On the Periphery

Containing the Spread of Violent Extremism and Terrorism in Africa



UNIVERSITEIT STELLENBOSCH UNIVERSITY



Compiled and edited by Francois Vreÿ Jennifer Fendrick Benjamin Nickels

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Jointly presented by the Africa Center for Strategic Studies (ACSS) and the Security Institute for Governance and Leadership in Africa (SIGLA) of Stellenbosch University.

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Some 45 participants from 15 invited countries (Angola, Botswana, Cape Verde, Ghana, Guinea-Bissau, Liberia, Malawi, Mozambique, Namibia, Rwanda, Sao Tomé et Principe, South Africa, Sierra Leone, Tanzania, and Zambia) – representatives of African and international multilateral organisations (e.g. Southern African Development Community, African Union, United Nations) – attended the workshop.

Countering violent extremism and terrorism through preventative thought, legislation and policies are often not prioritised in countries not yet exposed to the ravages of violent extremism and its terror derivative. To the contrary, however, all the states represented at the workshop are finding themselves close to violent extremism in their regions and thus a direct catalyst to get their policy, security and legislative houses in order. In support of the latter, workshop topics included legislation against terrorism and violent extremism, anti-money laundering and combating the financing of terrorism, border management, African case studies and panel discussions on each theme.

The five-day programme provided opportunities for delegates to share their experiences, progress, and frustrations with their peers. One simple, but major outcome of the workshop stems from how delegates built interpersonal networks with contact particulars of peers in neighbouring countries and in the respective regions. A second outcome relates to the frustrations expressed by some delegates on the slowness of authorities to take preventative measures through policies, legislation and institution building. A third important lesson relates to the idea of building personalised exchange groups to keep in touch and remain in step with threats, vulnerabilities, and best practices.

The workshop demonstrated sound collaboration between academic institutions, practitioners, and those able to influence decision-makers. Expertise from practitioners and academia stimulated daily small-group discussions facilitated by group leaders, and collectively provided the material for this publication.

In conclusion, early-warning and preventative decisionmaking to counter violent extremism and terrorism require astute leadership, cooperation, and knowledge of the threats and vulnerabilities involved. SIGLA highly values the opportunity to collaborate with the ACSS team and interact with dedicated African delegates who travelled from all over Africa to dedicate their time, knowledge, and insights.



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Preface

On the periphery: Containing the spread of violent extremism and terrorism in Africa

Africa Center for Strategic Studies

Based in Washington, D.C., the Africa Center for Strategic Studies (ACSS) leverages academic platforms to promote dialogue on issues critical to African security. Effective, accountable institutions are at the core of this approach. Consistent with its longstanding commitment to security for all Africans, ACSS was honoured to partner with the Security Institute for Governance and Leadership (SIGLA) to host 'Containing the Spread of Violent Extremism and Terrorism in Africa'. This five-day multilateral workshop was held at the Wallenberg Conference Centre in Stellenbosch, South Africa. The programme sought to incubate holistic approaches to preventing and countering violent extremism (P/CVE) on the continent.

In the last decade, terrorism and violent extremism have convulsed parts of Africa. These elements tend to converge around terrorism epicentres, with clusters forming along bands of unrest that cut from the Horn of Africa to the Sahel. The shockwaves, however, are not confined to countries along this fault line. They reverberate across the continent. States not directly confronted with the spectre of terrorism are often reluctant to prioritise threats that are not readily apparent. The intention of this workshop was to engage delegates on the margins of international terrorism. These countries would benefit from establishing national P/CVE and counter-terrorism (CT) strategies that harmonise with (sub)regional, regional, and international approaches. Moreover, disaffection with state security institutions remains a key vector for radicalisation and recruitment. A centrepiece of this workshop was orienting strategic thinking around principles like legitimacy and the rule of law.

Citizen security is a mainstay of the Africa Center's vision statement. Building on that foundation, ACSS shares SIGLA's long-term commitment to addressing the fundamental defence and security challenges facing Africa in the 21st century and beyond.



