

# **Terrorism Crisis/Threat Management Structure By National Security Council (Nsc): Level of Involvement, Agency Coordination, State Alignment and Domestic Political Influence**

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## **Abstract**

Terrorism crises/threats has struck many foreign countries, as well as Malaysia. Fortunately, these incidents have been few domestically, yet security officers and others have lost their lives and the safety of people has been placed in jeopardy. Dealing with terrorism crisis/threat falls within the purview of the National Security Council (NSC) and other agencies on a collaborative basis. The NSC employs various strategies to address this matter, but its roles and functions can be unclear. To provide evidence that the NSC is viable as a primary agency for the handling of national security issues, this article analyses the range of engagement the NSC employs in coordinating action taken regarding terrorism crises/threats in conjunction with coordination alongside other agencies, including productivity in relation to State NSC alignments. This article additionally explores the impingement of terrorism crisis/threat on the NSC security management structure and the effects of domestic politics on it. Qualitative and analytical methods are employed by this article when referencing primary and secondary sources that include official reports, academic journals, online news, and senior government official interviews. Analysis results revealed a “reactive” NSC involvement during the early 1970s, that eventually progressed toward a “proactive” approach from the 1980s and onward; furthermore, coordination has been active due to collaboration with various agencies and through the JKKN, and effective alignment with State NSC has occurred. ESSCOM has been established due to terrorism crisis/threat and prompted the NSC to enact NSC Directive No. 18 and 22. Domestic political interference has however affected the establishment of new laws and caused extended negotiations. Notwithstanding, this has strengthened international relations and has led to the discovery of evidence during incidents.

**Keywords:** Terrorism, National Security Council (NSC), Level of Involvement, Agency Coordination, State NSC Alignment, Domestic Politics Influence.

**Introduction**

Terrorism exists as one of Malaysia's external crises/threats since 1990, several incidents of terrorism have occurred. Malaysia identifies terrorism as a crime against humanity and civilization. It poses a threat to any nation; consequently, Malaysia condemns all terrorist acts, methods, and practices that would create potentially vulnerable instances of crises/threats from militancy, extremism, or terrorism. Numerous lives have been lost, which has included on-duty security personnel, and the safety of people has been threatened due to these occurrences.

Malaysia employs preventative measures to mitigate any damages that may occur from terrorist attacks to combat terrorism. These measures include medical and psychological preparedness, as well as a broad spectrum of security services that encompass policy-making agencies, military, police, civil defense, and border and infrastructure security. Current Government policy addresses actions and stances that are against terrorism, designed for protecting the lives of hostages or property, structured to produce solutions through negotiations, such as through hostage exchanges, and to refrain from force unless negotiations fail. International counter-terrorism efforts are also actively participated in by Malaysia.

NSC Directive No. 18 (Terrorism Crisis Management and Execution Mechanisms) functions as the onus for the NSC as the coordinating agency for these crises/threats. This Directive defines terrorist activities as any occurrence of terrorism grounded in motivations stemming from ideology, politics, religion, or ransom, and can include acts without any apparent motives. This creates a need for the analysis of NSC involvement in terrorism crisis/threat management in Malaysia to elucidate upon the efficacy of the NSC in such matters, evaluate the impact of terrorism crisis/threat on the national security management structure managed by the NSC, ascertain the extent of NSC coordination with other security agencies, as well as determine the effectiveness of Central NSC and State NSC alignment. Moreover, this analysis will identify instances of political interference in terrorist crisis/threat management by the NSC in conjunction with other agencies.

**Terrorism Crisis/Threat Incidents in Foreign Country**

A study conducted by Rachmawati and Adhariani (2019) highlighted on terrorist activities within Indonesia centered on three bombings that claimed the lives of several victims. The significant loss of life in Indonesia garnered international scrutiny. Consequently, approaching the stance of gauging risk of terrorist activity stemming from a foreign country, as a neighboring country, Indonesia could potentially pose a threat to Malaysia's security, as its proximity is close, thereby allowing for rapid incursions by land, sea or air.

A study by Okonkwo (2017) on African terrorism crisis/threat underscored the issue of borders and the continual issues faced, such as ongoing crises/threats regarding terrorist issues, military conflicts, human trafficking and religious crises, all of which have kept pace with the increasing population, as well as political awareness and environmental challenges that plague national borders. Emphasis is therefore placed on how internal factors have stimulated the occurrence of these incidents. Osimen et al (2017) further indicated that the challenges in Nigerian boarder security have emanated out of the lawlessness of the terrorist group "Boko Haram" and the threat to Nigerian lives and property posed by this organization. Focus was placed on activities that entailed the use of small arms, drugs, human trafficking, and the smuggling of cars and other goods. Based on this study, a shortfall of the necessary

boarder customs personnel served as a causal factor. Several measures that include the examination of firearms proliferation, robbery formulations in relation to firearms laws, the establishment of a committee for the examination of proliferation as well as regional coordination in the field of small arms, human and narcotics trafficking, the formation of a Terrorism Strategy and Implementation Plan, and the extradition of transnational crime matters have all been incorporated by the Nigerian Government to address the crises/threats. This study indicated that insufficient capability and capacity on behalf of a country created challenges in mitigating terrorist activities.

