commonly, operations by the security forces in water villages' area will succeed in finding prohibited materials such as fish bomb-making tools and weapons as well as irregular migrants.³¹⁴ The country's leaders also voice concerns about the possibility of water villages being used by criminal groups. After Bernard Then was beheaded by the ASG in 2015, Mahathir responded by saying:

"I thought one of the best things to do is to remove the *'kampung air'*. The *'kampung air'* is difficult to secure because anyone can come there at night, can hide guns there and things like that ... I think this is a serious business and to have one part of Malaysia so insecure is not good for us".³¹⁵

However, it should be noted that the exploitation of water village residents is often motivated by financial incentives rather than "Islamic ideological motivation," as the majority of the population in this area are highly impoverished. Unfortunately, many locals are not aware of potentially nefarious persons or activities in the water villages.³¹⁶ Groups or individuals will offer monetary incentives in return for a temporary place to stay in the water village before departing to the neighboring countries. Aware of this problem, the

³⁰⁹ Wan Shawaluddin Wan Hassan & Ramli Dollah. "Impak kehadiran pendatang Filipina di kampung Air di Sabah". *Kinabalu* 15. (2007): 89-114; Daily Express, "Water villages pose security challenge", November 23, 2015.

³¹⁰ Interview 4, Online, October 25, 2021; Interview 1, Online, February 2, 2021.

³¹¹ Jawhar & Sariburaja. *The Lahad Datu Incursion*, (2016).

³¹² Borneo Post, "Six cops, six gunmen killed in Semporna Ambush", March 4, 2013.

³¹³ Borneo Insider, "Sabah RCI: "Threats from water villages before massacre", June 17, 2013.

³¹⁴ Daily Express, "Water villages pose security challenge", November 23, 2015; Sunday Daily, "Ops Cantas Khas: Sabah police detain 111 individuals at Semporna water village", June 19, 2013; Borneo Insider, "RCI Sabah: Water villages a hotbed for illegal activities", June 19, 2013.

³¹⁵ Daily Express, "Dr M: Get rid of the Sabah water villages", November 21, 2015.

³¹⁶ Borneo Insider, "Sabah RCI: "Threats from water villages before massacre" June 17, 2013.

government has taken several measures to relocate water village communities.³¹⁷ However, any measures taken to solve the problem must take into account the water village's way of life and their reliance on the sea, especially to those of *Pa'lau* ethnic community.

Kinship, Clan, and Culture Similarities

Recognizing that the majority of the population in Sabah is Muslim, and has kinship ties in the Philippines, this also opens up opportunities for outside elements to take advantage of this bond to facilitate their activities, such as seeking shelter, gaining financial assistance, gaining sympathizers, or searching for the transit options to travel from one region to another, as well as serving as a spy and informant for the VEG.³¹⁸

It is not surprising Sabah with its porous borders has become a major transit point for the elements of regional crime-terrorism nexus. Having familial ties with locals in Sabah is certainly beneficial for VEG or organized crime as they could also act as informants, offer shelter, and relatively provide a safe transit before moving to the Philippines or Indonesia. This is acknowledged by Nasir Abas when explained that he managed to use several transit points in Sabah, esp. Sandakan and Tawau before he went to the Philippines in the early years of JI in the 1990s to 2000s.³¹⁹

This factor also plays an essential role in facilitating kidnapping in Sabah. A series of kidnapping incidents in Sabah demonstrated that there was precise knowledge of the victims 'whereabouts and led the authorities to believe that it was an insider's work, with the information given by local Sabahan.³²⁰ This was also acknowledged by ESSCOM Commander Ahmad Fuad Othman in April 2021 who contends that the success of the kidnapping is contributed mainly by the people in Sabah who acted as 'spies and informants' to the kidnappers.³²¹

However, cultural, and ethno-religious similarities can also partly explain why a large-scale of terrorist incidents such as those in the Southern Philippines do not take place in Sabah. One of the respondents of our elite interviews stated that there is no instruction to turn Sabah as the centre of their movement. He added, "recruitment of the VEGs is in Indonesia and the Philippines; whereas the operation theater to gain money and profit is Malaysia while simultaneously, this turns Malaysia as a safe passage" when asked about specific operations in Sabah.³²² This sentiment was also visible during the Tanduo incident in 2013, when many Suluk (and Bajau) ethnic communities in Sabah, the ethnic group associated with the invasion, were enraged by the invasion. Several politicians of the Suluk-Bajau ethnic association appeared to express their anger at the action and did not want the Suluk (and Bajau) ethnic groups to be associated with the invasion.³²³ For example, the Sabah Suluk Ethnic Association (PRESS) is confident that there are more than 300,000 members who are against the action of the Tausug intruders from the Philippines in Lahad Datu.

Meanwhile, the Tawau Suluk-Bajau Cultural Association and Kota Kinabalu Handicraft condemned the action of the intruders, describing the action as "unjust and cruel". The Tawau Suluk-Bajau Cultural

³¹⁷ Borneo Insider, "Plans afoot to relocate water villages in Semporna, Lahad Datu and Sandakan", June 19, 2013; Daily Express, "Semporna, S'kan water villages to be relocated", March 07, 2015; Borneo Today, "3 districts selected for relocation of water villages", September 26, 2013.

³¹⁸ Interview 4, Online, October 25, 2021; Interview 9 Online, June 15, 2021.

³¹⁹ Nasir Abas. *Membongkar Jemaah Islamiyah: Pengakuan mantan JI*. (Jakarta: Grafindo Khazanah Ilmu, 2005).

³²⁰ Jawhar & Sariburaja. *The Lahad Datu Incursion*, (2016).

³²¹ Sinar Harian. "ESSCom kenal pasti tali baru kumpulan penculikan untuk wang tebusan", April 15, 2021.

³²² Interview 23, Online, July 15, 2021.

³²³ Bernama. "Not right to link Bajau, Suluk in Sabah to Filipino militants" *FMT*, September 3, 2017; Daily Express, "Stop linking Suluks to the illegal's woe: Party", January 7, 2015.

Association deputy president, Abdul Ali Ellis said that they fully supported the state government's offensive against the armed group in Lahad Datu and its efforts to end the intrusion.³²⁴ Even the Suluk (and Bajau) communities in Sabah openly support ESSCOM's efforts in conducting large-scale operations on migrants in Sabah to ensure Malaysia's security. The Sabah Suluk Solidarity Council (MPSS) secretary, Mohd Zaki Harry Susanto for example said the operation was timely and the “‘show of force’ will ensure security from within the country” can be eliminated as well as warn irresponsible parties not to challenge the integrity of the country's security forces.³²⁵

Based on this discussion, it can be explained that the narrative related to the factors of kinship and culture similarities function in two situations, especially in understanding the context of extremist or cross-border crime in Sabah. First, it serves as an enabler to the movement of these groups in Sabah when factors are exploited to enable them to seek temporary protection, obtain information, and avoid arrest. However, on the other hand, these similarities contribute to protective factors that limit VEG activity in Sabah.

Availability of Water transportation: The Pump-Boat

For migrants coming from the Philippines, their movement from the main islands to several districts such as Kudat, Sandakan, Semporna, Lahad Datu, and Kunak is greatly facilitated by various types of sea transport available. Zulkiflie (1999)'s study on Filipino immigrants found that almost all of his respondents stated that they entered Sabah by sea transport.³²⁶ With its long coastline and a large number of islands, migrants have various transportation options to enter the country. In other words, the diversity of types of transportation to bring in is a major source of the influx of migrants. The main water transport used is ‘*kumpit*’, ‘*tempel*’ and ‘*lansa*’. However, one of the types of transportation that are often a tool for illegal activities in Sabah waters is the pump-boat.

A pump boat is a small boat that uses a 'water pump' engine. This pump engine is often upgraded to increase its strength, speed, and capabilities. This type of transportation is widely used among Sabah's coastal and island populations. It has various functions such as private transport in coastal areas such as in the districts of Semporna, Kudat, Sandakan, and even in Kota Kinabalu; as a transport for the traditional fishing community; mode of transport for smugglers, kidnapping for hostages, and several other functions. People in coastal Sabah prefer this type of transportation to others (such as *boggok-boggok*, *pelang-pelang*) because it is very cheap and easy to obtain, cheap to maintain, and safe in terms of fuel consumption.³²⁷

Not surprisingly, it became the primary mode of transportation to the underprivileged communities on the islands as well as the immigrant communities. Pump boat was designed to serve some of the unique features of Sabah's demographic, topography, and geographical factors. Pump-boats, not surprisingly, can access and move quickly under narrow houses in water villages, in shallow and narrow water areas, particularly in mangrove areas, coral reefs, and can land passengers (and goods) anywhere. They also have speeds comparable to other boat types, particularly after being modified. These factors cause the pump boat to assist in escaping security forces.

³²⁴ Daily Express, “Sabah Suluk group condemns intruders”, March 06, 2013.

³²⁵ Sabahkini, “Suluk Council in Full Support of Large-Scale Integrated Ops to Flush Out Illegals in ESSZone”, February 9, 2015.

³²⁶ Zulkiflie Hassan. “Pendatang Filipina di Kampung Bakau, Lahad Datu Sabah: Kajian Sosio-Politik”, Master Thesis, Faculty of Arts, Universiti of Malaya (1999).

³²⁷ Ramli Dollah. & Wan Shawaluddin W. Hasan “Jenis-jenis dan Masa Depan Pengangkutan air di kalangan Masyarakat Bajau dan Suluk di Sabah”, *Malaysia dari segi Sejarah*. 34., (2006): 121-138.

Figure 5: Pump-Boat Among Coastal-Islander Communities in Sabah³²⁸



Transnational criminal organizations like smugglers, drug and arms traffickers, and KfR groups employ this transit because of its capabilities and extensive usage among locals, particularly traditional fishermen. In addition to masquerading as a local fisherman, modifications to the pump boat by improving the engine's power, putting outriggers, and installing GPS, among other things, are common to avoid getting caught by the police. Finally, in many incidents, the security forces find it difficult to keep up with the pump boat capabilities that have the high capability and some of the unique features discussed above.³²⁹ As a result of their success in the territorial waters of Sabah, ASG uses pump-boats as the main transportation for a series of successful kidnappings in Sabah.³³⁰

For example, in the kidnapping incident in Pulau Pom-Pom, Semporna on 15 November 2013 and in Pulau Gaya, Semporna on 11 September 2018, pump boats were used. In addition, the KfR incident that occurred on April 1, 2016, also involved the use of a pump boat. Furthermore, in the kidnapping incident on 12 December 2018 in Semporna, two Indonesian nationals who were the kidnapping victims were taken to the Southern Philippines using a pump boat with a 40hp engine.³³¹ All these situations show how cross-border crime exploits pump-boat capabilities to carry out criminal activities on the east coast of Sabah.

Recognizing the threats posed by pump-boats, Sabah's state government has acted to ban the use of pump-boats in April 2002³³² and in April 2016.³³³ In April 2016, due to the increase in kidnapping incidents in Sabah, the government decided to ban the use of pump-boats in Sabah. Following the ban, ESSCOM acted to enforce the order and identify and confiscate pump boats that are still in use in the ESSZONE. Unfortunately, the government has never consistently banned pump-boats as it becomes a political issue in every election.³³⁴ It is a dilemma in balancing between the interests of Sabah's security, the interests of coastal communities, the interests of traditional fishermen, and the interests of political parties.

In 2016 alone, a total of 268 pump boats were seized, 345 in 2017, and 697 until June 2018.³³⁵ However, due to the pressure of the local community and politicians, the government had to offer flexibility to allow the use of pump-boats by locals. Among the government's initiatives to facilitate efforts to control the use

³²⁸ Personal Collection (Ramli Dollah) date collected: December 21, 2018.

