

National Action Plan on Preventing and Countering Violent Extremism (NAPPCVE)

A Brief Report of the Malaysian CSO Recommendations



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National Action Plan on Preventing and Countering Violent Extremism (NAPPCVE):
A Brief Report of The Malaysian Civil Society Organisations' (CSOs) Recommendations

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Acknowledgement

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Disclaimer:

All participants involved in this consultation were informed beforehand that their remarks and discussion points will be published in a report.

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Background

The mandate to develop the National Plan of Action on Prevention and Counter Violent Extremism (NAPPCVE or NAP) is derived from the United Nations General Assembly in 2015 to address the changing threats of violent extremism.¹ At the time of writing, Malaysia is still at the stage of developing the NAP under the purview of the Ministry of Home Affairs and anticipated to be launched in the first quarter of 2022.

At the right time, Initiative to Promote Tolerance and Prevent Violence (INITIATE.MY) organised an independent consultation on NAPPCVE on 22nd December 2021 with more than 25 representatives from a wider Malaysian CSOs to collect feedback and recommendations on the NAPPCVE drafting process. The participants agreed that the NAP process should be a stepping stone for the government to show honest commitments to address extremism and greater accountability in the security area. Hence, the role of CSOs is vital in a national-level democratic process like the NAP to localise the approaches and ensure the sustainable impacts in addressing violent extremism.

The independent consultation has two main outcomes:

- The collection of feedback and recommendations to develop holistic NAPPCVE; and,
- The formation of the first civil society P/CVE network in Malaysia to exchange knowledge and best practices in relation to P/CVE.

Recommendations

The Malaysian CSOs call upon the government of Malaysia to adopt six holistic recommendations in all of four clusters (prevention, enforcement, law reform and rehabilitation) of the NAP, as follows:²



¹ United Nations General Assembly (UNGA) 70/674 (2015) urges the member states to develop their own National Plan of Action to prevent violent extremism. See: https://www.un.org/en/ga/search/view_doc.asp?symbol=A/70/674

² The four clusters are stated in the government's Zero Draft of NAP.

Empowering the role of CSOs

Challenges: The NAP drafting and implementation processes under the purview of the Ministry of Home Affairs should be based on a participatory approach for a wider CSOs to exchange ideas and best practices.³ However, up until December 2021, only three series of government-CSOs consultations were conducted with a selected few CSOs. The participation of CSOs was limited and selective. In addition, the consultation sessions were conducted hastily and the information provided at the sessions lacked sufficient details. Overall, it raises the question of transparency for a national-level democratic process. There is no indication from the government that there will be additional series of consultations with CSOs, and at the time of writing, the NAP is expected to be launched in the first quarter of 2022.

Recommendations:

1. First, the government should provide a seat for the representatives of a wider CSOs in the drafting committee before the launch of NAP. One of the outcomes of the CSOs independent consultation is the formation of a Malaysian CSOs P/CVE network. So this could be a contact point for coordination.
2. Second, the drafting committee should be open to meet with CSOs to listen to regular feedback and recommendations.
3. Third, independent consultations among the CSOs should be conducted to follow up on the NAP progress. Ideally the consultations should be organised by themes (youth, women and religious communities) to facilitate strategic coordination, exchange of information and formulate strategies for the NAP.
4. Fourth, the NAP should include the role of CSOs as implementing partners or beneficiaries in all clusters and clearly state who they are. It can help localise P/CVE efforts and provide oversight especially from a non-state actor perspective.

³ “[CSOs] can be defined to include all non-market and non-state organisations outside of the family in which people organise themselves to pursue shared interests in the public domain. Examples include community-based organisations and village associations, environmental groups, women’s rights groups, farmers’ associations, faith-based organisations, labour unions, co-operatives, professional associations, chambers of commerce, independent research institutes and the not-for-profit media”. See <https://www.undp.org/content/dam/china/docs/Publications/UNDP-CH03%20Annexes.pdf>

2 Upholding the rule of law

Challenges: There are concerns regarding the use of anti-terror laws such as SOSMA, POCA and POTA that can lead to abuse of power.⁴ From the government's Zero Draft of NAP, it is silent on the accountability of government agencies to address the ongoing accountability issues.