An analysis by Ali et al (2020) catalogued terrorist attack growth in Pakistan in 2009 and 2011. The findings revealed a correlation associated between neighboring district poverty and higher levels of terrorist attacks within the districts. This demonstrated that poverty was apt to intensify terrorist activity and encouraged these actions either from within a country or elsewhere from neighboring countries. A study by Florent et al (2018) featured terrorist attacks in Paris on November 13, 2015 and the resultant burden of significant casualties on the Emergency Department (ED). The study further detailed that fortunately, through the activation of the local crisis plan coupled by the arrival of additional staff, the operational capacity of the ED was significantly increased, which thereby enabled the ED to properly manage the uncommon emergency. The analysis noted the need for expansion in capacity and capability regarding the treatment of victims in the country as well as the development of additional control measures to attenuate future terrorist activities; thereby emphasis could be placed upon ensuring the welfare of the people.

An analysis that detailed the terrorist attacks at Christchurch Mosque in New Zealand (2019, March) and on Easter Sunday in Sri Lanka (2019, April) was conducted by Prastya and Dewi (2020). This study exhibited differences in implementation of response. The Sri Lankan Government invited the support of foreign countries, whereas the initiative emphasized by the New Zealand Government was internal. This study indicated that counter-terrorism initiatives vary depending on the country as some cooperate internationally, while others employ domestic means. A similar study, also on the Christchurch massacre in New Zealand conducted by Crothers and O'Brien (2020), recognized that New Zealand's security forces were criticized for their failure to monitor far-right extremism, although efforts to control extremism had been attempted. The Department of Internal Affairs and Race Relations Commissioner, along with other agencies, had taken steps to curtail hate speech and diminish extremist existence in social media. This study reinforces the findings of Prastya and Dewi (2020) regarding the emphasis on domestic solutions by New Zealand to address terrorist activities.

The analysis of the abovementioned studies on terrorism crisis/threat in foreign countries has characterized the menace facing security through loss of life and injury, as well as collateral costs. Terrorism has been manifested through bomb attacks, shootings, armed assaults, and transnational crimes by terrorist networks, indicating but a few methods. Through internal oversight and external coordination, foreign countries increase the capacity and ability to manage and reduce terrorist activities. The measured samples are similarly representative of the methods employed by the NSC. Although the NSC does cooperate with other countries to prevent terrorist activities, a variety of domestic measures are conducted, with a focus on awareness programs, as it is currently considered that the occurrence of terrorism, comparatively to foreign countries, is providentially low in Malaysia.

A more comprehensive investigation of the terrorism crisis/threat in conjunction with what has happened in Malaysia is also addressed. A correlation of the analyses of terrorism crisis/threat responses of Malaysia juxtaposed against other countries enables a globally comparative study that may lend to the identification of the extent to which national security and people may be affected.

### **Terrorism Crisis/Threat Incidents In Malaysia And Initiatives Through The Involvement Of Nsc And Other Agencies**

#### **(1) The hijack of American Insurance Associates (AIA) building by the Japanese Red Army (JRA) in 1975**

There have been several terrorist incidents on Malaysian soil. One such event occurred on August 4, 1975 when the American Insurance Associates (AIA) building was infiltrated by the Japanese Red Army (JRA) and 53 hostages were held captive, which included Malaysians as well as citizens from the United States (US) and Sweden. This terrorist act, executed by the JRA, was used as a revolutionary tactic to pressure Malaysia into negotiations with the Japanese Government to free five (5) JRA leaders from Japanese prisons. Through the Minister of Home Affairs, Malaysia successfully made arrangements with the Japanese Government, hence all five JRA leaders were released in exchange for all 53 hostages.

Although no deaths were recorded after the attack, one Malaysian AIA building security guard had suffered a head wound by gunshot alongside other injuries while in the line of duty. The Minister of Communications initially carried out negotiations to resolve this crisis, but this proved to be ineffective. Insuring the five JRA leaders release, the Deputy Minister of Transport and Secretary General of Ministry of Home Affairs were also held and accompanied them in exchange for the hostages (Suhaimi, 2018).

During the incident of the JRA hijacking of the AIA building, the Ministry of Home Affairs (MOHA) was responsible for the successful negotiations (Suhaimi, 2018). Currently, the Ministry of Foreign Affairs (MOFA) conducts international negotiations and the NSC coordinates security. As it had been established four years prior to this incident in 1971, this elicits the question concerning why the NSC did not instead conduct the negotiations. Initially, the NSC primarily acted in the role of secretariat for meetings concerning national security issues, whereas the responsibilities for administering security resided with the MOHA. As the NSC transformed into the National Security Division (NSD), its responsibilities expanded beyond functioning as meeting secretariat into coordinating national security and security movement issues. Thereafter, the NSD restructured back into the NSC on July 24, 2007 to oversee all security matters.

Consequently, this incident impelled the implementation of NSC Directive No. 18 as a mandate for counter-terrorism six years later on August 26, 1991 by the NSC. The operation of this event could have been controlled by the Royal Malaysian Police (RMP) as NSC roles reside over policy and strategy. To elucidate, the NSC operates as the primary coordinator agency, and under the NSC, e.g., the RMP, other agencies oversee responsibilities at the level of implementation. While the NSC coordinates meetings, field agencies that implement action generally gain the recognition for the achievement and as such, the NSC may be overlooked for any role in the activities.