³²⁹ Ramli Dollah, & Wan Shawaluddin W. Hassan "Jenis-jenis dan Masa Depan Pengangkutan air (2006); Jawhar & Sariburaja. *The Lahad Datu Incursion*, (2016).

³³⁰ ESSCOM, 2014; Jawhar & Sariburaja. *The Lahad Datu Incursion*, (2016).

³³¹ Abdul Rashid "Ancaman Non-Tradisional (2021).

³³² See Ramli Dollah, Wan Shawaluddin W. Hassan, Diana Peters & Marja Azlima Omar "Pendatang Islam Filipina di Sabah: Satu Pemerhatian dari Sudut Keselamatan", *Jati*. 8. (2003): 217-240; Wan Shawaluddin & Ramli. *Pendatang dan Isu Keselamatan* (2013).

³³³ Berita Harian. "Haram bot pam di timur Sabah awal 2017", April 21, 2016.

³³⁴ Ramli *et. al.* 2003; Bernama, 24 May 2018.

³³⁵ Abdul Rashid "Ancaman Non-Tradisional (2021).

of pump boats as a mode of transportation are registration of pump boats, the creation of registration numbers, painting with specific colors, and a variety of other measures to ensure that pump boats are not exploited for extremist or illegal activity.

Vulnerabilities of Stateless or Sea Gypsies People

Another vulnerability in Sabah that may be exploited by extremist groups is the Bajau Laut, Pala'u, or Sea Gypsies community, the majority of whom have stateless status. This community is a subgroup in the Bajau-Sama family.³³⁶ Sea gypsies or Pala'u are stateless and known as skilled seafarers, free diving, littoral lifestyle, semi-aquatic, boat-dwelling, and depending on marine-based activities as a source of livelihood.³³⁷ Most of them can be found in Semporna, Kunak, Lahad Datu and Sandakan. The majority of Pala'u groups in Sabah dwell in the traditional boats with traditional ways of living, known as a 'lepa'.³³⁸ With lepa, the Pala'u moves freely generally following the wind's directions crossing maritime boundaries of Malaysia, the Philippines, and Indonesia regardless of political boundaries based on the principles of sovereignty and territorial integrity of a state.³³⁹

There are no official figures on the Pala'u population in Sabah. The first attempt to identify their number in Sabah was conducted by ESSCOM in 2016. This census focused on two major districts namely, Kunak and Semporna where the majority of this community can be found. Based on this census it is estimated that there are about 28,829 Pala'u in the Semporna district. Of these, only 21.3 percent are citizens, and the remaining 78.7 percent are non-citizens. Meanwhile, in the ESSCOM survey of two villages in Kg. Kunak Tiga and Kg. Jeti Pangkalan in Kunak district had about 1,907 Pala'u in the area. Of these, 39.2 percent are citizens and 60.8 percent are non-citizens.³⁴⁰ A key finding of these censuses is that there are large numbers of Bajau Laut or Pala'u in Sabah.

Economically, these communities are highly dependent on marine resources for their livelihood. Most are involved in the traditional fishery economic system as sea-harvesters and fishermen.³⁴¹ Their economic activities focus on the traditional fishing economy for subsistence and non-commercial nature. They usually catch fish, shells, sea urchin (*pehe-pehe*), and sea cucumber mainly for food. They only sell it for cash (dried fish, lobster, and sea cucumber) if they have a surplus.³⁴² The economic limitations of this marginalized community are due to their stateless status which deprives them of access to economic assistance and other government-program initiatives.

³³⁶ Clifford Sather. *The bajau laut: adaptation, history and fate in a maritime fishing society of southeastern Sabah*, (Singapore: OUP, 1997); Halina Sendera Mohd Yakin. *Identiti Budaya Etnik Palau' di Semporna, Sabah: Konservasi, Adaptasi dan Transformasi Budaya*. (Kota Kinabalu: Universiti Malaysia Sabah, 2007).

³³⁷ Gusni Saat, et. al. "Diaspora Impact to Indigenous of Sama Dilaut in Sabah, Malaysia". *Quantum Journal of Social Sciences and Humanities*, 1 no. 3 (2020): 1-12.

³³⁸ Sather. *The bajau laut* (1997).

³³⁹ Lai Yew Meng & Anantha Raman Govindasamy. "Isu-isu dan Persoalan Semasa Masyarakat Bajau Laut". In Ismail Ali, Asmiaty & Mosli Tarsat (eds). *Dinamika Bajau Laut Semporna Sabah*. (Kota Kinabalu: Universiti Malaysia Sabah, 2021).

³⁴⁰ ESSCOM, unpublished data (2017).

³⁴¹ Erika Abrahamsson & Eric Schagatay. "A living based on breath-hold diving in the Bajau Laut". *Human Evolution*, 29 no. 1-3 (2014): 171-183; Ismail Ali. "Cabaran penguatkuasaan terhadap golongan stateless di Sabah", I. Ong Puay Liu, S. Selvadurai, Puay Hoon Ong, Marsitah Mohd Radzi (eds.), *Stateless di Sabah*, (Bangi: UKM, 2015).

³⁴² Ismail Ali. "Petempatan dan Kehidupan Komuniti Bajau Laut di Pulau Gusungan, Semporna, Sabah". *Borneo Research Journal*, 1 no. 1 (2007); Ismail Ali. "Komuniti Orang Tanpa Negara (Stateless People) Di Sabah: Kajian Kes Komuniti Bajau Laut", *Malaysia Dari Segi Sejarah*. 39 (2011): 69-81.

Unfortunately, life in this community is getting harder. This is because the total catch is shrinking due to the combination of factors, including global warming that elevated sea temperatures and acidification; the use of large vessels such *barges* in Sabah’s water, overfishing, collecting live corals for decoration; destructive fishing practices usually using ammonium nitrate (fish bombing), pollution and other human activities.³⁴³ The situation was exacerbated when the government implemented several security and development policies alongside economic players and international environmental NGOs that adversely affected the lives of the Pala’u community. Among the policies and development programs affecting this community are conservation and regulatory marine activities, national and border security measures, economic development, and tourism activities in Sabah’s water. All these changes, consequently, limit the access of the Pala’u’s community who rely on marine resources as their primary source of life.³⁴⁴ These activities limit their movement in what they claim to be their ancestral domain and threaten their survival.

Unfortunately, the absence of identity documents, birth certificates, and marriage and death certificates invite greater problems to these individuals as they move to new areas. Being stateless leaves the Pala’u community vulnerable as they continue to be marginalized and don’t have access to public care and services such as healthcare, education, formal jobs, and freedom of movement for generations.³⁴⁵ This status also makes them vulnerable to exploitation, extortion, abuse, and targets of arrest and deportation, either by criminal syndicates, local Sabahans, their community, or security enforcement personnel.

These pressures make this society vulnerable to another problem: exploitation by extremist groups.³⁴⁶ According to Jawhar & Sariburaja (2016) their strategic location on islands and seas bordering Malaysia and the Philippines and their skills as seafarers, coupled with their lack of education and poverty make them attractive targets for exploitation by criminal groups and smugglers.³⁴⁷ It is believed that the KfR and other organized crime have exploited the group to smuggle goods and weapons, serve as informers, and be the “eyes and ears” for activities in the Sulu-Celebes Sea.³⁴⁸ Among the crimes that often involve Pala’u is the smuggling of goods and weapons.³⁴⁹

At the same time, their involvement in smuggling activities is also a concern to the security forces as they can be suppliers to cross-border criminal groups without being easily detected. They will be used as informants to kidnappers as they have expertise in living in Sabah's ocean and marine environment.³⁵⁰ Such threats are on the security agenda on the East Coast of Sabah, which sees the involvement of the Pala’u community in helping KFRG act more boldly and aggressively. This argument is backed by the former ESSCOM Commander, Datuk Abdul Rashid Harun, who claimed that there was a need to address the issue of the Palau community as a whole on the East Coast of Sabah. According to him, intelligence sources from ESSCOM found that some of the Palau community sided with criminal organizations, including reporting the location of enforcement officers in the waters to facilitate cross-border crime.³⁵¹

³⁴³ Natasha Stacey, Greg Acciaioli, Julian Clifton & Dirk J. Steenbergen. "Impacts of marine protected areas on livelihoods and food security of the Bajau as an indigenous migratory people in maritime Southeast Asia". Faculty of Law, Humanities and the Arts - Papers. 3466 (2017).

³⁴⁴ Helen Brunt. "Stateless Stakeholders: Seen but Not Heard?" The case of the Sama Dilaut in Sabah, Malaysia" Master's thesis. University of Sussex, UK. (2013); Saat, *et. al.* "Diaspora Impact to Indigenous of Sama Dilaut (2020); Wan Shawaluddin Wan Hassan & Diana Peters. "The Vulnerability of Bajau Laut as Stateless People in Sabah" *Kinabalu*. 26 no. 2 (2020): 183-196.

³⁴⁵ Brunt. "Stateless Stakeholders (2013); Ismail, 2010, Greg Acciaioli, Helen Brunt & Julian Clifton. "Foreigners Everywhere, Nationals Nowhere: Exclusion, Irregularity, and Invisibility of Stateless Bajau Laut in Eastern Sabah, Malaysia, *Journal of Immigrant & Refugee Studies*. 15 no. 3 (2017): 232–249; Wan Shawaluddin & Diana. "The Vulnerability (2020).

³⁴⁶ Interview 17, Online, December 2, 2021.

³⁴⁷ Jawhar & Sariburaja. *The Lahad Datu Incursion*, (2016)

³⁴⁸ Interview 2, Online, February 3, 2021.

³⁴⁹ Abdul Rashid "Ancaman Non-Tradisional (2021).

³⁵⁰ Jawhar & Sariburaja. *The Lahad Datu Incursion*, (2016).

³⁵¹ Wan Shawal – Datuk Rashi.

In this regard, the Sabah State government has been urged several times to take action to address the issues relating to Pala'u stateless condition. Until recently, the Pala'u group has been rejected and ostracized in Sabah. The majority of these groups, like other communities in Sabah, wish to become citizens, get identification cards, and contribute to the growth of the nation. Despite having resided in Sabah for a long time, Pala'u, particularly those residing on the islands near Semporna, do not have appropriate documentation to be recognized as Malaysian citizens.

Identity and Socio-Economic Status of the Coastal, Islander, and Pala'u Communities

Not surprisingly, Engelbrecht argues that the situation becomes more complex and complicated when there are "communities in-between", in Sabah-Philippines borders. It refers to the Bajau Laut and islands-coastal communities that dwell along the coasts and islands of the states of Sabah and the Philippines. However, this is not a new issue, but it was the legacy of the "Sulu Zone".³⁵² Their presence was already in place long before the arrival of colonial power in this region. The migration of southern Filipinos to Sabah today can be seen as an extension of the traditional migration in the region decades ago.³⁵³

Among the main characteristics of this community is that they have strong primordial and familial ties and bonds with the community found in the southern Philippines.³⁵⁴ This bond already existed before the formation of national borders. As a result, despite the existence of two countries in the region, the borders of these countries cannot separate the tribal and familial ties. Although from different sub-ethnicities, they can communicate with each other, the majority are Muslims (except Pala'u) forming a strong maritime. Therefore, cultural, religious, social, and linguistic similarities make it easy for criminal and extremist groups to operate within communities.

Figure 6: Pala'u shanty house³⁵⁵



³⁵² Georgi Engelbrecht, "Threat in tri-country borders and strengthening the role of community: towards Human Security", Regional Cluster Meeting on PCVE, 6 Aug. 2021. Interview 5, Online, 4 Mar. 2021.