Introduction

Terrorism and violent extremism have an important impact in Africa, but what about places not (yet) affected by the trend? This publication addresses this question.

According to the Mo Ibrahim Foundation, Africa has witnessed an 1000 percent increase of terrorist incidents between 2006 and 2017.¹ Terrorism is a debated term, roughly meaning 'acts of unacceptable physical violence, primarily by non-state actors, that intentionally target civilians for political purposes' – across the African continent, generating threats and problems of considerable cost, scale, gravity, and complexity. Africa is also experiencing a rise in violent extremism (VE) – another debated term that means approximately 'the political, ideological, social, and economic forces that support and sustain terrorism, including by justifying terrorist acts and glorifying terrorist actors'. African nations have addressed these ills head-on, responding at the international, regional, subregional, and national level to mounting challenges. Yet Africans' reactions have not stemmed the terrorist tide, and to a large extent,

Increase in Terror Activity in Africa, Sangonet Pulse, 17 May 2017.
See www.ngopulse.org.increase-terrorism-activities-africa [Acessed 17 December 2018].

also not the rise of VE in several African countries. Responses may not have a lasting positive impact if they are not preventative, well-organised, clearly framed, and demonstrate respect for human rights and the rule of law.

This publication focuses on African countries where terrorism and violent extremism, especially their international versions associated with Al-Qaeda and the Islamic State, do not manifest as full-blown threats to security and stability. Nonetheless, elements of these challenges - whether in the form of considerations in security cooperation, features of transnational crime, early stages of radicalisation, or even incipient armed struggles - have real defence and security implications for countries that we might call on the periphery. Such countries are not directly caught up in a contemporary international terrorist crisis, and for them international violent extremism and terrorism may be of second-order or even marginal strategic concern. Unfortunately, peripheral distance does not mean isolation. Africa's nations on the fringes of international terrorism are inevitably implicated in the challenge through economic impacts; diplomatic engagements; (sub)regional and international agreements; and globalised flows of information, people, and goods. Indeed, with globalisation, insecurity anywhere threatens security everywhere. Terrorism has become a global phenomenon in the 21st century. This was aptly demonstrated on Christmas Day 2009, when Nigerian Umar Farouk Abdulmuttallab, a student at a British university, boarded Northwest Airlines Flight 253 from Schipol Airport in Amsterdam to Detroit in the US. Once airborne, he attempted to ignite the explosives in his underwear, but was overpowered by passengers and is currently serving a life sentence. It subsequently emerged that he was recruited by Al Qaeda in the Arabian Peninsula (AQAP) in Yemen.² The underlying point is a simple one – with globalisation and the diffusion of lethal technologies, peripheries can quickly transform into core extremist and terrorism habitats. African states on the periphery today need to be equipped, trained and prepared for such an eventuality.

In the present decade (2010s), African countries fall into different categories regarding terrorism and violent extremism. We can identify a few primary countries directly affected by terrorism hotspots: these are cases like Somalia, Algeria, Libya, Mali, and Nigeria. Their contiguous neighbours – what we might call secondary countries – have often been impacted by spillover effects and domestic dynamics that resonate, as it were, with the hotspots of extremism and terrorism. Here we might include Kenya,

² Hussein Solomon. *Terrorism and Counter-Terrorism in Africa: Fighting Insurgency from Al Shabaab, Ansar Dine and Boko Haram*. London: Palgrave Macmillan, 2015, p. 117.

Ethiopia, Djibouti, Tanzania, and Uganda in Eastern Africa; Morocco, Tunisia, Egypt, Mauritania, and Sudan in Northern Africa; Niger and Burkina Faso in Western Africa; Chad and Cameroon in Central Africa; and Comoros in Southern Africa. Yet there are countries that are further away, without being isolated or unrelated to the violent extremism and terrorism in the region. These tertiary countries might include Benin, Central African Republic, Cote d'Ivoire, Democratic Republic of the Congo, Eritrea, Ghana, Guinea, Guinea-Bissau, Liberia, Mauritius, Mozambique, Rwanda, Senegal, Sierra Leone, South Africa, and Togo. Further away still, there is another set of quaternary countries that are only tangentially connected to the violent extremism and terrorism problems in Africa. These are nations like Angola, Botswana, Cape Verde, Congo, Gabon, Malawi, Namibia, Sao Tomé et Principe, and Zambia. If primary and secondary countries are central to the dynamics of terrorism and violent extremism in Africa, the third and fourth rings are on the periphery.