**(2) Bukit Jenalik incident by Al-Maunah in 2000**

Another terrorist act occurred at Bukit Jenalik, Sauk, Perak in 2000 between national security forces and a terrorist group that identified themselves as Al-Maunah. This group planned to overthrow the government. A group of 27 people initiated the appropriation of munitions from the Territorial Army Regiment camp in Gerik, Perak.

The Malaysian Armed Forces (MAF), led by its Commander through the Subuh Operation (Ops Subuh) in conjunction with RMP special forces, defeated Al-Maunah by overwhelming their fortified base in Sauk. Unfortunately, two officers from the MAF and RMP lost their lives while on duty. The termination of the Al Maunah group underscores the successful coordination of the actions of the MAF and the RMP with the NSC as the national security coordinating agency. This success highlights the complete involvement of the NSC in the administration and coordination of the MAF and the RMP as cooperating agencies due to meetings conducted by the NSC<sup>1</sup> with reference to NSC Directive No. 18 for the deployment of a negotiation team, thereby activating this Directive.

**(3) Kidnapping at Sipadan Island by Abu Sayyaf in 2000**

On April 23, 2000, Malaysian citizens and foreign nationals were kidnapped on Sipadan Island by the armed terrorist group Abu Sayyaf. Then, the hostages were taken by boat to Jolo Island, a part of the Solo Islands in the southern Philippines. Abu Sayyaf planned to demand ransom for the kidnapping of 21 hostages from a resort in Malaysia from the Malaysian Government. Correspondingly, the head of the Philippine Anti-Terrorism Special Task Force, Andreelino Colina, arrested Abu Sayyaf group member Nabil Talahi Idjiran in the southern port city of Zamboanga, Philippines following this incident.

One Malaysian Government initiative involved payment of USD \$3 million to the terrorist group to release three (3) Malaysians from among the hostages, after which they were sent to Malaysia from Sipadan, along with a Filipino citizen (Baruah, 2000). The NSC again actively participated in these negotiations by employing NSC Directive No. 18. Additionally, the NSC became involved in negotiations that resulted in freeing the hostages when Tajul, Director of the National Intelligence and Crisis Management Division (*Bahagian Perisikan Dan Pengurusan Krisis Negara - BPPKN*) personally traveled to the Southern Philippines to negotiate the release of the hostages. The release of the Malaysian hostages also occurred as the terrorist leader, Abu Sayyaf, considered Malaysia an Islamic country.<sup>2</sup> Furthermore, this matter was managed due to the NSC coordinating the Pasir Operation (Ops Pasir).

Moreover, to maneuver similar future events, NSC Directive No. 22 (Management and Control of Sipadan Island and Ligitan Island) was instituted on May 21, 2008 by the NSC. On July 10, 2002, NSC Directive No. 18 was consequently assessed to include numerous revisions drafted by the NSC, superseding the previous directive enacted on August 26, 1991 in light of the 9/11 incident. Thereafter, crises/threats from non-state actors began to be prioritized by the NSC, as well as an additional chain of command and employee details.

A chain of command is necessary to address any terrorist incident. Hence, in order to coordinate multiple agencies, NSC Directive No. 18 was issued. This clarifies agency roles and functions when involving civil, police and military agencies, as it is not always feasible that all

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<sup>1</sup> Muhamad, T. A. (2023, January 10). Personal communication [Personal interview].

<sup>2</sup> Muhamad, T. A. (2023, January 10). Personal communication [Personal interview].

agencies simultaneously head an operation. Consequently, the purpose of this directive delineates agency leadership roles.

#### **(4) Hijack of Malaysian ship by Somali pirates in the Gulf of Aden 2011**

On January 20, 2011, seven (7) Somali pirates armed with AK-47 automatic rifles and other sidearms attacked and hijacked the Japanese Merchant Tanker (MT) Bunga Laurel in the Gulf of Aden. The ship had been hired out by Malaysia International Shipping Company Bhd (MISC Berhad) and was en route from West Asia to Singapore delivering a cargo of lubricating oil and various chemicals, including ethylene dichloride. The special forces of the Royal Malaysian Navy (RMN), or Pasukan Khas Laut (PASKAL), successfully recaptured the tanker and arrested all seven pirates, of which only three people were injured during the exchange of hostilities with PASKAL. Additionally, all 23 Filipino crew members were rescued. The RMP presided over the arrest cases and court trials.

So that the detained vessel could be released and a resolution to this issue could be reached, the NSC employed the use of NSC Directive No. 18. The NSC then sent the Director of BPPKN, Tajul to attend negotiations in Djibouti, Africa. As Djibouti is adjacent to Somalia and has established a special committee, it became the location for facilitating negotiations and Rahman, the former advisor to the President of Somalia, also became involved as a negotiator. Negotiations took almost eight (8) months. As Abdullah bin Ahmad Badawi was the Malaysian Prime Minister during the hijacking, he ordered that the ship be immediately released.<sup>3</sup> Dr. Nazira, former Director of Corporate and Policy Division, NSC agreed in a statement that the NSC had been involved and was led by Tajul during this incident. According to her, the NSC had coordinated a strategy and sent Tajul to recover the people with funds brought for the ransom.