³⁵³ Maruja M. B. Asis "The Filipinos in Sabah: Unauthorised, unwanted and unprotected". In Santosh Jatrana; Mika Toyota; Brenda S. A. Yeoh (eds.), *Migration and Health in Asia*, (London: Routledge, 2005), 116-140 and James Warren *the Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery and Ethnicity in the Transformation of a Southeast Asian Maritime State*. (Quezon City: New Day Publishers, 1985).

³⁵⁴ Interview 7, Online, May 27, 2021; Interview 10, Online, June 24, 2021; Interview 5, Online, March 4, 2021.

³⁵⁵ Personal Collection (Ramli Dollah) date collected: December 21, 2018.

Meanwhile, economically, this group is dependent on marine resources. The majority of the economic activities of this community are small-scale, traditional, and subsistence economic in nature. Among the economic activities carried out are catching marine life such as fish, shrimp, and squid, collecting corals and some types of seaweed, breeding and terrifying *balat/tripang* and seaweed, and some other economic activities on a small scale. The proceeds are sold in the market, to intermediaries, and traders.

Several policies have been taken to address the socio-economic problems of these ‘in between’ communities, either at the central or state level such as the Poorest People Housing Project (PPRT), AIM assistance, Co-Nelayan assistance, and several other programs. These programs are implemented by various federal/state government agencies such as *Ko-Nelayan*, *Tabung Ekonomi Kumpulan Usaha Niaga* (TEKUN), *Amanah Ikhtiar Malaysia* (AIM), Fisheries Department, State Economic Planning Unit (UPEN), *Majlis Amanah Rakyat* (MARA) and several other agencies.³⁵⁶ Unfortunately, many of these programs are less successful in addressing this problem due to several factors, including agency weaknesses, unsustainable aid policies, and the difficulty of these communities to engage in this mainstream economy.

The situation becomes more complicated when several policies are adopted by the authorities, such as dusk-to-dawn curfew, pump-boat bans, and the development on the island for tourism purposes, conservation projects, and a variety of other aspects that have a significant impact on the socio-economic aspects of the community.³⁵⁷ As a result, these communities are not free to go to sea as before, the amount of catch has dropped dramatically, which in turn affects their economic viability. Not surprisingly many in the community continue to use pump-boats even after the ban, went to sea at the time of the implementation of the curfew as it is the best time to catch seafood, and so on.³⁵⁸

As a result, these communities continue to lag in all aspects placing them in the poor and B40 categories based on the household socio-economy indicator in Malaysia.³⁵⁹ These low socio-economic levels, poverty, and immigrant-stateless status expose these groups of people to various problems, including extortion, arrest, and deportation by the enforcement agencies or exploitation by smugglers and extremist groups. They may be used as tools by these groups to obtain information, hiding places, or shelters. Marginalization in the socio-economic aspect is a big challenge to the community and the state of Sabah in particular. One of the respondents admitted that security guarantees can only be achieved if the people in this area feel the prosperity enjoyed by Malaysians as a whole.³⁶⁰ Unfortunately, border communities in the context of this study are often seen as marginalized groups from the currents of development and socio-economics, putting them to various forms of exploitation.³⁶¹

Other Factors

In addition to the concerns listed above, numerous elements are perceived to give advantages and are often employed by extremist organizations and cross-border criminals in the state of Sabah. These include the issue of Sabah's economic reliance on foreign labor, geographical features including Sabah's geography landscape, which are often exploited by these groups, porous borders, and a variety of other issues. For

³⁵⁶ Rasid Mail, Baszley Bee Basrah Bee, Saat Ag Damit & Ab Nasir Roslan. “Isu Keselamatan Perairan Pantai Timur Sabah: Kelangsungan Sosio-Ekonomi Masyarakat Pesisir”. Seminar SASSREC Pusat Pengajian Strategik dan Keselamatan Sabah (SASSREC), Universiti Malaysia Sabah, Kota Kinabalu, Sabah, February, 25-26, 2015.

³⁵⁷ Interview 24, Online, August 4, 2021.

³⁵⁸ Borneo Today, “Penggunaan ‘Pump Boat’ Dikaji Balik”, September 24, 2019, available at <https://www.borneotoday.net/penggunaan-pump-boat-dikaji-balik/>

³⁵⁹ Rasid Mail, et. al. “Isu Keselamatan Perairan Pantai Timur Sabah” (2015).

³⁶⁰ Interview 4, Online, October 25, 2021.

³⁶¹ Interview 1, Online, February 2, 2021; Interview 9 Online, June 15, 2021; Interview 23, Online, July 15, 2021; Interview 11, Online, June 28, 2021.

example, Sabah's economic dependency on migrant labor has provided an easy opportunity for terrorist-criminal organizations to exploit this over-reliance on the foreign workers in Sabah as a means to disguise oneself as an employee while conducting espionage activities and planning further action.³⁶² Even after the kidnapping incident in Sipadan in 2000, authorities suspected some ASG members were in Sabah.³⁶³ Even Ghalib Andang alias Commander Robot, for example, is said to have worked in Sabah before this incident. In addition, the incident in Timbang Island, Sandakan in August 2021 showed how ASG disguised as foreign workers planned to kidnap several individuals who were targeted.³⁶⁴

The regional crime-terrorism nexus exploits the porous border between Indonesia, Malaysia, and the Philippines to either move freely or offer temporary shelter. Indeed, the region is one of the most porous maritime areas in the world.³⁶⁵ As a consequence, several clandestine channels have developed their network for various activities. In June 2020, for example, the Malaysian Home Ministry identified 37 clandestine channels into Sabah. Of the total, eleven landing points for foreigners are located in Sandakan, five in Lahad Datu, then Tawau, Beluran, and Kudat each have four landing points, three in Kunak, two areas in Kinabatangan and Kota Marudu, while Semporna and Pitas each have one PATI landing area.³⁶⁶

Based on the discussion, it is possible to infer that the terrorism-crime nexus groups' activities pose a serious security threat to Sabah. These groups' systematic mode of operation and strategies provide a significant challenge to the government and security agencies in dealing with this threat. Moreover, these groups can survive by emulating many tactics employed by locals and immigrants in the state of Sabah, including barter trade practices, water village practices, smuggling, and pump-boat use. These strategies were exploited not only to enter Sabah, but also used to move from one country to another, gain temporary shelter, evade security agencies, and so on. Recognizing this, the government has implemented numerous measures and regulations to address it, but it is difficult to resolve since it combines public interest, politics, and other complex factors

Part VII: State-Government and Regional Responses to Security Challenges in the Greater Sulu-Celebes Sea

The Lahad Datu incursion of 2013 was considered a “black history” for Malaysia due to its failure to prevent the incursion of foreign forces on Malaysian territories. This incursion started when a group of armed personnel of the so-called RSF from Southern Philippines invaded a small village in Lahad Datu, to reclaim Sabah. This incident is a culmination of long-standing issues between the Philippines and Malaysia over reclaiming Sabah. Although, for Malaysia, this issue was considered resolved long ago after gaining independence from the British in 1957. The incursion in 2013 was a serious threat to Malaysia’s territorial integrity, sovereignty, and national security.

On a smaller scale, Sabah has also experienced a series of kidnappings, illegal crossings, and convenient routes for violent extremist groups or individuals traveling back and forth from Indonesia to the Southern Philippines. The arrest of some individuals in Sabah for terrorism-related charges also demonstrates

³⁶² Interview 23, Online, July 15, 2021; Interview 24, Online, August 4, 2021.

³⁶³ Berita Harian, “Abu Sayyaf ada anggota di Sabah” September 15, 2000.

³⁶⁴ Daily Express, Mardinah Jikur “Killed Abu Sayyaf mastermind planned to kidnap plantation owners on Sandakan Island”, August 20, 2021.

³⁶⁵ Warren. *The Sulu Zone*, (1985).

³⁶⁶ Sinar Harian. “ESSCom kenal pasti tali barut kumpulan penculikan untuk wang tebusan”, April 15, 2021.

Sabah's vulnerability to domestic and regional threats. As a result of the Lahad Datu intrusion in February 2013 and the standoff that followed, Putrajaya has focused on strengthening the security of Sabah.

It is important to note that Malaysia has various policies such as the National Security Policy issued by the National Security Council, Security Policy and Public Order issued by the Ministry of Home Affairs, and various NSC Orders such as Order No. 18 to deal with terrorism threats. Based on these policies we can construct several approaches Malaysia adopted to deal with such threats. Five approaches can be identified and they are discussed below.

Legislative Approach

The new terrorism laws such as Security Offences (Special Measures) Act 2012, Prevention of Terrorism Act (POTA) 2015, Special Measures Against Terrorism in Foreign Countries (SMATA) 2015, and Prevention of Crime Act (POCA) (Amendment 2017) among others are part of the counter-terrorism initiatives by the Malaysian government to deal with terrorism threats. In addition to the above, Malaysia also employs Penal Code 130b-130r (Terrorism) to prosecute individuals who committed terrorism-related offenses. Before the introduction of the above laws, Malaysia relied on the Internal Security Act (ISA) 1960, which authorizes the police to detain any suspects who have deemed a threat to national security without charging them in an open court. Many critics labeled the law as "draconian" due to detaining without trial provision. Before the amendments, the Prevention of Crime (Amendment and Extension) Act (POCA) 2014, was initially legislated in 1959 to address serious and organized 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 offenses.³⁶⁷

On March 30, 2015, a total of six bills were tabled in parliament to "deal with the growing domestic and international threat of terrorism", which includes, POTA 2015, SOSMA 2012, SMATA 2015, The problem of extraterritoriality mentioned in the White Paper was addressed by the introduction of the Special Measures Against Terrorism in Foreign Countries Bill (SMATA 2015), which allows Malaysian authorities to seize and suspend travel documents, Malaysian or not, if the individual is suspected of wanting to "engage in the commission or support of terrorist acts." The Penal Code was also amended to make it an offense (punishable by up to 30 years in prison) for people traveling to or from Malaysia to commit terrorist acts. Another bill introduced, the Prevention of Terrorism Act 2015 (POTA), allows for detention without trial up to two years that can be extended indefinitely by a Prevention of Terrorism Board with five to eight members. POTA was passed in the lower house of the parliament merely seven days after it was tabled on March 30, 2015.³⁶⁸

In countering violent extremism threats, legislative approaches play a crucial role and serve as a basis for the security services to conduct their operations. In the context of Sabah, several Sultan Sulu armies that invaded Sabah in 2013 were detained by Malaysia security forces and were charged under terrorism laws. All of these six bills have also been used to charge individuals who have been convicted for the Lahad Datu Intrusion in 2013, as well as other related terror-crime arrests in Sabah.

³⁶⁷ Thus, when the Islamic States started recruiting fighters from around the world, Malaysians were among those who volunteered to the cause. By 2017, 300 Malaysians had been arrested for showing an inclination to the Daesh jihad. The spread of IS in Malaysia led to the Government's introduction of more legal instruments. A White Paper on IS was tabled in November 2014.

³⁶⁸ Nicholas Chan. *The Malaysian*.