The reality of international terrorism and violent extremism shapes how nations on the periphery cooperate (sub)regionally and internationally. How should nations on the periphery of terrorism prioritise and domesticate CT norms and standards set by (sub)regional and international bodies? How should such states prepare in advance to prevent the spread of international terrorism and violent extremism into their own sovereign territory? How should states on the periphery of international terrorism actively support African nations in the centre of the storm?

This publication answers those questions based on the discussion at a conference convened in Stellenbosch, South Africa, from 7 to 11 May 2018, by the Africa Center for Strategic Studies (ACSS) and the Security Institute for Governance and Leadership in Africa (SIGLA). The programme convened approximately 50 participants – subject-matter experts and defence and security leaders from over a dozen countries and institutions in both governmental and non-governmental positions – in order to share experiences, insights, practices, and lessons, among countries and across regions.³ The discussions provided an opportunity for these countries to learn P/CVE and CT lessons, and to hone insights into CT approaches for African states on the periphery of international terrorism. The discussions aimed to bring forth the insight and expertise of each participant, and the non-attribution environment served to open and expand conversations.

³ For example, Botswana, Cape Verde, Ghana, Liberia, Malawi, Mozambique, Namibia, Sao Tomé & Principe, Rwanda, Sierra Leone, Tanzania, Zambia.



Chapter 1

Mapping the state of affairs in Africa – Centre and periphery: International terrorism and Violent extremism in Africa

Background

In recent years, Africa has witnessed the growth and expansion of terrorism and violent extremism, which have unleashed extraordinary levels of death, destruction, and disruption on the continent. The challenge has come from groups active in hotspots in different zones and regions. Today's international terrorist organisations and hotspots in Africa include AI-Shabaab in Somalia and the wider Horn of Africa region; al-Qaeda in the Islamic Maghreb (AQIM) in Algeria and the Sahel; Boko Haram in Nigeria and spilling over to the Lake Chad Basin; and elements of the Islamic State in Libya – with many splinter and rival groups in between. Small-cell and so-called lone-wolf terrorists, operating at a distance from organisations and their leaders, have exacerbated Africa's terrorism challenge. In recent years, first-time attacks have taken place in several countries, radicalisation has penetrated previously unaffected areas, and recruitment into the Islamic State (IS) has extended the problem into new regions. As a result, international terrorism and violent extremism have been destabilising some African governments, exacerbating religious and

communitarian tensions, fuelling large-scale migration, undermining economic and development plans, affecting diplomatic commitments, and more.

While terrorist attacks and groups are concentrated in a handful of hotspots, these international terrorism epicentres have also indirectly affected neighbouring nations, including a set of countries on the periphery of international terrorism – a step removed from the crises but not immune to their impacts. Countries of Africa's Great Lakes region remain at a distance from East Africa's international terrorism challenge, for example, just as many littoral West African countries remain on the fringe of the AQIM and Boko Haram challenges. At the continental level, Southern and Central Africa are less directly caught up in international terrorism and violent extremism challenges than Northern, Western, and Eastern Africa. In these more peripheral nations and subregions, understanding the relevant trends and prospects, calculating probable threats, and calibrating appropriate responses to terrorism and violent extremism require subtle assessments of the security landscape, steering clear of both alarmism and overconfidence.

International terrorism and violent extremism threaten African nations in different ways and to different degrees, and responses across the continent vary as a result. In all cases, countries must find their own path to reducing terrorism and achieving national defence and security goals. For nations on the periphery, citizens should identify and gauge the threat international terrorism and violent extremism do or do not pose to their own country – a separate but related question from how these threats affect their neighbours and their (sub)region. Security leaders must determine whether and how international terrorism and violent extremism do or do not threaten their own desired national defence and security ends, and then plan to act accordingly. They should choose to focus on areas of particular relevance to their own situation, and they may even be able to prevent the growth or spread of international violent extremism and terrorism in their own territory.