The successful release of two ships occurred due to the outcome of the negotiations. As one company could not shoulder the financial burden demanded of the terrorists amounting to millions of ringgit, the third and smallest ship, owned by a private enterprise, was later released after being held for eight months. The two other ships were owned by larger private companies and were able to compensate for the demands, lending to their earlier release. Unfortunately, the life of one Filipino crew member was lost after being fatally shot by a pirate. The primary aim of the pirates was to obtain ransom money, not kill crew members.

#### **(5) Lahad Datu incident by Filipino terrorists in 2013**

The Lahad Datu incident occurred in 2013 and involved 235 lightly armed Filipino terrorists who identified themselves as the Royal Soldiers of the Sultanate of Sulu and North Borneo. They landed in Kampung Tandu Lahad Datu, Sabah, demanding that Sabah be returned to the Sulu sultanate, under the claim that it had been taken from them by the British. On April 10, 2013, the conflict was declared resolved once the Malaysian Prime Minister and Minister of Home Affairs negotiated a successful cessation of hostilities with the terrorists. Then, they were evicted from Sabah and taken back to the Philippines with the aid of the Philippine Government. A total of six (6) civilians, twelve (12) security personnel, and 56 terrorists had died due to the attack. The Eastern Sabah Security Command (ESSCOM) was established on March 7, 2013 as a result of this incident (Sanusi, 2020).

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<sup>3</sup> Muhamad, T. A. (2023, January 10). Personal communication [Personal interview].

This case highlights that the involvement of the NSC occurred through the drafting and preparation of the establishment of ESSCOM by way of a Standard Operating Procedure (SOP) and Terms of Reference (TOR). Notwithstanding these actions, the involvement on behalf of the NSC is generally unknown to the media and public as the roles of the NSC are relegated to secrecy, as well as strategic and operational levels. The general perception of the public therefore is that NSC involvement in these incidents is largely absent and is instead dealt with by other security agencies as the NSC is not typically exposed as a high-profile agency. As with the previous examples, the provided information indicates that all the actions that the security agencies conducted were carried out via the direction and coordination of the NSC.<sup>4</sup>

#### **(6) The disappearance of Malaysia Airlines (MAS), MH370 in 2014**

The disappearance of Malaysia Airlines (MAS) flight MH370 on March 8, 2014 the following year after the Lahad Datu incident shocked the world and instigated a global mission that involved the assistance of 11 countries, 34 planes and 40 ships. Its flight plan took it from Kuala Lumpur International Airport (KLIA) to where it was scheduled to land at Beijing Capital International Airport. In addition to requesting international assistance for search and rescue missions from the US, Australia, China, the Philippines, India, Indonesia, New Zealand, Singapore, Taiwan, Thailand and Vietnam, the Malaysian Government mobilized the Department of Civil Aviation (DCA), the Royal Malaysian Air Force (RMAF), the Royal Malaysian Navy (RMN) and the Malaysian Maritime Enforcement Agency (MMEA).

Even with all of the combined resources of the aforementioned nations, agencies and branches of service, MH370 has yet to be found and its disappearance remains a mystery to this day. All 227 passengers and 12 crew members were eventually labeled as missing and are now presumed to be dead. Finally, on March 24, 2014, MH370 was officially recognized as lost in the southern Indian Ocean with no survivors by the Malaysian Government.<sup>5</sup> There has been ongoing speculation that indicates this disappearance had been the machination of a terrorist group from China, although the Malaysian Minister of Defense and Minister of Transport flatly rejected this as nothing more than conjecture and conveyed that no evidence could be produced to justify this as an act of terror (Razak, 2014).

#### **(7) The Malaysia Airlines (MAS), MH17 shot down by armed separatist in 2014**

Four months later on July 17, 2014, MAS flight MH17, an international flight scheduled from Amsterdam to Kuala Lumpur, crashed in Ukraine after being shot down by armed separatists. The assailants brought it down using a Buk-type surface-to-air missile. It was reported by Ukrainian Crisis Media Center that MH17 may have been mistaken as a Ukrainian military aircraft when it was downed by separatists.

Currently however, none as of yet have officially claimed responsibility for the tragedy—the armed separatists, Ukrainian army or Russia.<sup>6</sup> This incident resulted in the deaths of 283 passengers and 15 crew members. Aside from all of the media related groups engaged in covering this calamity, a varied array of agencies collaborated to provide assistance concerning this crisis and were comprised of the NSC, the Ministry of Transport Malaysia (MOT), the Special Malaysia Disaster Assistance and Rescue Team (SMART), the RMP, the

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<sup>4</sup> Muhamad, T. A. (2023, January 10). Personal communication [Personal interview].

<sup>5</sup> *mStar*. (2015, March 8).

<sup>6</sup> *mStar*. (2015, October 13).

Malaysian Special Air Task Force, the MAF, the DCA, the Department of Chemistry, the Department of Islamic Religion Malaysia, and the Victim and Disaster Detection Team.