Rehabilitative Approach

In addition to the legislative approach, Malaysia also developed a rehabilitation program designed for those incarcerated due to terrorism-related charges. The rehabilitative approach entails the use of dialogue, discussion, re-education, and psychological tactics to dissuade inmates to abandon their ideology or violent tendencies. Since 2005, Malaysian police and the prison authorities have been using this approach to rehabilitate members of JI, Kumpulan Mujahidin Malaysia (KMM), and IS-affiliates who were detained under terrorism laws. The main purpose of rehabilitation programs is to change their mindset and ideology, to prevent recidivism after release, to educate them with mainstream values based on multiculturalism and moderation, and to reintegrate into mainstream society after their release. In 2011, seven people were detained in Tawau for terrorism-related charges and all of them went through the rehabilitation program.³⁶⁹

Public Engagement and Awareness Campaign Approach

For the Malaysian public, the government takes an initiative in collaboration with civil society organizations and educational institutions, including the media to conduct an awareness program such as public talks, seminars, conferences, and television forums. Universities and think tanks also participate to provide expertise, research outputs, and consultancy to the authorities, and participate in the public awareness campaign. Southeast Asia Regional Centre for Counter-Terrorism (SEARCC), under Ministry of Foreign Affairs, Institute for Public Security Malaysia (IPSOM) under Ministry of Home Affairs, Institute for Youth Research Malaysia under Ministry of Youth and Sport are among the leading organizations to provide direction and framework in public engagement and awareness campaign for the Malaysian public.

Improvement of Security Measure and Securitization of Borders Approach

The creation of the Special Security Area in Eastern of Sabah and the Eastern Sabah Security Command (ESSCOM) on 7 March 2013, which covers 1,400 kilometers of the east coast of Sabah from Kudat to Tawau, is considered a milestone in protecting Sabah from foreign intrusion. This includes the persistent attacks by pirates and VEG in the Southern Philippines.³⁷⁰ The presence of ESSCOM in the region creates a sense of security for the local people in Sabah.³⁷¹ Interviews 2 and 11 also concur that the creation of ESSCOM and the presence of security forces make the region more secure due to strict movement and mobility. It also contributes to the regional stability between Sabah and Southern Philippines, in addition to the de-escalation of the conflict in Mindanao resulting from the peace agreement between militants and the government of the Philippines.

Regional and International Cooperation Approach

Cooperation and collaboration with regional and international security agencies are one of the most salient features of Malaysia's counter-terrorism strategies. At the practical level, Malaysian police are working closely with their counterparts from Singapore, Thailand, Indonesia, Brunei, and the Philippines particularly within the ASEANAPOL framework, which consists of police agencies from Southeast Asian countries. ASEANAPOL is created to "foster mutual assistance and cooperation amongst members; and endeavors to increase regional cooperation efforts against transnational crime"³⁷², in addition to intelligence-sharing on issues related to terrorism and violent extremism. Beyond the region, Malaysia has good relations with so-called friendly services in the Middle Eastern countries, European counterparts, and

³⁶⁹ Malaysiakini, "Polis sahkan tahan 13 orang bawah ISA", November 17, 2011, available at <<https://www.malaysiakini.com/news/181662>

³⁷⁰ Interview 2, February 3, 2021.

³⁷¹ Ibid.

³⁷² Aseanapol, <http://www.aseanapol.org/about-aseanapol/objectives-and-functions>.

the United States. Extensive intelligence sharing is extremely helpful for Malaysia to prevent major attacks on its soil.

Improvements of Security Measures

As a result of the Lahad Datu intrusion by the Royal Security Force and clashes with the Malaysian authorities, ESSCOM was established. ESSCOM originally was a Special Security Area when it was announced on 7 March 2013. But it was changed to Eastern Sabah Security Command (ESSCOM) during a Sabah's State Security Committee meeting chaired by the Sabah Chief Minister, Datuk Musa Aman on 11 March 2013. ESSZONE was later announced by Najib on 25 March 2013- ESSZONE involves 10 district (Kudat, Kota Marudu, Pitas, Beluran, Sandakan, Kinabatangan, Lahad Datu, Kunak, Semporna, Tawau).

ESSCOM, on the other hand, plays a bigger role in securing the Sabah eastern sea border with the involvement of multiple agencies such as the RMP, MAF, MMEA, and civil officers. They tackle not only issues related to terrorism and kidnapping but also organized crime, illegal immigrants, relocation of water villages, and are involved in community engagement and public awareness programs amongst others.³⁷³ To strengthen ESSCOM and to ensure the success of the organization, the government in April 2013 outlined a four-pronged strategic and technical approach to beef up security in national waters and to protect the ESSZONE community. The four elements are enhancement of intelligence capability, effective coastal surveillance 24-hours a day, boosting the country's capability to intercept incoming threats from the sea and strict enforcement of the law with immediate action taken once the threats reach the shores.³⁷⁴

Since the ESSCOM started from scratch, it requires a specific fiscal budget to operationalize its delegated security tasks. In the 2014 budget, for example, ESSCOM obtained an additional allocation of RM75 million for its administrations and RM2.4 million for the defense equipment. Meanwhile, in the 2015 budget, the government allocated RM17.7 billion to the MAF, and RM9.1 billion for the RMP. A total of RM804 million was allocated to the MMEA to strengthen maritime enforcement. The government also allocated RM660 million to set up two new battalions of PGA camp in ESSZONE and another Army battalion camp will be set up in Felda Sahabat in Lahad Datu.³⁷⁵

To boost the Malaysian enforcement agencies' capability, especially to provide a prompt response for any intrusion, the government allocated RM230 million for the use of a modified oil platform and an auxiliary sea vessel in the ESSZONE through its wholly owned oil and gas company Petronas. Despite the efforts, it failed to stop kidnapping activities involving the ASG and other cross-border criminals on the east coast of Sabah.

The establishment of the MMEA in 2002 has also led to security improvements. MMEA is the Malaysian version of the coast guard. It was established with the expectation to develop a single maritime enforcement agency, effectively replacing various law enforcement bodies responsible for the security and safety of Malaysian maritime zones.³⁷⁶ The lead agencies now are MMEA, which serves as the lead maritime law enforcement agency, the Royal Malaysian Navy (RMN) as the lead maritime defense agency, and other

³⁷³ Jasmine Jawhar, & Kennimrod Sariburaja. *The Lahad Datu Incursion and its Impact on Malaysia's Security*. Kuala Lumpur: SEARCCT. 2016. p. 53.

³⁷⁴ Ramli et al. *Old Threats*. p.184.

³⁷⁵ Ibid.

³⁷⁶ Abdul Hamid Ghafur @ Khin Maung Sein, Mustafa, Maizatun & Su Wai Mon. *Entrusting Coast Guards with Maritime Law Enforcement Powers: Lessons for Malaysia*. *IIUM Law Journal*. 24(1), 2016. p. 92.

agencies like the RMN, Royal Malaysian Air force (RMAF), the Department of Fisheries and the RMP's marine police, formerly known as Marine Operations Force.³⁷⁷

These agencies deal with the three main thrusts of Malaysian maritime security: maritime crime, environmental protection, and upholding the sovereignty of Malaysia's waters. Maritime crime, which includes robbery at sea and piracy, has been a longstanding problem for Malaysia and one that various agencies in the country continue to grapple with. While most domestically based syndicates and gangs have been disrupted, incidents of crime occurring both in Malaysian waters and close to it are still rampant, especially by those criminal organizations operating out of Indonesian waters. Malaysian security operators are often frank in their assessments that there is little they can do, even with a substantial increase in assets and presence, without the cooperation of neighboring countries.³⁷⁸ That MMEA was established to enhance the security of Malaysian waters especially in Sabah which has been noted for the cross-border criminal activities.

Securing the Borders

Due to the threat of KFRg, the Malaysian government in a meeting chaired by the Minister of Home Affairs decided to enforce curfew in the ESSZONE. The implementation of the curfew went into effect in seven districts in the ESSZONE on 19th July 2014. (Beluran, Sandakan, Kinabatangan, Lahad Datu, Kunak, Semporna, Tawau). The curfew conditions were³⁷⁹:

- Individuals, except security personnel and exempted individuals, can be in a predetermined area from 6.00 pm. to 6.00 am.
- Individuals exempt from the curfew include the “Yang DiPertuan Agong”, “Raja”, “Yang DiPertua Negeri”, and any member of the Malaysian Navy, Airforce, and Army who is on duty (according to Section 31(3) Police Act 1967).
- Individuals other than the authorities that want to enter or pass through the curfew region need to obtain a Curfew Exemption Permit from the Head of Police in the respective region.
- Any individual found in areas that have been declared as being under curfew during the established times can be detained without a warrant and can be put on trial in court.
- Enforcement members can obtain a mandate to arrest any individual that does not adhere to the curfew in Section 31 (2) Police Act 1967.
- Enforcement members are allowed to use firearms by the requirements and provisions of the law.

The security forces will be in the waters to monitor the movement of the KFRG and other crimes for 12 hours (6 pm to 6 am). Because of the curfew imposed, no one will be allowed to stay at sea unless permitted. To allow fishermen to continue with their activities, permits will be issued. However, they were forbidden from fishing in areas that have been classified as curfew areas. Until today, the curfew continues to be enforced involving all ESSZONE and territorial waters of the country, following the kidnapping, terrorism, and illegal immigration activities.³⁸⁰

³⁷⁷ Thomas Daniel. Issues impacting Malaysia's Maritime Security Policies and Postures. *JIIA Policy Brief*. No 3. 2018.

<https://www.jiia.or.jp/en/column/2018/06/column-5.html>.

³⁷⁸ Daniel, Issues Impacting.

³⁷⁹ Abdul Rahim Anuar & Azhar Harun. Malaysia-Indonesia cross-border governance: Is there a trade-off between security and economic development? *Journal of International Studies*, 15, 23. 2019.

³⁸⁰ Abdul Rahim Anuar & Azhar Harun. Malaysia-Indonesia.

The Implementation of Op Padanan, Op Pasir & Op Tayang

Implementing Op Pandanan (General Operation Police after this GOP) supported by Malaysian Armed Forces, Op Pasir (Ops Padanan and Sipadan Island Resort) (ATB2) as a result of the Sipadan and Padanan Islands incidents. GOP and MAF are now stationed on 20 islands in Semporna. Besides that, the Op Tayang which was introduced in 1992 manned by the GOP was also extended to assist Op Pasir in 2000. There are five tasks for the GOP to achieve in Op Tayang. 1) to track down and eliminate the Abu Sayyaf Group; 2) to prevent the entry of the remaining members of the Abu Sayyaf Group who fled the Philippine military; 3) to prevent the entry of southern Filipinos fleeing the unrest; 4) to prevent our border from the intrusion of armed groups; and 5) to maintain the security of the area of responsibility of the GOP. All these operations have been carried out from 2000 until 2021. The cost for executing Ops Pasir costs more than RM300 million annually.³⁸¹

Strengthening regional cooperation: Malaysia's Indonesia Bilateral Cooperation

Joseph Chin observed that it was during Hussein Onn's administration that Indonesia-Malaysia relations reached a new stage of amity with the expansion of military cooperation. Not only did GBC meetings and the anti-communist offensive in Borneo continue unabated, but military exercises between the navy, air forces, and armies of Indonesia and Malaysia became regular events on the diplomatic calendar. Malindo Samatha (search and rescue exercises), Malindo Jaya and Malindo Mini (naval exercises), Elang Malindo (air force exercises), and Keris Kartika (army exercises) were either instituted or continued with admirable regularity. Keris Kartika in particular was a milestone, for it marked the first incidence where the Indonesian army engaged in joint military exercises.³⁸²

Before 2000, there were several cooperative agreements between Malaysia and Indonesia such as the Regulation Agreement 1967, Security Arrangement 1972 and Security Arrangement 1984. Through the Security Arrangement 1972, the two countries agreed to form the Malaysia-Indonesia General Border Committee (GBC MALINDO). GBC MALINDO is the highest body of cooperation between the two countries and a medium of consultation on common security issues and safety measures.³⁸³ Cooperation between Malaysia-Indonesia to this day is still based on the Security Arrangement 1984. On 12 July 2008, Malaysia-Indonesia agreed to define 14 exit routes between the two countries. The determination of special exit routes related to this entry is intended to curb cross-border crime between the two countries. Besides security issues, GBC-MALINDO bilateral cooperation also stressed the economic development and social aspect with the formation of a committee known as the Socio-Economic Working Group, Malaysia-Indonesia at the Sarawak-Sabah-Kalimantan border.³⁸⁴

³⁸¹ Ramli Dollah et al. Old Threats, New Approach and National Security in Malaysia: Issues and Challenges in Dealing with Cross-border Crime in East Coast of Sabah. *Mediterranean Journal of Social Sciences*.7(3).2016. p.178-786.