First, current legal mechanisms give too much power to enforcement bodies such as the police. Under these laws, the police can detain and remand a suspect for an extended period without judicial supervision as opposed to the Criminal Procedure Code (CPC) (Act 593) (28 days under SOSMA and 60 days under POCA and POTA).⁵

Second, the definition of 'violent extremism (VE)' by the government is overly broad and ambiguous, which can lead to abuse. During a government-CSOs consultation, the government listed four categories of violent extremists.⁶

In addition, the Ministry of Home Affairs' Institute of Public Security of Malaysia (IPSOM) journal also listed the 'overzealous leftists' and 'fanatical human rights groups' as violent extremists.⁷ While the statecraft behind it is to have a preemptive effect to address the changing threat of VE, neither of these categories have been succinctly articulated on other government public resources or legal statutes.⁸

According to international standards, the construction of the definition of VE should be specific and not associated with an entire religious or political belief, for example. These concerns should be addressed to prevent the abuse of power in the name of 'national security' for political gains. Not to mention, the poor track record of governments in using anti-terror apparatuses to deal with political dissents and human rights defenders in Malaysia and other countries.⁹

Recommendations:

1. The government should outline the NAP framework to enable government agencies and bodies to protect the rule of law and carry out the responsibilities to protect national security.
2. Crucially, the NAP must allow for the establishment of an independent committee to review anti-terror hard measures such as arrest power and surveillance. The committee must be embodied by the representatives from CSOs, the Human Rights Commission (SUHAKAM) and bipartisan Members of Parliament to act as a check and balance to safeguard the rule of law and human rights.
3. Additionally, the NAP must include steps to increase platforms for a two-way dialogue with CSOs to reduce unilateral policymaking on security issues. This can be done through the NAP monitoring process and separate processes under the relevant government agencies.

⁴ They are acronyms for Security Offences (Special Measures) Act 2012, Prevention of Crime Act 1959 and Prevention of Terrorism Act 2015.

⁵ It is argued that even without these laws, CPC has already allocated the power to the police to arrest individuals without a warrant to prevent seizeable offences from being committed.

⁶ Ethnonational/Political Extremism, Social Orientation, Religious Orientation and External Influence.

⁷ National Action Plan For Countering Violent Extremism: An Overview Of The Context, Status And Way Forward, See https://www.moha.gov.my/images/maklumat_bahagian/ipsom/jurnal/volume11/1_v11.pdf

⁸ SOSMA, POCA and POTA.

⁹ Maria Chin's case; Turkey and China used anti-terror law to target political dissents and religious/ethnic minorities

Mainstreaming human rights-based preventive programmes

Based on the Zero Draft, prevention is one of the key clusters in NAP that focuses on institutional surveillance and coordination and societal alertness. Learning from the history of counterterrorism (CT), a hard approach is not enough to prevent VE. The draft of the NAP should include the investment of more time and resources into developing a soft approach to prevent radicalisation in violent and nonviolent extremism for long-term impacts.

There are four priority areas of preventive programming that should be incorporated in the NAP that include **peace education for youth, gender mainstreaming, media literacy and protection of religious freedom**. These are crucial to build social resilience against violent and nonviolent extremism at the policy and societal level.

3.1 Peace education for youth

Challenges: Majority of the individuals detained in Malaysia for links to Islamic State (IS) were under the age of 40.¹⁰ This data does not include sympathisers nor supporters of other extremist groups that are not listed by the government. Furthermore, those under the age of 25 are most susceptible to radical ideology as they are inexperienced and easily influenced.¹¹

One of the pull factors is that terrorist and extremist groups exploit young people's passions and talents to be committed in making contributions in the name of religion. The chance of radicalisation is even higher when push factors such as the sociopolitical landscape that limits meaningful participation of youth, and a non-inclusive education system that nurtures younger generations in a segregated environment (by ethnicity, religion and class) and curriculum.¹² Yet youths as a major stakeholder were not clearly prioritised in the Zero Draft.