The loss of the MH370 cannot be categorized as a terrorist attack and therefore has been managed only by the DCA. The NSC did provide assistance nevertheless, through various initiatives, as it provided assistance through identifying radar to aid aircraft in the investigation of final locations to be examined. However, the MH17 incident can be classified as a terrorist attack, although it did happen abroad and not within Malaysia's national borders, it is still considered to be a crime against its citizens, sovereignty and security. Concerning MH17, NSC officers working alongside soldiers investigated the scene and successfully retrieved the aircraft's flight data recorder (FDR), or black box. NSC officers then returned with the black box to investigate the actual cause behind the incident. This led to sentencing of the perpetrator who downed MH17. Fundamentally, this attack was politically motivated.<sup>7</sup>

NSC officers Khairil Hilmi (former directors in several divisions at the NSC ) and Sakri were both directly active at the site and subsequently instrumental in successful negotiations. The strategy employed by the officers had Khairil Hilmi monitoring and providing instruction from the scene perimeter, with Sakri and a team of twelve (12) members of the army, police and General Operations Force (GOF) conducting negotiations on the ground. Although the black box had been successfully retrieved, close monitoring of the scene restricted the number of participants that could physically be present at the immediate scene. The former separatist faction leader of Russia, Alexander Borodai, does have respect for Malaysia. Malaysia's good image did lend to a streamlined execution of the MH17 operation; whereas the MH360 case still cannot be categorized.<sup>8</sup>

### **(8) Summary**

Regarding the events represented above, terrorism crisis/threat instances that afflicted Malaysia exhibited goals involving government overthrow, kidnapping for ransom, piracy, disruptive national disputes and aerial terror. These crises/threats involved terrorist attacks originating from foreign countries, incurring losses in government assets, such as confiscated weapons and funds involving ransom, and this includes ship rentals through Malaysian private companies. Concerning the studies on piracy versus national disputes, terrorist goals were identified as being dissimilar.

Malaysians suffered from the tragic loss of lives and MAS incurred significant financial setbacks as a result of the MH 360 and MH17 disasters, and this included the victims of other countries where Chinese citizens hold a majority number. The conflict between Russia and Ukraine brought about the tragedy of MH17, which consequently caused the suffering of victims from other countries. These studies indicate that terrorism crisis/threat becomes more diverse with the passage of time and has therefore gained the attention of the Malaysian Government and has highlighted national concerns, including the potential for the loss of life and injury for Malaysian citizens.

To summarize, increased emphasis has been placed on the NSC's involvement in enacting or issuing policies and carrying out legislation related to mechanisms dealing with terrorism crises/threats. The development and revision of NSC Directive No.18 and

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<sup>7</sup> Muhamad, T. A. (2023, January 10). Personal communication [Personal interview].

<sup>8</sup> Abdul Rahman, N. (2023, January 10). Personal communication [Personal interview].



formulation of NSC Directive No. 22 both guide agencies in addressing the included matters. The NSC has also maintained a significant and ongoing engagement in nullifying terrorism crisis/threat concerns. The NSC's proactive stance aids in preventing foreign incursions. The active coordination measures employed while collaborating with external agencies, such as the MOHA, RMP and MAF, lend to greater efficiency in addressing terrorism and other dispute issues. While the NSC presently manages strategic and policy-related levels, senior officers do receive field assignments to oversee negotiations and gather evidence.

### **Analysis Based on 3ps Model**

This analysis details government, private sector and public perceptions concerning NSC involvement in management and negotiation of terrorism crisis/threat based on the Tripartite Model of National Security (3Ps Model). This model involves the Public Sector (government), Private (private) and People (public). It was developed by Park and Chung (2021), Zaini (2020) and E. Ite (2003) based on scholarly writing.

Park and Chung (2021) underscored how the South Korean Government involved the private sector in containing the spread of COVID-19, allowing for the pandemic's dispersion to be successfully dealt with within one month of the initial infection. This accentuated how successful collaboration between the government and private sector can overcome crisis/threat. Zaini (2020) indicated that publicly supplied information improved enforcement and inspection activities in Negeri Sembilan, thereby successfully suppressing human trafficking syndicates at the Malaysia–Indonesia border. It was determined that government–citizen cooperation lends well to facing national security crises/threats. Additionally, Zaini highlighted the Whole of Government (WOG) and Whole of Society (WOS) methods as a means of coordination for government agencies and society to improve the national security framework. E. Ite (2003) emphasized the importance of dealing with the issue of poverty by the Nigerian government through attitudes of trust and transparency and how this contributed to the wealth and economic growth of the country. This stressed the necessity of a government's commitment to dealing with terrorism crises/threats. These studies provided the foundation of the 3Ps Model through cooperation and involvement of the government, private sector and public.

To identify the NSC as an efficacious entity for coordinating terrorism crisis/threat, an evaluation was carried out through perception of NSC functions and roles, including involvement effectiveness. Effectiveness was analyzed by applying the level of NSC coordination with other agencies, and this included the alignment with State NSC departments. Additionally, the influence of domestic politics on the NSC was explored, and this included the overall impact of terrorism crises/threats on the national security management structure of the NSC.

This study's measurements are based on three (3) assessment levels: Proactive (take action before the incident occurs), Reactive (take immediate action after the incident occurs) or Passive (slow action). The measurement of NSC's coordination with other agencies is identified as active, semi-active or inactive, while the measurement of alignment between Central NSC and State NSC is indicated as effective, semi-effective or ineffective.