Analysis

International terrorism can threaten the territorial sovereignty and state institutions of countries on the periphery. International terrorists in Africa have demonstrated a desire and ability to seize and control land. They have founded several shell states or 'proto-states' in Africa and gained a grip on significant numbers of people, 'governing' the population after destroying any legitimate government elements in their way. Just as narco-traffickers can effect state capture in Africa, so international terrorists raise the

spectre of African governments infiltrated and manipulated for a violent extremist agenda. Countries on the periphery are vulnerable to terrorist takeovers to the extent that their own nation-states often fail to maintain overall stability and to project power, establish state presence, and gain popular support in marginal sections of their own territory.

The terrorist challenge in Africa is serious and has exacted a great toll this decade. A recent uptick of attacks on soft targets in Somalia and Nigeria, as well as Mali, reflect a loss of territory. Despite AQIM's attempts to centralise its power structure, many affiliates continue to operate semi-independently, targeting hydropower stations, radio stations, etc. The territorial gains from these attacks are negligible but the social impact is profound, and it reinforces a sense that the state is unwilling or incapable of protecting its citizens. The year 2018 has seen the re-emergence of ISIS in Libya and AQIM in Sahel, which is currently working to centralise its power structure so that it can re-emerge. And the imagery from recent attacks continues to act as fodder for propaganda aimed at foreign recruitment, creating a message that spreads the sense of injustice, grievance, vengeance, hope, and potential for belonging as a way of recruiting. Terrorist groups are adept at manipulating media and carrying out attacks for maximum coverage. Imagery is evolving, and an unhealthy symbiotic relationship has emerged at times between terrorism and the media. It is likewise important to understand these movements in the context of social media. Terrorists use these platforms not only for communication, but also to advance their operational objectives and reach a vast audience in real or potential terms.

The costs of terrorism and VE to African countries have been enormous. Tens of thousands of Africans have died as a result of terrorist attacks in the period after 2010. The Nigeria Security Tracker noted a dramatic mid-decade uptick in deaths attributed to Boko Haram.⁴ Overall, there has been a 9% increase in the lethality of terrorist attacks over the last year. Displacement is another unappreciated element on the continent: between two and three million people have been displaced by the Lake Chad Basin conflict, for example, and Dadaab in Kenya is a visceral reminder of the tangible effects of terrorism.⁵ As for indirect costs, they include, among other things, the overreaction occasionally provoked on the part of the government and the humanitarian disasters impacting on civilians, women, children, and the elderly in particular.

⁴ See Nigeria Security Tracker of the Council on Foreign Relations at https://www.cfr.org/nigeria/nigeria-security-tracker/p29483

⁵ See more detail on the UNHRC Kenya and the four refugee camps of the Dadaab refugee centre in Kenya at https://www.unhcr.org/ke/dadaab-refugee-complex

But terrorism is not the only problem that exists in Africa; there is also a growing and related challenge of violent extremism. Definitions for terrorism and violent extremism remain hotly debated. The African Union has a definition of a terrorist act, but lacks one for violent extremism. The two concepts are linked and clear contemporary cases demonstrate where terrorism stems from a set of strong ideological beliefs, often rooted in religion, that lead to intentional violence against civilians. Such is the case of Uganda's Lord's Resistance Army, especially the ideology of its origins with Alice Auma.⁶ That said, terrorism and violent extremism pose separate and quite different challenges to countries on the periphery.