Recommendations: School and university education is a vital process for human development to prepare younger generations, voters and leaders who embrace diversity and inclusivity. Students and teachers should be at the forefront of this. Especially to complement the recent constitutional amendment that lowered the age for voting and contesting from 21 to 18 years old.¹³

Under the NAP, 'Peace Education' should be the guide for the education system.

1. The first priority area is to mainstream interfaith and intercultural experiences between students and teachers from diverse ethnic and religious backgrounds through interactions, storytelling, and dialogues. It can trigger curiosity, foster common understandings as citizens and nurture empathy between human beings. At this point, it should move beyond cultural values but also include understanding hardships and grievances faced by certain groups as a result of discrimination to produce positive actions.¹⁴

¹⁰ 'Youth' is defined as those between 15 and 30; Besides that, "Since September 2016, almost 80 per cent of the individuals detained in Malaysia for links to IS were under the age of 40." See http://grease.eui.eu/wp-content/uploads/sites/8/2021/01/WP4-Report_Malaysia.pdf

¹¹ Threat of Daesh in Universities: Malaysia's Experience. See <http://www.jstor.org/stable/26351509>

¹² Kaedah pengajaran kita lahirkan pengganas, kata polis. See <https://www.themalaysianinsight.com/bahasa/s/341856>

¹³ Constitutional amendment. See [https://www.loc.gov/item/global-legal-monitor/2019-07-18/malaysia-bill-reducing-voting-age-to-18-passed/#:~:text=\(July%2018%2C%202019\)%20On,21%20years%20to%2018%20years.](https://www.loc.gov/item/global-legal-monitor/2019-07-18/malaysia-bill-reducing-voting-age-to-18-passed/#:~:text=(July%2018%2C%202019)%20On,21%20years%20to%2018%20years.)

¹⁴ #Kebersamaan booklet. See <https://kmumalaysia.org/kebersamaan-booklet/>

2. Second, the NAP must include plans to mainstream peaceful conflict resolution in the classroom to manage interpersonal or intergroup conflicts through dialogues and mediations, not violence.¹⁵ It can equip the students and teachers with listening, emotion management and negotiation skills. Both processes can be done in classes or extracurricular activities (inter or intra-institutions). This way, Peace Education becomes relevant and avoids being a ‘performative display of unity’ or merely being a ‘new subject’. It is practical and can be applied in real-life situations and in a multi-ethnic and religious society like ours. Long-term, it fosters social resilience. Bear in mind that this should coincide with structural reforms in the education system.

3.2 Digital literacy and messaging

Challenges: Radicalisation thrives on the internet. Extremist groups spread their narratives on social media to justify hate and violence, as well as to exploit sympathisers drawn to their cause. The state response through surveillance, content removal and arrest of the creators do not address root causes of concern. These reactive and short-term responses cannot possibly build a resilient society that can counter extremist ideology.

Recommendations: More long-term, preventive, and educative responses can equip the society with the knowledge and skills to not only resist but also counter extremist narratives.

1. The NAP should include government media literacy programmes that are accessible for the public to educate every segment of society about the critical consumption of online information. These media literacy programmes should have the aim of mainstreaming skills to identify the types of narratives and verify and counter them on social media and in real life.
2. In addition, the NAP should ensure a coordinated effort by the government in the strategic communication among the ministries to mainstream positive narratives or counter-messaging about diversity, tolerance, and peace, which is also in line with the National Unity Action Plan and Malaysia’s mandate as a member of the Human Rights Council.¹⁶
3. In the meantime, there are challenges including the pressures from the fundamentalist or extremist groups. Thus, the government should develop measures for resiliency within the state institutions and protect CSOs’ efforts in advocating for the narratives of peace, equality, and humanity for public awareness.¹⁷

¹⁵ Peace Lab for Youth. See <https://initiate.my/event/peace-lab-for-youth/>

¹⁶ Not only SEARCCT; The National Unity Action Plan (2021-2030) is an effort to reimpose the initial goal of uniting Malaysians; Malaysia has been given the honour to be a member of the United Nations Human Rights Council (HRC) for the term 2022-2024.