³⁸² Joseph Chin Yong Liow. *The Politics of Indonesia-Malaysia Relations: One Kin, Two Nations*. London & New York: Routledge. 2008.

³⁸³ Mohammad Wieldan Akbar, Edy Saptono & Makmur Supriyatno. Kerjasama General Border Committee Indonesia-Malaysia Dalam Menjaga Perbatasan Darat. *Jurnal Diplomasi Pertahanan* 15(2) 2019.

³⁸⁴ The formation of the Sosek Malindo cooperation was first initiated on 14 November 1983 at the XII GBC Session in Kuala Lumpur based on Dato Musa Hitam's idea. Dato Musa Hitam is the Deputy Prime Minister of Malaysia and the Chairman for GBC Malaysia. The idea received a positive response from the ABRI Commander, General TNI LB Moerdani, and the Indonesian GBC Chairman. As a follow-up to the agreement the Staff Planning Committee (SPC), and the GBC activity planning coordinator, assigned several officials to initiate efforts to cooperate in social development immediately. # The fact that the yearly meeting has been held alternately in Malaysia or Indonesia without fail since the '80s shows the seriousness in making Sosek Malindo.

Strengthening regional cooperation: Malaysia's-the Philippines Bilateral Cooperation

In the field of security, relations between Malaysia and the Philippines are quite good. The countries conduct surveillance of piracy activities through joint training coordination of the Air Force and the Border Patrol Committee Group (BPCG). In April 2003, the two countries held the 10th Malaysia-Philippines Border Patrol Coordination Group Meeting to discuss issues related to the reform of SOP (Standard Operational Procedures), combating piracy, smuggling, illegal immigrants, and fishing activities.³⁸⁵ The two countries also have close cooperation through the "Philippines-Malaysia Border Coordination" and "Malaysia-Philippines Defense Coordination".

Through this cooperation, both sides seek to enhance joint training cooperation and coordinated patrols. On the Malaysian side, the activities and operations carried out include the responsibility of HQ COM NAV 2 (Joint Armed Forces 2) which has direct contact with the Philippine Navy Southern Command (PNSC) in Zamboanga, Mindanao to obtain intelligence information. Intelligence information sharing and close cooperation also has continued until today between WESTMINCOM and ESSCOM in safeguarding the Sulu Celebes Sea. Both security agencies, under the AFP and the MAF have also created an exchange programme among its officers to better facilitate regional security other than sharing intelligence information to monitor the greater Sulu-Celebes Sea.

Part VIII: Challenges in Dealing with Security Threats

There are numerous challenges in dealing with security threats that will be explored in this chapter. These are such as the following:

The Diversity of Security Agencies in Malaysia

One of the main challenges related to security enforcement around the world is competition between security agencies. This is not a new issue but has been a major challenge in security enforcement in Malaysia for a long time.³⁸⁶ For example, in the context of ESSCOM, it is responsible for coordinating several security agencies such as MMEA, Armed Forces, and Police to ensure security on the East Coast of Sabah. However, the fundamental difficulty that emerges is the diversity of different approaches among enforcement agencies, different commands, different ministries, different standard operating procedures (SOP) of the agencies, and several major obstacles in dealing with this issue.

While the diversity of agencies allows for broader security engagements and shared responsibilities, there is also a challenge in uniting different approaches by different security agencies and their operations. In addition to this, there are differences in the execution of the SOP between Federal-State agencies.³⁸⁷ The National Security Council (NSC) is responsible for coordinating different security agencies, including RAF, RMP, MMEA, and the Immigration Department, albeit, the problem of different coordination and SOP among these agencies may still occur.

³⁸⁵ Ramli Dollah & Eko Prayitno Joko. Dasar Memakmurkan Jiran dan Penglibatan Malaysia Dalam Proses Keamanan di selatan Filipina. *JEBAT*. 42(1) July 2015. p.84.

³⁸⁶ Interview 20, Kota Kinabalu, 25 June 2021; Interview 6, Online, 6 May 2021; Interview 10, Online, 24 June 2021; Interview 14, Online, 21 September 2021

³⁸⁷ Interview 21, Kota Kinabalu, 21 June 2021.

In the execution of security operations, both the RMP and the MAF worked closely together under the ESSCOM. Although close cooperation has been successful between both security agencies, there are also internal hiccups in coordinating mutual decisions and interests towards the execution of security commands between different security agencies.³⁸⁸ Although this problem may have been handled internally, it can be a key impediment in addressing security difficulties in the state of Sabah.

Among other key components that may be affected by the diversity of security agencies are those related to intelligence sharing and coordination between different agencies. Different approaches to intelligence gathering and information sharing, and differences in commands and SOPs are seen as internal challenges in ensuring mutual commitments and shared responsibility towards the delegation of security operations.

Malaysia has learned its hard lesson from the internal differences in intelligence information by different security agencies. This was notably seen during the Tanduo intrusion in 2013, where slow information has been delivered to the relevant security agencies. Before 2013, the concept of “intrusion” also was a foreign concept to the security of Sabah since the state has been free from any conventional insurgency threats by regional VEGs. Therefore, when there were substantial indicators of the presence of the RSF on Malaysian soil, it was not seriously assumed as a potential insurgency threat.

This led to the Tanduo intrusion in 2013 in Lahad Datu by the RSF.³⁸⁹ Since then, the security agencies had taken a serious approach in addressing any potential security threats.³⁹⁰

Effective coordination and mutual understanding across different security agencies are crucial to prevent any internal and external elements of VEGs and related organized crime nexus from penetrating to the state.

ESSCOM, for example, has made several attempts to restructure the efficacy of its operation through several efforts such as restructuring special or technological investigative components, aviation, intelligence, land, maritime control, Special Forces, and operations centers involving cooperation between various security agencies in early 2015. To ensure it can be implemented, the Malaysian Government has issued Executive Order No. 1 to ESSCOM.³⁹¹ This directive gives the ESSCOM Commander full authority to organize the movement in all departments/agencies, including assets and membership in the ESSZONE, to conduct operations and ensure the success of this organization.³⁹²

Local Public and Private Awareness

The success of any military (and non-military) operations and policies depends heavily on the public’s willingness to provide assistance and support. Evidence from many countries shows that the public’s role is crucial in meeting any challenges around the world. Malaysia’s experience in dealing with various threats during a crisis shows that government policies must be supported by the border population for a policy or operation to succeed. Malaysia’s experience in the face of the Indonesian Confrontation (1960-66) and the Communist threat in Peninsular Malaysia (1968-89) clearly shows the importance of the public’s role in ensuring such success.

³⁸⁸ Interview 10, Online, June 24, 2021.

³⁸⁹ Ramli Dollah & Zainus Sagi Khusyairy Pangkas. “Aktor Bukan Negara dan Keselamatan Nasional di Malaysia: Tentera Diraja Sulu dan Pencerobohan Lahad Datu, 2013”. *Akademika* 87 no. 3 (2017):17-31.

³⁹⁰ Ibid

³⁹¹ Wan Shawaluddin, Ramli & Diana, *Datuk Abd Harun Bin Rashid*, (2016).

³⁹² Interview 24, Online, August 4, 2021.

In this case, it can be seen that the lack of cooperation from some communities in the ESSZONE is one of the major challenges that ESSCOM has to face in curbing security threats in the East Coast of Sabah. In the case of the threat in the Sulu-Celebes Sea, the public's participation is crucial in assisting security services in dealing with non-traditional security threats, particularly terrorist-criminal nexus groups.³⁹³

Recognizing the significance of public support, Malaysian security organizations such as ESSCOM and MKN established the notion of psychological warfare with aims to win the hearts and minds of the general population. It may be accomplished by security forces and the community cooperating in the face of threats via several cooperative initiatives devised by the security forces and the community. Among the community-based programs conducted by ESSCOM are the "Seamark Rakyat Program", "Singgah Merdeka Program", "ESSCOM Community Service Program" and several other programs.³⁹⁴ Through these programs and initiatives, the security agencies obtain integrated intelligence information from the community.

Coordination and Surveillance

Given that the east coast of Sabah is a center of economic activity focused on fisheries, plantation, and tourism, the support of economic operators in these sectors is highly crucial in dealing with this issue. The installation of AIS is a striking illustration of this lack of public understanding. Compared to the previous one, which targeted more fish cage operators, resorts, restaurants, and tugboats, there has been a substantial increase in kidnappings since 2016, notably of fishing boat operators and trawlers working alone. To address this issue, the government made it necessary for all vessels operating in the ESSZONE, particularly fishing vessels and tugboats, to have a Vessel Automatic Identification System (AIS) to allow security personnel to monitor them.³⁹⁵

AIS is a navigational tool used to track a ship or boat's name, bow, position, speed, and direction. The availability of this AIS and VHF communication radio allows the location and safety of fishermen to be monitored by security forces through the ESSCOM operations center. As a result, each vessel, when experiencing an emergency, only needs to inform the authorities of their location.³⁹⁶ Enforcing the installation of AIS is one of the efforts made by ESSCOM to curb the issue of kidnapping and ensure the safety of fishermen in the waters.

Unfortunately, many parties do not follow this rule, especially fishing boat operators. For example, in 2017, after nearly a year of its enforcement, ESSCOM reported that only about 40 of the more than 2,000 boats and fishing vessels operating in the ESSZONE installed AIS. This situation shows that awareness of the importance of AIS installation among fishermen in the ESSZONE is still low. In fact, according to ESSCOM Commander, Wan Abdul Bari Wan Abdul Khalid, an estimated 200 boats and fishing vessels go out to catch fish in ESSZONE waters every night. Still, most of them are not equipped with AIS.

Not to mention, only about 5% of boat and fishing boat operators contacted ESSCOM to notify and update their location.³⁹⁷ Former Sabah Commissioner, Abdul Rashid Harun agreed, stating that the people in

³⁹³ Interview 10, Online, June 24 2021; Interview 5, Online, March 4, 2021; Interview 4, Online, October 25, 2021; Interview 2, Online, February 3, 2021; Interview 20, Kota Kinabalu, June 25, 2021; Interview 17, Online, December 2, 2021.

³⁹⁴ Wan Shawaluddin, Ramli & Diana, *Datuk Abd Harun Bin Rashid*, (2016); Abdul Rashid, "Ancaman Non-Tradisional Dan Keselamatan Nasional Di Malaysia", (2021).

³⁹⁵ The Star, "Sabah vessels to install AIS in two weeks", July 27 2016.

³⁹⁶ Malay Mail, "Esscom weigh mandatory flare guns for fishermen in new security move", November 13, 2018.

³⁹⁷ ESSCOM Times, "Hanya 40 daripada 2,000 Bot Ada AIS", February 20, 2017, available at <https://esscom.gov.my/?author=6&paged=2>.