Africa's major international terrorism hotspots are concentrated in a few countries – Somalia, Mali, Libya, and Nigeria – and their surrounding areas, namely the Horn, Sahel, North Africa, and the Lake Chad Basin. Countries on the periphery of these epicentres face threats from terrorist operatives moving money, goods, and people into and out of these hinterlands, and from incursions onto their national territory by terrorist organisations targeting soft targets tied to global investments or international clientele. Some examples are the attacks on the UN and its contingents in Abuja, Nigeria (August 2011), Ber, Mali (October 2018), as well as Mogadishu, Somalia (June 2013). Violent extremism, by contrast, has dispersed and anchored itself locally in a broad discontinuous patchwork across the continent. Radicalising individuals and communities, recruiting lone actors or foreign fighters, leveraging homegrown grievances, and exacerbating enduring conflicts – all of these are threats that violent extremists can generate or exacerbate in African countries on the periphery. Since the two phenomena differ, terrorism and violent extremism require discrete responses from African countries on the periphery of terrorism.

The conditions for both terrorism and violent extremism exist on the periphery. The threats are real and present. There are international and transnational organisations that have the objective of seizing state power and are promoting their ideologies and policies. In the case of African countries, there are many organisations fighting for these ideals, but the most prominent are organisations linked to Islamic Jihad, ISIS, Boko Haram, and AI Shabaab. These organisations – some of which draw inspiration from Gulf-funded mosques and the distribution of scholarships for religious studies that promote Salafist, Wahhabi, and anti-Western values – constitute a menace to the democratic state. The type of ideology they promote and the type of theocratic states they want to establish, are said to recreate government practices, but do not represent the best of administration and development.

⁶ Allen, T. & K. Vlassenroot (eds). 2010. *The Lord's Resistance Army: Myth and Reality*. London: Zed Books.

The vulnerabilities associated with terrorism and violent extremism exist across the continent, including in the periphery. Vulnerable countries are usually those with unmet local grievances, ungoverned areas, political instability, youth unemployment, state collapse, a significant 'resource curse', and a lack of political will to tackle threats posed by terrorists groups. For instance, there are many socio-economic cleavages and existing fissures (inter-ethnic, factional, etc.) that terrorists and violent extremists could exploit. Pastoralist/farmer communities are often at odds, and there have been attempts by AQ/ISIS-affiliates to recruit and mobilise them. Violent extremists have already successfully mined grievances of minority groups in Europe and Africa, seizing upon these communities' sense that they are under siege by the majority population. Violent extremism could also be the result of a social issue, that is, the result of a sense of inequality. Local communities, suffering from inequality and increasingly deprived of power by political elites concentrating on enriching themselves, are potentially ripe for recruitment. These grievances and socio-economic ills can lead some individuals to join groups to secure money for destitute families, and follow the ideological goals of leaders of the militant organisations.

Shortcomings of the state itself can be another driver of terrorism and violent extremism. The regional extremist tide exploits not only economic need, but also the absence of the state. There seems to be a correlation between state fragility and terrorism.⁷ Violent extremist organisations seek to destabilise fragile states through violence, thereby demonstrating the inability of the state to protect its citizens. Attacks are largely focused on areas where the state is weak or nonexistent. The emergence of Daesh in Mali and Puntland shows the capacity of these groups to exploit weak and fragile states. Even more established states are vulnerable: in Tunisia, attacks on the Bardo National Museum and in Sousse three months later made the government appear ineffective and weak. There are also bureaucratic challenges within the state that limit responses to terrorism and violent extremism, such as limited budgets and turf wars between agencies.

Political shortcomings are a final factor contributing to the (potential) spread of terrorism and violent extremism to the periphery states in Africa. There are overarching challenges that come from weak governments, corruption, and policies that do not meet the needs of citizens – for example, failed policies regarding the youth bulge that do not promote growth, wellbeing, opportunities for personal and private advancement, economic development, or integration of citizens into a state. Governments have struggled to deal with instability and internal social disruptions and often fear taking bold steps to deal

⁷ For more information on state fragility see the 2018 annual report of the Fund for Peace available at https://bit.ly/2Qzs3ss

with challenges. And governments have not always known how to deal with the Muslim communities in their countries. Terrorism and violent extremism do not emanate from a single religious community, but governments too often turn their focus to religion, thinking that Islam is the root cause of violent extremism and terrorism due to what happens in the Middle East and Europe. Yet there were left-wing and other terrorist movements with similar global aspirations in the 1960s, and nowadays many radical nationalist and ultranationalist groups, white or black supremacist groups, and others are developing their own plans, programmes, and actions. In terms of religious extremism, there are Pentecostal churches, Brazilian evangelists, and so on – all organisations that can also create havoc in communities by, for example, collecting funds and tithes (*dizimos*) from impoverished communities, money they need for their survival. Religious and ultra-right messages often find appeal because the government has been too incompetent, ill-prepared, or ineffective and inefficient to handle the situation, and because corruption and the absence of any public and civic-mindedness has separated the state and the government from its citizens.