¹⁷ See https://www.researchgate.net/publication/327667910_Developing_a_social_media_response_to_radicalization_The_role_of_counter-narratives_in_prevention_of_radicalization_and_de-radicalization;dhs.gov/sites/default/files/publications/Countering%20the%20Appeal%20of%20Extremism%20Online-ISD%20Report.pdf

3.3 Gender mainstreaming

Challenges: Women and girls are one of the most important stakeholders in P/CVE. Including Malaysia, the role of women in VE has transformed over time from not only as victims or domestic caretakers, but also perpetrators. This is because extremist groups have become more resilient and sophisticated in their strategies that include recognising the role of women in recruitment, providing financial and domestic support and taking up combat positions as fighters.¹⁸ Marital relationship, obedience and the reward of entering heaven commonly influences many women's decisions to join extremist groups. This is rooted in the patriarchal practices of culture and religion, not clearly prioritised in the Zero Draft.

Recommendations: Gender mainstreaming should be central in the NAP to ensure the protection of women's rights and to recognise the role of women in conflict prevention and peacebuilding efforts.^{19, 20} It should start with women empowerment to educate women and girls about autonomy over their own bodies and ability to make autonomous decisions without being influenced by the perpetrators' false narratives, and to educate more men to embrace gender equality to treat each other with respect and dignity.

1. First, the NAP should provide a security urgency to effect policy reforms that support the protection of women and girls against sexual and gender-based violence (SGBV) such as sexual harassment, marital rape and child marriage.²¹
2. Second, the NAP should revisit some of the religious interpretations and fatwas that reinforce the subordination of women in society in line with women's lived realities and human rights.
3. Third, the NAP should include steps to increase diverse representation of women as leaders, peacebuilders and experts in decision-making positions and mainstream media.

3.4 Protection of freedom of religion and belief (FoRB)

Challenges: Religious freedom is a non-derogable right to practice a religion, sect, or belief in peaceful manners. The right to religious freedom should be protected for non-Muslim minorities, critical Muslim thinkers and groups, and religious minorities within the Muslim society such as Shia and Ahmadiyah.

Legal restrictions that persecute faith communities based on their belief provides a justification for fundamentalist and extremist groups to propel sectarian divide in the country through the narrative of *takfir* that dehumanises one faith group in favour of the other and lead to the risk of violent 'jihad'.²² The history of mankind has shown that sectarian narratives shaped the ideologies of terrorist movements to spark sectarian conflicts for power.²³ In Malaysia, a series of terror attacks targeting worship places were reported following the court case on the usage of 'Allah'.²⁴

¹⁸ A woman assumed a lone-wolf role in a terror plot in Malaysia, see <https://www.benarnews.org/english/news/malaysian/women-terror-07242018160131.html>.

¹⁹ United Nations Security Council (UNSC) adopted 10 resolutions on Women, Peace and Security (WPS): Security Council Resolutions 1325 (2000), 1820 (2008), 1888 (2008), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), 2242 (2015), 2467 (2019), and 2493 (2019) to ensure the protection of women's rights and recognise the participation of women in peacemaking, conflict prevention and peacebuilding efforts.

²⁰ Indonesian and Kenyan NAPs - KNAP on women, peace and security (WPS), See <https://gender.go.ke/wp-content/uploads/2020/09/KNAP-II-digital-30-Apr-2.pdf>; Rencana Aksi Nasional Pencegahan Dan Penanggulangan Ekstremisme Berbasis Kekerasan Yang Mengarah Pada Terorisme Tahun 2020-2024.

²¹ Sexual harassment bill and the reluctance to ban child marriage.

²² Malaysia has the highest restriction on religious freedom. See <http://grease.eui.eu/toolkit/>

²³ Sunni-Shia conflicts in Iraq and Syria and, Catholic-Protestant conflicts in Northern Ireland.

²⁴ The Herald case. This shows resemblance with Surabaya and Jolo Bombings. See <https://www.bbc.com/news/world-asia-56356212/>

Recommendations: The NAP must include a number of efforts to protect the freedom of religion and belief.