ESSZONE, particularly tourist operators and fishermen, did not collaborate because they were solely interested in profit, ignoring security concerns in ESSZONE.³⁹⁸ Most boats, particularly fishing vessels that have become targets of KfR groups, are reluctant to install AIS for a variety of reasons, including the high installation cost of about RM3000 and the fear that installing AIS would make it harder to fish outside Malaysia's water. The ESSZONE community's awareness and cooperation in installing AIS for security reasons is a good illustration of how community awareness is a challenge in managing security on Sabah's East Coast.³⁹⁹

Furthermore, the incident in Beaufort in June 2020 exemplifies a lack of security awareness among the community. On May 8, 2021, the Sabah police force managed to arrest 37 Filipinos in a mangrove swamp near Taman Sri Arjuna, Beaufort. Among those arrested were eight women and 21 children who were children of the ASG members involved. All the children arrested are believed to have been trained to be in the ISIS extremist group from a young age based on the one symbol shown while pictured. Of that number, eight members of the ASG group including two sub-leaders on a most-wanted list were involved in clashes with Philippine marines at Bud Bawis Complex, Panama, Sulu in 2011, 2018, 2019, and most recently in Nov 2020. The two were also involved in several cases of foreigners kidnapping in the southern Philippines. All of them have been in Sabah for almost a year.⁴⁰⁰

Next on 17 May 2021, the police managed to shoot five men dead that were in the same group. One of the suspects is the 'sub leader' of the terrorist group known as Mabar Binda, an individual on the wanted lists by the Philippine Government. The other three suspects are identified as Abhirsham Samsula Samseed, Jurakhdam Binda, Alsimar Sukarno, while another has not been identified.⁴⁰¹ Although the ASG squatters' area is close to residential housing, the nearby locals don't seem to mind this group's presence despite having been in the area for almost a year. This went on until news of the arrest and murder of ASG members was reported in Malaysia's major newspapers. This demonstrates how raising public awareness of the threats posed by these radical or militant groups is a serious problem in Sabah's security management.

Lack of Budget, Assets and Logistics

Another major challenge faced in curbing Sabah's security threats is the lack of budget, assets, logistics, and manpower. This lack of budget complicates many things, including difficulty obtaining suitable new assets, maintenance problems, lack of security checkpoints in the waters, and many other issues. Due to budget constraints, the lack of maritime assets has become a major challenge in dealing with security threats. There is no doubt that many efforts have been made to improve security capabilities in Malaysia, especially on the East Coast of Sabah. In the 2014 budget, for example, ESSCOM received an additional allocation of RM75 million for management purposes and RM2.4 million to purchase defense equipment and supplies of the MAF. Meanwhile, in the 2015 budget, the government allocated RM17.7 billion for the MAF, while RM9.1 billion was allocated for the RMP.

A total of RM804 million is also assigned to the MMEA to strengthen maritime enforcement. Apart from that, in the 2015 Budget, the government has allocated RM660 million to establish two new battalions. The

³⁹⁸ Wan Shawaluddin, Ramli & Diana, Datuk Abd Harun Bin Rashid, 2016.

³⁹⁹ Utusan Borneo, "Kesedaran Nelayan Mengenai Pentingnya AIS Masih Rendah", February 19, 2017.

⁴⁰⁰ Daily Express, "8 suspected Abu Sayyaf men, including 2 wanted by Philippines, nabbed in Beaufort", May 10, 2021; Utusan Borneo, "Polis dan Esscom berjaya tangkap lapan anggota Abu Sayyaf di Beaufort". May 10, 2021.

⁴⁰¹ Berita Harian, "Polis Sabah tembak mati lima ahli kumpulan Abu Sayyaf", May 18, 2021.

RMP GOF Battalion Camp will be established in the ESSZONE area Beluran, Sandakan, and the Army Battalion Camp will be established in FELDA Sahabat.

In addition, the government has also allocated RM230 million to use a modified oil rig and an auxiliary vessel as Sea basing in ESSZONE waters through Petronas' social responsibility or CSR program.⁴⁰² Meanwhile, for the 2019 budget year, a total of RM250 million was allocated to ESSCOM to enhance security controls at Sabah and Sarawak borders, RM14 billion for Malaysian Armed Forces, in which a sum of RM3 billion is allocated for procuring and maintaining defense assets; almost RM9 billion for Royal Malaysia Police and more than RM900 million to MMEA.

Furthermore, for the 2022 budget, MAF will receive around RM16 billion. Of this amount, RM11.1 billion is allocated for Management Expenditure and RM5.04 billion is allocated for Development Expenditure. In addition, a total of RM1.6 billion is allocated to enhance the readiness of critical assets of the MAF and RM14 million to replace essential equipment of the Naval Special Forces (PASKAL) and Air Special Forces (PASKAU) such as skydiving, closed-circuit diving equipment, and boats.⁴⁰³ Even worse, when the issue of priority in the military becomes an issue where the Army gets the lion's share of the military budget despite most of the security threats being maritime.⁴⁰⁴ Abuza argues that the army's budget is larger than the combined budget of the navy and air force.⁴⁰⁵

For the Ministry of Home Affairs, RM17 billion is allocated to the ministry. Of this amount, APMM will receive RM554,006,200 (compared to RM 541,290,200 in 2021), PDRM will receive more than RM8.5 billion (which is almost the same as in 2021), while ESSCOM will receive RM26,481,000 (compared to RM26,840,400 in 2021).⁴⁰⁶ Unfortunately, this allocation is not only to the state of Sabah but to all of Malaysia. This illustrates how budget restrictions have become a huge issue to Sabah's security management. Recently, when the government mobilized most of its enforcement agencies and security personnel to combat COVID-19, the problem of assets, logistics, and manpower continued to become a critical concern. This shows that with a huge area of territory and more sophisticated types of threats, it is apparent that Malaysia is not equipped to tackle new challenges owing to these limits.

This amount of allocation is still far from sufficient to ensure the security of Malaysia, and Sabah in particular. With the small number of equipment and personnel and the geographical area of Sabah, it is impossible to control the ESSZONE region fully.⁴⁰⁷ According to one of the interviewees, imagine if 3 boats were given the responsibility to control the area of 400 NM of Sabah waters.⁴⁰⁸ The same thing was voiced by Brig-Gen Sheikh Mohsen Sheikh Hassan, JTF2 Commander in 2008 who stated that "there are 29 islands close to Sabah and our joint strength of nearly 1,600 personnel from the three services of the armed forces and agencies like the police and the MMEA is insufficient".⁴⁰⁹

⁴⁰² Ramli Dollah, *et. al.* "Old Threats, New Approach and National Security in Malaysia: Issues and Challenges in Dealing with cross-border crime in East Coast of Sabah", *Mediterranean Journal of Social Sciences*, 7 no. 3 (2016): 178-186.

⁴⁰³ Malaysia Government. Budget 2022. (2021) <https://budget.mof.gov.my/en/speech/>

⁴⁰⁴ Zachary Abuza. The Maritime Security Challenge in Sabah, *The Maritime Executive*, <https://www.maritime-executive.com/editorials/the-maritime-security-challenge-in-sabah>, Aug. 16 2019.

⁴⁰⁵ Abuza. *The Maritime Security Challenge in Sabah*,

⁴⁰⁶ Kementerian Dalam Negeri. *Pecahan Budget Kementerian Dalam Negeri, 2022, (2021)*, <https://budget.mof.gov.my/pdf/2022/perbelanjaan/BP.62.pdf>.

⁴⁰⁷ Interview 21, Kota Kinabalu, June 21, 2021.

⁴⁰⁸ Interview 8, Online, June 6, 2021.

⁴⁰⁹ NST, "Threats to Sabah hard to contain", August 11, 2008.

As a result, security issues such as illegal immigrants, smuggling, and KFR are difficult to control. Meanwhile, one of the respondents stated that the lack of members is very much felt when operating. This is further compounded by the vastness of the waters of the East Coast of Sabah.⁴¹⁰ For example, to overcome this difficulty, ESSCOM Commander, Ahmad Fuad, stated that ESSCOM had also requested six surveillance aircraft, 15 radars, and 20 assault boats. He admits that if these assets are procured, there can be total ‘fencing’ of the ESSZONE, including the 70 hotspots prone to cross-border crime. ESSCOM and other enforcement agencies can utilize radars placed at these hotspots.^w However, no decision has been made on the matter and this is seen as one of the main constraints in ensuring the security of Sabah. This eventually becomes an obstacle to organizations that manage security in waters such as MMEA, RMN, and ESSCOM.⁴¹¹

Malaysia’s Security Priority

Another important issue when discussing security management challenges in Malaysia is Malaysia's priorities in managing security in the country. It is also this priority that will ultimately determine how Malaysia allocates security budget and security asset development.⁴¹² In the Malaysian context, it deals with numerous security challenges, traditional and non-traditional, domestic, and international, and on land, sea, and air. Among the key concerns connected to national boundaries are issues in the South China Sea, overlapping claims in the Sulawesi Sea notably in Blocks ND6 and ND7, as well as the question of Philippine claims over Sabah.⁴¹³

In the case of the South China Sea, for example, China's recent aggressive actions are seen as a threat to Malaysia's defense and sovereignty. In 2016, Shahidan Kassim, Minister in the Prime Minister’s Department, stated that around 100 Chinese-owned ships were detected at Beting Patinggi Ali. Meanwhile, the Auditor-General's Report revealed that 89 Chinese-owned Coast Guard vessels invaded Malaysian waters between 2016-2019, mainly in Beting Patinggi Ali.⁴¹⁴ Meanwhile in 2019, Asia Maritime Transparency Initiative (AMTI) revealed that CCG vessels spent 70% (or 258 of the last 365 days) patrolling the South China Sea claimed by Malaysia as well as committing acts of provocation against the Malaysian security forces.⁴¹⁵

In May 2021, 16 Chinese military jets intruded Malaysian maritime airspace over the disputed South China Sea seas 60 nautical miles from Malaysia-controlled Beting Patinggi Ali, also known as the Luconia Shoals, which Beijing claims as part of its maritime territory. The RMAF sent Hawk fighter jets to intercept the Chinese aircraft off the coast of Sarawak state after they refused to communicate with local air-traffic controllers. The Malaysian Foreign Ministry denounced the move, claiming it as “a threat to national sovereignty and aviation safety”.⁴¹⁶ For Malaysian politicians, China's aggressive moves in the South China Sea pose a threat to the country's sovereignty. Therefore, Malaysia's Minister of Defense, Ismail Sabri, declared that “Malaysia will not compromise our national security and sovereignty”.⁴¹⁷

⁴¹⁰ Interview 8, Online, June 6, 2021; Interview 24, Online, August 4, 2021.

⁴¹¹ Ramli, *et. al.* “Old Threats, New Approach and National Security in Malaysia

⁴¹² Interview 20, Kota Kinabalu, June 25, 2021; Interview 1, Online, February 2, 2021; Interview 21, Kota Kinabalu, June 21, 2021.

⁴¹³ R Haller-Trost. *The contested maritime and territorial boundaries of Malaysia: an international law perspective.* (The Hague: Kluwer Law International Publication, 1998); Mark J. Valencia, *Malaysia and the Law of the Sea: The foreign policy issues, the options and their implications.* (Kuala Lumpur: ISIS, 1991); B.A. Hamzah. “Indonesia’s archipelagic regime: Implications for Malaysia”. *Marine Policy.* 30 no. 43 (1984): 30-43

⁴¹⁴ Reuters, “Chinese ships intruded into Malaysian waters 89 times in four years, report says”, July 14, 2020.

⁴¹⁵ AMTI, “Signaling Sovereignty: Chinese Patrols at contested reefs”, September 26, 2019.

⁴¹⁶ Benarnews, “Malaysia Will Lodge Diplomatic Protest with China over Maritime Airspace ‘Intrusion’”, June 1, 2021.

⁴¹⁷ Berita Harian, “Malaysia tak kompromi isu Laut China Selatan”, June 18, 2021.