That said, today it is Islamist extremists who have the key supranational objectives distinguishing them from other terrorism movements, and their associated casualty rates are far higher. Islamic doctrine itself, however, may not be a major factor. Often radical and violent groups *become* extremist and religious, not the other way around. In these cases, Islam is merely a convenient vehicle carrying social and political grievances and terrorism – religion is not the end but a means. Governments should understand that a rise in jihadism in Africa reflects local dynamics that create conditions for these movements to flourish. There is a social margin that makes certain areas more susceptible to jihadist inculcation. Africa is no different and harbours a series of social and political conditions that make parts of Africa fertile territory for terrorism and violent extremism. Governments also need to be careful to distinguish between Islamism and jihadism – that is, between a rising activist (and even extremist) Islam supported by certain Muslim organisations. Misinterpretation by officials risks fuelling Islamophobia, which in turn can exacerbate the exploitation of local grievances by the jihadists.

At present, the impact of terrorism and violent extremism on policy in the peripheral states is only beginning to be felt. Governments are more focused on internal issues of poverty, infectious diseases, vigilante groups, refugees, drought, organised crime, rule-of-law shortcomings, and so on. Many countries, including Angola, Botswana, Cape Verde, Ghana, Liberia, and Zambia, do not feel direct impacts in terms

of terrorism and violent extremism. For them, the challenge is thought of as something of a new problem for which they have little in place of policy and strategy.

But of course, many secondary countries with terrorist problems today were on the periphery just a few years back, and there are real signs of spreading threats on the continent. Northern Mozambigue, especially the Cabo Delgado province, is a key example of how things can devolve. The area is increasingly caught in the Horn and East Africa dynamics of terrorism. The region includes a migratory route from the Horn to South Africa, one that originates in Somalia and passes through Kenya and Tanzania. Migrants cross the Rovuma and, entering through Ressano Garcia, pass to South Africa with documentation purchased in Maputo. It is also well known that in the capital, there is a mosque suspected of collecting migrants who make this route, the majority of whom are Somali. Moreover, Northern Mozambique sits along a sea corridor linking Africa to Asia, and South Africa, presenting a transit hub to places migrants want to go – America, Europe, and elsewhere. These connections are tied to many local problems; poor employment possibilities and a lack of formal training of inhabitants; the existence and coming on line of massive mineral and natural gas resources; the presence of militant organisations and political influences that go hand in hand with drug (especially heroin) trafficking; and state actors focused on the supply of money for state and personal projects of leaders. While the information being made public is not precise and does not allow for proper evaluation and intervention, Mozambique seems to truly face the prospect of VE, if not outright terrorism in its Northern provinces.

And even where the threat is not so acute, countries on the periphery are affected by violence and terrorist organisations. Ghana and Cape Verde live with West Africa's struggle against Boko Haram, AQIM and Jama'a Nusrat ul-Islam wa al-Muslimin' (JNIM). East Africans are affected by ongoing efforts to deal with Al-Shabaab as well. The presence and type of challenge varies by country and its economic and geostrategic situation. Money is laundered in some countries; other countries have cells that are being prepared but kept clandestine. And often countries retain reflexes that are likely to exacerbate the challenge. States on the periphery tend to use force and to adopt policies that contribute to the discrimination of Muslim populations and sideline women. Abuses by the army and bribe-seeking by police and unprofessional security forces in general, are commonplace and risk adding momentum to struggles that decrepit institutions, set in place a century ago, are unlikely to handle effectively.