1. First, the NAP should revive the interfaith council in Malaysia with independent status and equal representation of various faith groups to advise and reconcile interfaith issues from escalating into serious conflicts.
2. Next, the NAP should provide a means to revisit some of the laws and fatwas that promote sectarianism and takfir of other minority groups. Moreover, there is a need to take proportionate actions against political and religious figures or groups who incite hate and violence without favour of a specific group (majority).²⁵
3. The NAP should allow religious and community leaders to undergo training on human rights and peaceful conflict resolution to be the agents of change at the societal and community level.
4. It is important to develop 'Peace Jurisprudence' or Fikah Kedamaian as the mainstream faith-based narrative to change hearts and minds of society to treat each other as equal citizens with respect, dignity, noncoercion and nonviolence.

²⁵ Statements on Kafir harbi by a mufti and the bible have been corrupted by a politician. See: <https://www.malaymail.com/news/malaysia/2020/08/29/pas-mp-refuses-to-apologise-for-bible-remark-says-christians-have-no-right/1898366>

Incorporating trauma-informed approaches

Challenges: In an environment with various stressors of daily life and the presence of other social, environmental or personal factors, trauma increases a person's susceptibility to VE. In an interview with 220 ISIS returnees, defectors, and prisoners, 11.6% of men and 23.6% of women reported that they had experienced some form of prior trauma before becoming engaged in terrorism.²⁶ They may be significantly under-reporting.

Malaysia has seen a significant increase of fear and mistrust with xenophobic perceptions of the other, an increase of resentment and tension among various ethnic groups and a decrease of social cohesion. These negative thoughts and behavioral patterns at a communal level are a result of collective trauma after centuries of exploitation and discrimination during colonial times and the ensuing violence of World War II and the communist insurgency. Collective trauma can damage the bonds attaching people together and impair the prevailing sense of communality.²⁷ In Malaysia, multiple violent conflicts with ethnic undertones have been occurring from 1945 until the present day.

Recommendations: Awareness on the link among trauma, radicalisation and VE can promote or lead to efforts to address this link at a personal and societal level. Hence, information about trauma, radicalisation and VE should be disseminated to all stakeholders involved in P/CVE.

1. First, the NAP should include the development of local research to study links between trauma and VE to provide valuable insights and learning that can aid government, CSOs and communities to better understand and help traumatised individuals who have been involved in VE. In doing so, the government agencies, especially law enforcement, family and community development and education can significantly shift their strategies to a targeted and evidence-based approach.
2. Second, the NAP should include plans for the government to make research-based clinical trauma therapy available to treat trauma and require education and social services to be trauma-informed to prevent further harm and retraumatisation.
3. Third, a truth and reconciliation process should be established through the NAP following public injustices that resulted in violent intergroup conflicts. Such a process uncovers pertinent facts, distinguishes truth from lies, and allows for acknowledgement, appropriate public mourning, forgiveness and healing. This helps the people recover from trauma and build resilience.²⁸ In this regard, the government should make tools available for trauma recovery, resilience, community building and empowerment as general public health knowledge and practice in the community. This could create a dynamic of an engaged community for improved wellbeing, increased social cohesion and increased ability to embrace diversity.

²⁶ ISIS in Their Own Words: Recruitment History, Motivations for Joining, Travel, Experiences in ISIS, and Disillusionment over Time. See <https://www.jstor.org/stable/26907414>

²⁷ Bosnia and Herzegovina is an exemplary case of how collective traumas can transfer across generations and play a role in radicalizing the people towards VE that resulted in widespread genocide.

²⁸ A successful truth and reconciliation process conducted by a group of well respected people would aid in transitioning from conflict, resentment and tension among different ethnic groups to peace and connectedness in the community.

Developing comprehensive rehabilitation and reintegration (R&R) programmes

Challenges: R&R programmes are important stages of the deradicalisation process for those who have been involved in ideological violent groups.²⁹ The rehabilitation module in Malaysia that is made known to the public is based on the foundation to correct religious and political misconceptions.³⁰ Meanwhile, reintegration is the next-stage process to help former detainees to rejoin the society with ‘transformed’ minds.