In addition, it also faces non-traditional security threats like the emergence of kidnapping activities for hostages, smuggling of goods, migration, piracy and sea armed robbery, human trafficking, and several other issues. The main hotspots for this activity in Malaysia are in the Sulu Sea and the Sulawesi Sea.⁴¹⁸ One of these non-traditional threats is the threat of piracy and sea-armed robbery. This threat actor is not a new issue in the area it has occurred before with the presence of the colonizers.⁴¹⁹ As the country gained independence, incidents of piracy and robbery at sea continued to be a major threat to barter traders, ferry public transport, pearl and fish industry operators on the islands of Sabah, fishermen and residents of the islands and east coast of Sabah in the Sulu Sea.⁴²⁰ Although many efforts have been taken to address this problem, it continues to be a challenge to security forces on the East coast of Sabah.

Recently, the threat of piracy attacks on residents and security forces in the East Coast of Sabah has been declining, but this form of threat has changed and posed another more challenging threat involving Kidnapping for Ransom activities carried out by ASG. All these threats are security issues for Malaysia. As stated in several official documents, such as the National Defence Policy⁴²¹, the Security and Public Order Policy⁴²², and the Foreign Policy Framework of new Malaysia⁴²³ and Defence White Paper⁴²⁴, these non-traditional threats pose serious and imminent threats to Malaysia's national security.

The variety of forms of threats in Malaysia raises a big question in national security: which issue should be given top priority in Malaysia's security? Therefore, when the COVID-19 threat occurred in 2020, security issues became increasingly complex as all resources were used to deal with the COVID-19 threat. Among security agencies, this diversity is one of Malaysia's major challenges in managing security on the East Coast of Sabah. Not surprisingly, as discussed above, some of the government's measures to address this threat are not fully met by the government, particularly the financial allocation due to the diversity and other priorities in addressing Malaysia's security and defenses.

Limitation of Trilateral Cooperation with Neighbouring Countries

One of the measures in curbing security threats along the East Coast of Sabah is the establishment of the TCA on 14 Jul 2016 between Malaysia-Philippines-Indonesia.⁴²⁵ This framework is used to address security issues in the Sulu-Celebes Sea and to facilitate further cooperation among the three countries. Through this cooperation, several matters are given major attention to such as Trilateral Air Patrol (TAP), Trilateral Air Patrol (TAP), and the readiness of these countries to establish a Maritime Command Center (MCC) in each member country, Tarakan, Indonesia; Tawau, Malaysia, and Bangao, Philippines. This is to coordinate sea and air patrol operations between the three countries besides being used as a medium for intelligence information sharing and Quick Respond.⁴²⁶

⁴¹⁸ Interview 17, Online, December 2, 2021.

⁴¹⁹ Owen Rutter. *British North Borneo: An Account of its History, Resources and Native Tribes*. (London: Constable & Co., 1922); K.G Tregonning. "American Activity in North Borneo, 1865-1881". *Pacific Historical Review*. 23. No. 4 (1954): 357-372; K. G. Tregonning, *Under Chartered Company Rule North Borneo 1881-1946*. (Singapore: University of Malaya Press, 1958); James F. Warren, *The Sulu Zone, 1768-1898: The Dynamics of External Trade, Slavery and Ethnicity in the Transformation of a Southeast Asian Maritime State*. (Quezon City: New Day Publishers, 1985); James F. Warren, *Iranun and Balangingi: Globalization, Maritime Raiding and the Birth of Ethnicity*, (Singapore: Singapore University Press, 2002)

⁴²⁰ Ramli Dollah. "Lanun ATAU Mundu di Sabah?", *Jati*, 9 (2004): 171-188.

⁴²¹ Malaysia National Security Council. *National Security Policy (NSP)*. (Putrajaya: Malaysia Government, 2016).

⁴²² Malaysia Home Ministry. *The Security and Public Order Policy*. (Putrajaya: Malaysia Government, 2019)

⁴²³ Wisma Putra. *Foreign policy framework of new Malaysia: Change in continuity*. (Putrajaya: Malaysia Government, 2019)

⁴²⁴ Malaysia Ministry of Defence. *Defence White Paper (DWP), 2020-2030*. (Kuala Lumpur: Malaysia Government, 2019).

⁴²⁵ Ian Storey. *Trilateral Security Cooperation in the Sulu-Celebes Seas: A Work in Progress*. *Perspective*. August 27 2018; Senia Febrica. *Maritime Security and Indonesia: Corporation, Interests and Strategies*. (London: Routledge, 2017).

⁴²⁶ Abdul Rashid Abdul Hamid, *Ancaman Non-Tradisional Dan Keselamatan Nasional Di Malaysia*, 2021.

Based on the interviews with the respondents, although the trilateral arrangement seems to be successful, there are still some difficulties in dealing with this issue. For example, constraints in the sharing of intelligence issues, the information obtained is often incomplete, slow, and may not be received, causing the security forces to rely on their intelligence to deal with these issues. Some initial agreements were signed that were slow to implement or made this cooperation difficult to materialize.⁴²⁷

Despite several attempts to address security threats in the Sulu-Celebes Sea, there are various pending issues between Malaysia and its neighboring countries. For example, the Philippine government has never dropped its claim on the state of Sabah, the issue of Filipino immigrants and refugees in Sabah, the issue of establishing a Philippine consulate in Sabah, and several other issues haunting relations between the two countries continue to complicate this cooperation.⁴²⁸ These issues are seen as a challenge to the Malaysian government's efforts in curbing cross-border security threats on the East Coast of Sabah. Issues like these give rise to mutually suspicious relations between the two countries.

The same is true in the case of Malaysia-Indonesia ties, which are characterized by several significant challenges, such as overlapping maritime boundary disputes in the Celebes Sea and Sebatik island; overlapping land border in Sabah-Kalimantan border; the issue of Indonesian Foreign Workers in Sabah, food and cultural matters, and several other issues. All these concerns, in reality, have a significant influence on the two countries' ties. In the Sulawesi Sea, for example, overlapping claims covered Pulau Sipadan and Ligitan in 1980, as well as various other places such as Block ND6 & ND7⁴²⁹ and the boundary on Pulau Sebatik. The inability of Indonesia to resolve the problem of Sipadan and Ligitan is a major setback for the country and is perceived as failing to protect its territorial sovereignty.⁴³⁰ As a result, when the problem of Ambalat arose, Indonesia saw that they would not make the same mistake. These difficulties are critical in understanding the dynamics of the relationships.

As a result, several inter-state security cooperation initiatives in curbing security threats face a difficult path. Some perceive it as fragile cooperation, particularly when it comes to the issue of territorial integrity.⁴³¹ For example, the hot pursuit initiative was once proposed but was difficult to implement as it involves international cross-border to pursue criminal groups, especially the KFR group.⁴³² Therefore, the combination of several factors like the state's sovereignty, little experience in joint operations in this region, limited resources of all signatories or larger maritime area makes the cooperation to be even more challenging.

Deterring the Kidnapping Motives: The "Ransom" Tactics

Another major challenge for the authorities in tackling the threat of kidnappings in Sabah's east coast is to curb the primary motive for kidnappings, namely "ransom". In contrast to the threats posed by other extremist groups, the threats posed by the ASG are more money-driven than ideological-driven.⁴³³ For

⁴²⁷ Interview 24, Online, August 4, 2021.

⁴²⁸ Interview 10, Online, June 24, 2021; Interview 2, Online, February 3, 2021; Interview 20, Kota Kinabalu, June 25, 2021; Interview 24, Online, August 4, 2021.

⁴²⁹ International Court of Justice. Case concerning sovereignty over Pulau Ligitan and Pulau Sipadan Memorial of Malaysia, 1, Nov. 2 (1999).

⁴³⁰ Clive Schofield and Ian Storey. "Energy Security and Southeast Asia: The Impact on Maritime Boundary and Territorial Disputes". *Harvard Asia Quarterly*. 9 no. 1 (2005): 36–46; Ramli Dollah, Shawaluddin W. Hassan & Baszley Bee B. Basrah Bee. "Isu Ambalat: Reaksi Perang Indonesia ke atas Malaysia dan Implikasinya kepada Keselamatan Serantau". *Malaysia dari segi Sejarah*. 35 (2007): 103-118; Ali Maksum. "Dasar luar Indonesia terhadap Malaysia: Kajian kes Ambalat dan Tenaga Kerja Indonesia TKI". PhD Thesis. Universiti Sains Malaysia. (2016).

⁴³¹ Interview 20, Kota Kinabalu, June 25, 2021; Interview 10, Online, June 24, 2021.

⁴³² Julia Chan, "Security agencies laud move to allow 'hot pursuit' into Philippine waters", Malay Mail, November 11, 2016.

⁴³³ Interview 11, Online, June 28, 2021; Interview 6, Online, May 6, 2021.

instance, since the first kidnapping incident involving foreigners in Sabah in 2000, almost every incident involved ransom demands. For example, in the first case, ASG demanded RM1 million for all abduction victims involving 10 locals and 11 foreigners.⁴³⁴

Meanwhile, in a kidnapping incident at Borneo Paradise Eco Resort on October 5, 2003, a group of kidnapers demanded RM3 million to release the victim.⁴³⁵ In the kidnapping incident by the police force in Mabul Island, Semporna, for example, the kidnapers demanded a payment of RM10 million.⁴³⁶ Meanwhile, a ransom of RM20 million (200 m Peso) is believed to have been requested by the group which kidnapped Serudong Shipping Sdn Bhd in 2016.⁴³⁷ Further, RM60 million ransom was initially demanded but later reduced by more than 50% for the release of Thien Nyuk Fun and Bernard Then Ted Fen who was kidnapped at Ocean Seafood Restaurant in May 2015.⁴³⁸ The abductors of two Indonesian fishermen kidnapped in Bodgaya Island waters in Semporna in 2018 have demanded a ransom of RM4 million for the release of the hostages.⁴³⁹ In short, each incident involved a large amount of money.

Therefore, to curb the main objective of this group of kidnapers, the Malaysian government has used the "no ransom policy" in dealing with these criminals.⁴⁴⁰ When questioned about the government's stance on ransom payments policy, Home Minister, Ahmad Zahid Hamidi responded, "the government will not entertain any ransom demand from the armed group involved in kidnapping... the government could not simply fulfill the demand of the kidnapers as it would be seen as encouraging them to get easy money through kidnapping".⁴⁴¹ This policy is seen as very important to deter the KfR threat on the East Coast of Sabah.

However, this circumstance did not materialize since the government and the victim's family took a different approach to the abductee. The government is adamant about refusing to entertain the kidnapper's ransom demands. However, on the part of the victim's family, they are more willing to pay a large sum of money for the victim's release. For example, in the Sipadan case, a total of RM57 million was paid to Abu Sayaff to free 20 hostages.⁴⁴² Meanwhile, RM200,000 believed to have been paid in solving a case involving a kidnapping at Borneo Paradise Resor, RM12 million paid for the release of fish breeder Chan Sai Chiun and a Filipino farmworker, Maslan who were abducted in Kunak in 2014⁴⁴³, and as much as PHP50 million has been paid for the release of 10 Indonesians of Brahma 12 tugboat in 2016.⁴⁴⁴ The victim's family obtained the ransom via a variety of means, including receiving it from the victim's employer, like Brahma 12 tugboat hostages, from family saving, donation, crowdfunding, and a foreign government.

In this instance, the victim's family is often prepared to do whatever to ensure the safety of the family members who were the victims of this kidnap.⁴⁴⁵ As a result, this situation is the impetus for this group of kidnapers to continue to carry out kidnappings in national waters, especially on the East Coast of Sabah.

⁴³⁴ Ramli Dollah. "Lanun ATAU Mundu di Sabah?", (2004); Diana Peters & Maureen De Silva. Sabah border security: Infiltration of Sipadan and Pandanan. presented in Borneo Research Conference, Kota Kinabalu, Jul. 15-18 2002.