### **(1) Government's Perception**

The Government's perception, as described by former Police Inspector General Tan Sri Musa Hassan, requires the role of the NSC to be strengthened in order to effectively function as the

primary coordinating agency so it is able to adequately handle the issue of terrorism. He further explained that the NSC must expect complete transparency from all collaborating agencies for the safety of the country; the RMP would be supporting this endeavor by voluntarily supplying all intelligence information collected to the NSC.<sup>9</sup> This indicated that the NSC needs to be more involved, specifically regarding intelligence gathering and monitoring terrorist activities. Tajul indicated that the NSC held a National Intelligence Committee Meeting and instructed all involved security agencies to present any current intelligence information; this information that the agencies supplied would then be presented to the Prime Minister—no exceptions were allowed.<sup>10</sup>

It is Dr. Nazira's belief that much of the ignorance and confusion associated with the roles and function of the NSC originate from the approach to how it operates—in an undisclosed manner. She confirmed that in addition to the NSC presiding over other agencies to coordinate security, the organization also performs actions in the field. She also agreed that the NSC needs to strengthen intelligence sharing. She shared about when she served in the NSC and was instructed to provide weekly security reports to the Prime Minister. The problem she faced was that other agencies did not always supply the required information, so full reports could not regularly be submitted. Some agencies gave the reason that the information was unavailable, or the information that was provided was often incomplete. She pointed out that there are also issues related to organizational ego. Proper leadership is critical for interdepartmental collaboration. A Director General that understands the importance of teamwork promotes a beneficial work environment and enables departments to readily share information.<sup>11</sup>

While chairing an NSC Meeting on January 19, 2016, former Malaysian Prime Minister, Najib Razak cautioned Malaysians to avoid making speculations and not to spread false information that may cause national security issues or public concern. He also instructed security agencies to further increase efforts to manage possible crises/threats of terrorism that may infiltrate Malaysia from major cities around the world.<sup>12</sup>

Evidence included here denotes that Government leaders place the issue of terrorism as a national priority as NSC Meetings highlight that cooperation is vitally required from all involved parties in order to collectively combat terrorist activities. The NSC has been entrusted as well with the task of coordinating efforts in restraining terrorist activities collaboratively alongside other agencies.<sup>13</sup>

Concerning coordination between the NSC and other agencies in managing terrorism crisis/threat, Dr. Nazira pointed out that in 2015, a crisis had begun to develop involving a Special Military Powers Bill that included a request for the acquisition of special peacetime powers equal to those that the police possess. This request was halted though when the bill was reviewed by the Malaysian Immigration Department (MID), as they disagreed. Then, the Attorney General's Office determined that this matter needed to be reviewed as it appeared necessary that a law would need to be established concerning it, and it had to be done under the supervision of the NSC. So, the NSC became the presiding authority over the order for

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<sup>9</sup> Abdullah, R. (2016, January 21). *Astro Awani*.

<sup>10</sup> Muhamad, T. A. (2023, January 10). Personal communication [Personal interview].

<sup>11</sup> Abdul Rahman, N. (2023, January 10). Personal communication [Personal interview].

<sup>12</sup> *Berita Harian*. (2016, January 19).

<sup>13</sup> *Malaysia Kini*. (2016, January 18).

whether the military would be granted this power. The NSC proceeded with the mandate to ratify this Act; but in the establishment of NSC Act 2016 [Act 776], the military expressed disagreement concerning command, control and coordination in the security management structure—the military is never comfortable with restrictions concerning its command. Disagreements notwithstanding, the Initial Directive (ID) was formalized by the NSC. Understanding the meaning of national security is essential when defense is an included element under it.<sup>14</sup>

Dr. Nazira views NSC Directive No. 18 and No. 22 as great advancements for fostering greater coordination on behalf of the NSC, although it is relatively unknown to the majority of the populace. During COVID-19, the public was able to observe how the NSC managed the coordination of other agencies. Dr. Nazira did highlight however that constraints in information sharing do also occur as some security agencies only provide information directly to the NSC and not other agencies. This is a critical aspect of interdepartmental affairs—information must be shared amongst all involved agencies. Reliable access to information can be observed through the practices of other agencies; both the Research Division (RD) and the Defense Intelligence Staff Division (Bahagian Staf Perisikan Pertahanan - BSPP) would submit obtained intelligence information to the Prime Minister. Thus, these agencies requested that the NSC act as coordinator, and due to these requests for collaborative assistance, the NSC obtains the intelligence information. During the Abu Sayyaf kidnapping incident for instance, intelligence was provided by RD Director General, Hasanah Abdul Hamid and conveyed to the NSC. This indicated that information sharing between agencies affords benefits, but also challenges.<sup>15</sup>

One such challenge occurred during negotiations with Australia to accept a total of 4,500 refugees from Malaysia. The proviso required Malaysia to accept 50 prisoners in exchange. So, this matter required bilateral meetings in order to achieve a resolution. Upon completion of an intelligence investigation by the NSC, it was determined that the criminals were extremely dangerous with a history of crimes that involved them with weapons of mass destruction (WMD). The intelligence was obtained from the Special Branches (SB) police by the NSC during a meeting held by the NSC; frustration was expressed though by the NSC due to the delay in receiving this information and the agency wanted to know why the details had not been supplied sooner. The SB responded that they did not want to share it with the MOHA. This particular case reveals a trust deficit and consequently a coordination challenge existing between the SB and the MOHA, albeit the RMP operates under the authority of the MOHA.<sup>16</sup>

Tajul indicated that since NSC Act 776 had been issued in 2016 and due to the revisions made to it by the NSC in 2020, the issues of sharing of information and the manner of coordination in handling terrorism crises/threats between the NSC and other security agencies have improved. Through the implementation of this Act, the NSC has the authority to enforce various measures and to demand necessary information from other security agencies. Additionally, the National Intelligence Committee was also established by the NSC

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<sup>14</sup> Abdul Rahman, N. (2023, January 10). Personal communication [Personal interview].