Currently, these programmes are formulated and conducted only among the state agencies.³¹ There is no involvement from civil society, and the focus of R&R programmes are lacking justice for the victims. This is different from the Indonesian experience, where for example, NGOs are directly involved in facilitating dialogues between former detainees and affected groups or families to address trauma and expose them to humanising experiences. Furthermore, the success rate of R&R is still vague as to the method of evaluation.³²

Recommendations: The NAP should propose the development of comprehensive R&R programmes for sustainable outcomes.

1. First, the government should involve the role of civil society in R&R programmes especially from NGOs practitioners including women and youth groups as well as the religious minority communities. This includes the design and engagement of R&R programmes for both the beneficiaries (VE detainees/former detainees) and the implementers (rehabilitators and social service providers).
2. Second, comprehensive monitoring and evaluation (M&E) indicators to properly evaluate the success of R&R programmes must be developed. This should cover the rate of recidivism of former detainees into militancy, the change of ideological belief (short-term and long-term), the inclusion of a broader target audience such as the victims, families, friends, and local communities to strengthen resilience against violent extremism and support for R&R.

²⁹ Currently, the Malaysian government, under the Prevention of Terrorism Act (POTA), has an Integrated Rehabilitation Module for Detainees, administered by the Ministry of Home Affairs (KDN), Prison Department of Malaysia and the Royal Malaysian Police (PDRM). See <https://www.imanresearch.com/2017/11/20/on-rehabilitation-and-reintegration/>

³⁰ Module made known to the public contains a three-phased rehabilitation programme – orientation, reinforcing Sahsiah (good personality), and self-development courses that were delivered by a panel including clerics, psychologists, and social workers.

³¹ The Police, Prisons Department, the Department of Islamic Development (JAKIM), Jabatan Kebajikan Masyarakat (the Social Welfare Department) and Pusat Zakat (the State Alms Centre).

³² Datuk Ayob Khan, said: “From 2001 to 2012, we conducted rehab for 289 militant detainees with a 97% success rate. Only seven of those detainees returned to militancy.” See www.thestar.com.my/news/nation/2017/04/23/facing-downterror-the-man-who-leads-a-bukit-aman-division-in-fighting-terrorism-has-manytales-to-s/.

Developing a monitoring and evaluation (M&E) framework for NAP for transparency and accountability

Challenges: There is no specific M&E framework for the NAP mentioned during previous government-CSOs consultations. M&E is an important mechanism to promote transparency and accountability in the security area, and of course, to assess the efficiency and effectiveness of the formulation and implementation of NAP. This will help create trust, engagement, and buy-in from the CSOs and non-state actors.³³

Recommendations:

1. First, it should use a participatory approach to include one of the most important stakeholders i.e. the CSOs. The NAP should involve CSOs as implementing partners or beneficiaries in the monitoring process, data collection and dissemination of learning to provide feedback and oversight on specific clusters or programmes. Nuanced and critical feedback are vital in ensuring the success of the NAP. Wider CSOs have nuanced specialisations and ground-level networks, and their ability to give feedback is not strictly limited by bureaucratic red tapes. This can touch upon the level of outcomes and impacts, diversity of target audience (youth, gender and religious or ethnic minorities) and financial expenses to take necessary actions towards the overall goals.
2. Second, it should promote data sharing and create a learning process in P/CVE. A participatory approach promotes a greater learning process between the government agencies and a wider CSOs. If honestly executed, a better way of data sharing on P/CVE in Malaysia through data collection, reporting and frequent discussions with relevant government agencies can lead to achieving a common goal in P/CVE. Of course, this should be a bidirectional and coordinated process with reasonable consideration of data sensitivity. Nevertheless, increased transparency provides greater room for innovation and creativity in P/CVE as the data can be used to develop early interventions, more effective actions, strategies and outputs.

³³ There are some M&E guidelines available to be adopted such as the National Action Plan on Forced Labour (2021-2025). See <https://www.mohr.gov.my/ebook/National%20Action%20Plan%20On%20Forced%20Labour/NAPFL%202021-2025.pdf>; Briefing Paper: Monitoring National Action Plans on Preventing Violent Extremism. See <http://www.pvtoolkit.org/media/1232/monitoring-national-action-plans-15-october-2020-online-version.pdf>