⁴³⁵ Ramli. "Lanun ATAU Mundu di Sabah?", (2004).

⁴³⁶ The Star, "Zahid: We will not entertain ransom demand for kidnapped cop", July 17, 2017.

⁴³⁷ Daily Express, "RM20mil ransom demand?", July 21, 2016.

⁴³⁸ Daily Express, "Ransom demand cut by half". August 06 2015.

⁴³⁹ Daily Express, "RM4m ransom demand", September 28, 2018.

⁴⁴⁰ Wan Shawaluddin, Ramli & Diana, Datuk Abd Harun Bin Rashid, 2016.

⁴⁴¹ The Star, "Zahid: We will not entertain ransom demand for kidnapped cop", July 17, 2017.

⁴⁴² Ramli. "Lanun ATAU Mundu di Sabah?", (2004).

⁴⁴³ The Star. Muguntan Vanar. "Kunak kidnap: Suspected accomplice questioned amid claims of RM12mil ransom demand", June 20, 2014.

⁴⁴⁴ Abdul Rashid Abdul Hamid, Ancaman Non-Tradisional Dan Keselamatan Nasional Di Malaysia, 2021.

⁴⁴⁵ Berita Harian, "Keluarga tebusan yang dipancang Abu Sayyaf sokong wang tebusan tidak dibayar", June 15, 2016; Berita Harian, "Abu Sayyaf penggal kepala seorang tebusan", April 17, 2017.

The issue of ransom payment continues to be a challenge for the government in curbing the KFR threat because every time a kidnapping incident occurs, the majority of these kidnapping incidents record ransom payment transactions by the victim's family.

The politicization of Security issues in Sabah and Balance between Public-Security Interests

Security issues and political interests are also one of the security challenges in the country. In this regard, security issues, including establishing security agencies, are often linked to certain parties, especially the ruling party. Therefore, any perceived weaknesses of the security management are often used as a 'punching-bag' to political parties in Malaysia. This makes it difficult for the security organizations as it has been perceived as supporting the ruling party.⁴⁴⁶ For example, the establishment of the ESSCOM following the Tanduo 2013 incidents has been criticized by the opposition as connected with the BN coalition.⁴⁴⁷ For example, in November 2013, State Reform Party (STAR), who then an opposition party led by Chairman Jeffrey Kitingan criticized the establishment of ESSCOM as an ineffective security organization as a way to also criticize the BN coalition⁴⁴⁸

Such similar responses also immediately attracted the opposition parties to question the effectiveness of the newly established security organisation, ESSCOM in 2014. After the April 2014 abduction incident, numerous Members of Parliament, including Kota Kinabalu MP Jimmy Wong Sze Phin and Sandakan MP Stephen Wong Tien Fatt, declared in a joint statement in parliament that ESSCOM failed to protect Malaysia's national security despite it's a newly-established security agency. They stated that;

'... with such a huge allocation how come ESSCOM failed, again? ... armed men easily enter Sabah borders, kidnap hostages and leave without being noticed? ... How come Malaysian security units did not notice the offensive approach of these armed men? If the sovereignty of Sabah is easily challenged and offended despite the existence of ESSCOM then it means ESSCOM's entire security has failed... We cannot accept these repeated kidnapping incidents and it clearly shows the credibility of ESSCOM is highly doubtful'.⁴⁴⁹

At the same time, Sabah DAP Deputy Chairman and Sri Tanjong assemblyman Chan Foong Hin condemned the government's massive spending for the establishment of ESSCOM as a serious failing of the country in defending and maintaining national security and sovereignty,

'A total of RM286 million has been allocated in the previous budget as announced by PM, Datuk Seri Najib Razak, and 62 checkpoints are said to be upgraded but what finally demonstrated to the public and international society is, total failure of ESSCOM'.⁴⁵⁰

Meanwhile, Lim Kit Siang, DAP chairman, while criticizing ESSCOM's weakness following the kidnapping of foreigners in Singgahmata Island, stated that the security agency, which cost hundreds of millions of ringgits, should be closed for failing to achieve its established goal,

⁴⁴⁶ Interview 21, Kota Kinabalu, June 21, 2021.

⁴⁴⁷ Ramli Dollah & Mohd Zambri Suharani. "Fungsi dan Peranan ESSCOM dalam Menjamin Keselamatan Sabah: Satu Perbandingan Persepsi antara Komuniti 'Luar' dan Komuniti ESSZONE". *Jurnal Komunikasi Borneo*. 2 (2015): 1-28.

⁴⁴⁸ The Malay Mail, "Sabah foreign intrusion proves failure of Putrajaya's security zone, opposition says", November 16, 2013.

⁴⁴⁹ Free Malaysia Today, "ESSCOM failed, DG must go", April 3, 2014.

⁴⁵⁰ "Media statement by Chan Foong Hin in Semporna on Thursday", *DAP Malaysia*, <http://dapmalaysia.org/> 3rd April 2014

*‘The Esscom might as well close down if after the Malaysian taxpayers spending RM300 million on it, all it could do is to admit that it is ‘powerless’ following the abduction of two women from a resort off Semporna on Wednesday... Sabah and Malaysia do not need an RM300 million ‘white elephant’.*⁴⁵¹

These criticisms of ESSCOM are one of the biggest challenges in ensuring security in Sabah. To address security risks in the ESSZONE area, ESSCOM has implemented many policies, including a dusk-to-dawn curfew, installation of AIS on fishing vessels, “not a day without operation”, suspension of barter trade and transshipment, banning on pump-boats, and many other measures.

However, these measures were unable to be implemented effectively and consistently due to criticism from politicians, the public, and economic actors in Sabah, who often opposed the initiatives deemed damaging to the economy and public interest. This circumstance has generated challenges and discrepancies in the authorities' policy on various issues. One of the difficulties, for example, was the installation of AIS in fishing boats; many people disagreed with the demand, and the government failed to make it mandatory for all fishing vessels in the state.

Meanwhile, several successful operations carried out by ESSCOM impacted the decline in the presence of immigrants and smuggling in the state of Sabah. One of these policies was “a day without operations”. Unfortunately, several parties have condemned this measure for creating public annoyance and harming Sabah's economy. The East Coast Security Committee (ECSC) of the Sabah United Chinese Chambers of Commerce (SUCCC), one of the key economic players in the east coast, has called for a review of the security measures imposed by the ESSZONE, which has harmed the people's economy and livelihood. Tawau, Semporna, Kunak, Lahad Datu, Sandakan, and Kudat members reported a decline in tourist business from 30% to 60% in the previous three months, with Semporna and Lahad Datu being the most impacted,

*“The committee also sees a drop in marine catch after the night curfew was imposed. This inevitably contributes to an increase in the prices of fish in the market, which affects the livelihood of the general public We, in general, agree with the night curfew, but believe there should be a better solution. Otherwise, this will bring about a negative impact to the economic growth in the affected area that eventually would affect the livelihood of the people”*⁴⁵²

The same thing happened with the suspension of barter trade and Transshipment in April 2016. Although the government has agreed to suspend all Barter Trade and Transshipment activities to prevent it from being used as a criminal medium by cross-border criminal groups, especially KFR elements and smuggling, it failed to be implemented consistently and effectively. Among the key economic players, the impact of this ESSCOM policy and implementation also significantly impacts the economy.⁴⁵³ Lo Su Fui, Tawau Chinese Chamber of Commerce president, stated that banning barter trade taken by ESSCOM is ‘unwise and reckless and could be catastrophic to the local economy.

“The Tawau economy is bound to suffer the worst from this hasty decision. The authorities are not taking into account that the trade relations is the lifeline of the industry here and

⁴⁵¹ The Malaysian Insider, “Esscom really a toothless tiger?”, April 6, 2014.

⁴⁵² Mok Tian Sang quoted from Borneo Post, September 14, 2014.

⁴⁵³ Interview 21, Kota Kinabalu, June 21, 2021.

once closed, will send a wave of irreparable damage to the industry that will cause a chain reaction that will lead to economic disaster,"⁴⁵⁴

The constant pressure from the economic and political community has forced the government to reactivate barter trade activities in 2018. All these circumstances show how the implementation of security policies cannot escape from attacks and criticism from the public, politicians, economic players, human rights organizations, and others instead of constructive feedback that can help to safeguard the east coast of Sabah. In the context of Sabah's security management, ESSCOM, has a limited role functioning under the purview of the Malaysian national security concerns. This limitation will continue to be the main challenge to the security of the state of Sabah, as the elements of non-traditional security threats, such as irregular migration and kinship ties continue to pose a security challenge in enhancing the security of the state.

Conclusion

In conclusion, this study argues that there is a huge distinction between radicalization risks in Sabah, versus that of radicalization risk in Peninsular Malaysia. In the case of the latter in Peninsular Malaysia, radicalization risks have been highly driven by ideological and ideational reasons of Islamic jihadism. In the case of the former, radicalization risks in Sabah are entangled with the broader web of profit-oriented by the elements of regional crime-terrorism nexus. Only in recent years, since the rise of Daesh, VEGs started to justify their violent operations with the entanglement of the narrative of Islamic *jihadism*, particularly the ASG and the Maute Group in the southern Philippines.

This study also critically explored the embedded internal and external dynamics that explained how the trajectory of the regional VEGs and other organized crime groups exploited the vulnerability of the state of Sabah towards the Sulu-Celebes Sea. To understand the threats that were brought by regional VEGs towards the state of Sabah, it is therefore crucial to explore the intertwined internal and external dynamics, such as porous borders, irregular migration, ethno-linguistic and kinship ties, as well as other identified factors by this study. The internal dynamics is referring to the intertwined factors of security, geography, as well as the aspects of socio-cultural and historical linkage between Sabah and the southern Philippines.

On the other hand, the external factors referring to the regional environment, with particular attention the security situation in the southern Philippines. This project also specifically describes the recent development in the southern Philippines, signaling how it may impinge the geo-political security in Sabah. For example, the recent expansion of the ASG cell in Sabah, amongst other signals the spillover of militancy in Sulu Archipelago towards Sabah. Another example that can be analyzed from this project is the impact of the Sulu's integration among its local political acumen in the Sulu Archipelago and how it may strengthen their narrative to revive Sabah's claim by the Sulu Sultanate.

The immersion of non-traditional threats, especially irregular migration, kinship ties and porous borders will require the local authorities to integrate a more holistic approach to security. In this manner, Malaysia's security policy needs to be holistic, not only focusing on issues related to enforcement but also involving other aspects, primarily related to the welfare of the people in Sabah. In simpler words, ESSCOM, as one of the security organizations in Malaysia, cannot be a stand-alone organization to achieve and guarantee Malaysia's sovereignty and security. In this case, the role of public, politicians, and private supporters, especially economic stakeholders in stimulating Sabah's economy is crucial. The involvement

⁴⁵⁴ Lo Su Fui quoted from Daily Express, September 14, 2014.

of these stakeholders is also necessary to increase public awareness on the threat of the VEGs in the region. Unlike in Peninsular Malaysia, the P-CVE awareness in Sabah is still relatively new. In addition to this, regional cooperation between Malaysia, Indonesia and the Philippines also requires a frequent engagement to safeguard the Sulu-Celebes Sea from the threat of the VEGs and the other elements of organized crime in the region.

Appendix

Key Informant Interview Participants (Elites)

Table 1: Overall Statistics of Key Informant Interviews

No.	Country	Number of participant invites	Male	Female	Number of completed interviews	Male	Female
1	Malaysia	29	28	2	20	18	2
2	Philippines	20	15	5	8	7	1
3	United States	3	1	2	2	1	1
4	Singapore	4	3	1	1	1	0
5	Australia	2	2	0	1	1	0
	Total	58	48	10	32	28	4