<sup>15</sup> Abdul Rahman, N. (2023, January 10). Personal communication [Personal interview].

<sup>16</sup> Abdul Rahman, N. (2023, January 10). Personal communication [Personal interview].

in 2018 to allow for mandatory monthly meetings for all involved agencies. The formation of this committee affords the NSC access to high-level information; this is reinforced with the provision of the Director General and Deputy Director General to participate as alternate members.<sup>17</sup>

Tajul stated that regarding the level of alignment effectiveness between Central NSC and State NSC, the terrorism crisis management structure falls within the jurisdiction of the Central NSC. So far, no challenges have been faced by the two departments as Central and State NSC always cooperate due to the State Security Work Committee (Jawatankuasa Kerja Keselamatan Negeri - JKKN) and NSC Directive No. 18.<sup>18</sup> It is the opinion of Dr. Nazira that although the level of alignment has been excellent, problems do occur due to a lack of JKKN activation as the District Security Officer (Pegawai Keselamatan Daerah - PKD) often needs to answer on their behalf. JKKN meetings are frequently held, yet these are not always coordinated at the state level, such as with the refugee issue.<sup>19</sup>

Tanjul believes there is domestic political interference with regard to terrorism crisis/threat management by the NSC and other security agencies. Domestic political interference resulted in the repeal of the Internal Security Act (ISA) 1960 on July 31, 2012, to be replaced with The Security Offences (Special Measures) Act 2012 (SOSMA) on June 22, 2012. The security agency was not consulted about the change. The SOSMA implementation presents challenges in highlighting as it is not the same as the ISA. Tajul said if we looked to Singapore, it could be seen that the ISA was not abolished and human rights are more emphasized. It was thereafter also suggested to abolish SOSMA due to domestic political interference.<sup>20</sup>

Dr. Nazira expressed the view that although domestic political intervention can be perceived as a detriment, this matter has produced beneficial outcomes. Politicians hold executive and legislative office positions. In the case of the MH17 incident, during that time, the Malaysian Prime Minister Najib Razak specifically sent a team to the site, which resulted in the successful retrieval of the black box.<sup>21</sup> Furthermore, Khairil Hilmi pointed out that negotiations had been held between Najib and Alexander Borodai, the former separatist leader of Russia, to aid in the resolution of this matter.<sup>22</sup>

Domestic political influences can sometimes also create negative issues. The Lahad Datu incident negotiation process was delayed by all the involved spokesmen on behalf of the Minister of Defense (MOD) and the Prime Minister, thereby hampering the actions of the involved agencies. Khairil Hilmi highlighted an issue concerning a politician that has called for the abolishment of the NSC. Regarding political cooperation with foreign countries, the United Kingdom (UK) enquired of the NSC as to how Malaysia set about its establishment. After the meeting, the UK also instituted their own NSC department.<sup>23</sup>

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<sup>17</sup> Muhamad, T. A. (2023, January 10). Personal communication [Personal interview].

<sup>18</sup> Muhamad, T. A. (2023, January 10). Personal communication [Personal interview].

<sup>19</sup> Abdul Rahman, N. (2023, January 10). Personal communication [Personal interview].

<sup>20</sup> Muhamad, T. A. (2023, January 10). Personal communication [Personal interview].

<sup>21</sup> Abdul Rahman, N. (2023, January 10). Personal communication [Personal interview].

<sup>22</sup> Abdul Rahman, N. (2023, January 10). Personal communication [Personal interview].

<sup>23</sup> Mokhtar, K. H. (2023, January 30). Personal communication [Personal interview].

**(2) People's Perception**

Concerning social perception, Abul Aziz (2003) underscores in his study, "The Burden of Terrorism in Malaysia", that NSC Policy, based on NSC Directive No. 18, details specific roles and responsibilities of the various agencies for terrorism management. He further pointed out that national concern as well as concern from the NSC focused on terrorism incidents that occurred in other countries, especially neighboring countries.

Dr. Azmi Hassan from Geostrategis Universiti Teknologi Malaysia advised to disseminate information to increase the knowledge of terrorism threat and militancy among the youth, especially with the increase in perception that this crisis is a global threat. His suggestion was to include national crises/threats related issues under university syllabi and as part of the Malaysian National Service Program (Program Latihan Khidmat Negara - PLKN) module.

In conjunction with SEA Games 2017 and the ASEAN Para Games event, authorities made preparations to ensure both participant and SEA Games spectator safety through enhanced security protocols to circumvent any violent activity. This was coordinated in an NSC Meeting on April 11, 2017 chaired by then-Prime Minister Najib Razak, where he announced the formation of the SEA Games Anti-Terrorism Task Force, to be recognized on May 12, 2017 and led by the RMP along with assistance of the MAF. The task force functions to neutralize any violence related to a crisis during an event. Besides, any NSC involvement channels through the activation of the Crisis Control Committee (CCC), the Crisis Management Team (led by the RMP) and the Crisis Response Team, as per NSC Directive No. 18.

The purpose of crisis management is to mitigate crisis, save lives as well as property, and endeavor to bypass a "crisis within the crisis" by maintaining normalcy. Security has also been arranged and provided for at various sports events, hostels and public transport facilities, for example such as Kuala Lumpur International Airport (KLIA) and Kuala Lumpur Central. The public is urged by the Government to cooperate with the RMP, as well as other security agencies in the incident of any terrorist-related attacks.

**(3) Private Perception**

From a private standpoint, collaborative, full-scale invasion exercises have been implemented by the NSC, the RMP, and Malaysia Airports Holdings Berhad (MAHB) to be executed annually as part of full-scale simulations to train for preparedness against crises/threats, violence, and riots. So far, training has occurred at KLIA and Sandakan in 2016, Kota Kinabalu, Sabah in 2017 and Kuching, Sarawak in 2018. The 18-hour training targeted measures and actions for countering potential riots, terrorist acts, or any explosions that may arise. These exercises involved over 800 participants and 42 agencies, including the NSC, the RMP, the Civil Aviation Authority of Malaysia (CAAM), the Information Department (Jabatan Penerangan - JaPen), the Malaysian Fire and Rescue Department (Jabatan Bomba dan Penyelamat Malaysia - JBPM), HAZMAT, the CBRNe, the MAF, the Malaysian Civil Defense Department (Jabatan Pertahanan Awam Malaysia - JPAM) and the Ministry of Health (MOH), including airline and airport staff.

This showed that cooperation between the NSC and other security agencies, as well as members of the populace and private sectors, does occur to address the threat of terrorist activities. This falls in line with government crisis/threat initiatives that are called on to be addressed via the engagement of all parties. Involvement is critical to combating terrorist activities.

**Conclusion**

This study has demonstrated that the NSC adopts a relatively proactive stance countering terrorist activities in Malaysia regarding performance of roles and responsibilities as the primary national security coordinating agency. NSC involvement not only concerns the aspects of meetings coordination and establishing instructions as guidance through terrorism crisis management mechanisms, but it also participates through risk management and terrorism prevention. This can also be seen through regulation formation as a reference aid for other agencies, where the functions of each agency have been catalogued to serve as a guide and enable agencies to efficiently perform their roles in combating terrorist activities.

The passage of time has brought with it an increase in the role of the NSC. During the early 1970s, the NSC acted more as a coordinating agency through NSC Meetings, but it has since evolved into a coordinating agency that implements action through other agencies; the NSC additionally has functioned in this manner to devise terrorism awareness programs and has also participated in search and rescue operations.

Throughout the 1970s, the involvement of the NSC in dealing with terrorism crisis/threat was not as publicly prominent as other security agencies such as the MOHA, through the assistance of the RMP and the MAF, these departmental branches were deemed to be more visible. This involvement also received less media coverage. Currently though, the roles and functions of the NSC are more widely known and thereby garner public trust. The initial approach of the NSC was to operate with a greater degree of confidentiality without publicity due to issues of privacy for most activities. Now, with contemporary matters involving increasingly complex issues of crisis/threat, the NSC began operating with more of a public profile through sharing of initiatives and urging the mutual involvement of all parties in managing national crisis/threat.

The mechanisms and regulations of the NSC have been streamlined over time, depending on the situations that have occurred; this has exhibited routinely proactive action on behalf of the NSC that allows for the consistent resolution of terrorist activities. Since its authority has been increased, this ensures that the NSC can coordinate and provide the facilities for collaborating security agencies, thereby enabling the effective execution of tasks. Moreover, this has allowed the NSC to secure their position as the main coordinating agency for national security.

Concerning terrorism crisis/threat, the researchers concluded that the involvement of the NSC was identified as “reactive” in the early portion of the 1970s, and progressed into a “proactive” approach in the 1980s and onward to date. Coordination with other agencies via the NSC is categorized as “active” due to cooperation across various agencies, while the alignment of Central NSC and State NSC functions effectively through JKKN. These examples of coordination and alignment also refer to NSC Directive No. 18. There is a lack of activation of the JKKN by State NSC, which requires response from PKD.

In conclusion, this study has exemplified that terrorism crisis/threat has had an impact on the national security management structure of the NSC and other agencies due to incidents such as the AIA building hijacking that led to the establishment of NSC Directive No. 18, and how the Sipadan Island kidnapping ushered in the subsequent creation of NSC Directive No. 22. ESSCOM was similarly instituted as a result of the Lahad Datu incident. Additionally, domestic political interference benefited procedures with the discovery of evidence and the strengthening of relations with other countries. There have been setbacks

that have also occurred such as unnecessarily lengthy negotiations with terrorists and inconsistent enacted rules.

Few occurrences of terrorist activities have happened in Malaysia, with years passing void of incident the NSC alongside partnering agencies and with the cooperation of all relevant parties, have been ever vigilant in organizing early prevention programs and employing risk management exercises to safeguard the country. This aligns with the Malaysian Government initiative that national security should be a shared responsibility. Terrorism crisis/threat is a top priority of the Malaysian Government, as the unexpected can occur at any time causing loss of life, injury, and the destruction of public property. This study indicated that enhanced monitoring is necessary, and the Malaysian Government must maintain an alert status regarding terrorism crisis/threat from foreign countries, especially neighboring countries. The threat to national security is possible from sea, land, or air, and due to the close proximity to neighboring countries, all agencies must collaborate to minimize future crises.

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