Most of the governments have developed some basic plans for terrorism and violent extremism. They may have legislation giving the authorities some leverage to act, to use force and take military action when

necessary, for example. Botswana is developing a national security strategy and national military strategy that acknowledges the importance of a whole-of-government approach and focuses on big issues for the country, like the youth bulge. In this context, the connection between poaching and terrorism is also broached, because there is tenuous evidence that poaching may fund terrorists, including Al-Shabaab.⁸ Sierra Leone is consciously trying to deal with human trafficking, which can fuel insurgency, and it has developed a fusion centre for raising awareness of violent extremism among imams. Mauritius is also aware that it is not immune from terrorist attacks. The island nation has proactively sought to fortify itself from terrorism and criminality, especially since tourism is a major source of revenue, and a single attack could devastate its economy. Another island nation on the other side of the continent, Cape Verde, is also aware that despite its isolated location and relatively stable government, it is not immune from a whole host of regional challenges. The country has features associated with the rise in violent extremism, such as a large youth population, and some young people have joined criminal organisations operating in Cape Verde, which sits along narco-trafficking routes between Latin America and Europe. Saudi and other Wahhabi-funded groups are attempting to build mosques in the country to attract Cape Verdeans, and it is possible that some might join international terrorist groups, since the religious element is often epiphenomenal and examples of very new or even non-Muslim recruits into such organisations have been found. Cape Verde is monitoring the situation closely. It is also working with the Community of Portuguese Language Countries (CPLP) in anti-corruption, anti-money laundering initiatives, etc. skillsets that have been honed over time, although the member states have not done so explicitly with regard to terrorism and violent extremism.

While governments have taken action, they have not always been part of a strategy, and while many African states do have strategies against terrorism and violent extremism, they are very general and part of the government's overall 'law and order' process. When confronted with new threats, governments tend to act *a posteriori* without taking into account a need for preventive actions. Moreover, they tend to develop strategies in offices, without proper consultation with relevant people and groups. Citizens are usually then treated as subjects. In the case of terrorism, government agencies must inform citizens of policies, strategies, and the role they have to play. Their opinions are very important in preventing such situations. In Northern Mozambique the population had started calling attention to certain extremist phenomena, but the government reaction only arrived when attacks against police and the army occurred. Some

⁸ Maguire, T. and C. Haenlein. An illusion of complicity: Terrorism and the illegal ivory trade in East Africa. *RUSI Occasional Paper*, 25 September 2015, Royal United Services Institute for Defence and Security Studies.

governments also try to blow threats out of proportion and have not proven to be sufficiently capable technically, financially, or politically to mobilise the citizenship for the cause.

Even once a strategy is in place, it may look good on paper but not be implemented with coherence and an aim of avoiding unnecessary suffering, human rights violations, and persecutions by soldiers and police. Implementation often excludes organisations like the Red Cross, and because there are no clear values, empirical data, theories, and objectives in strategies, implementation can be difficult. Finally, strategies can tend to view threats as international or transnational conspiracies, overlooking critical drivers of the likes of local grievances; errors and insufficiencies in internal policies; and the marginalisation of certain religious and ethnic groups from power, administration, education, and so on.

Recommendations

To prepare and respond in the best way possible, countries on the periphery should develop the proper perspective on the threat. They should take advantage of the opportunity to plan and act quickly: prevention is the best way to tackle violent extremism and terrorism. In planning to fight the threat, there should be proper consideration of the psychological, socio-cultural, economic, and political context. There should also be initiatives to raise awareness and to enhance policy analysis at the highest level, to reframe the prioritisation of approaches. It is particularly critical that the specific drivers in each nation on the periphery are understood. Certain drivers of radicalisation are universal, but many are not, so it is imperative for each country to identify and address its own vulnerabilities and drivers of radicalisation, in order to draw appropriate conclusions. Whereas the international community has focused a great deal on radicalisation in general terms, on the periphery radicalisation may serve merely as a front, allowing groups to attract like-minded individuals without mobilising them for battle. Rather than radicalisation, *sympathy* may be what violent extremists and terrorists are gaining by providing services that the state cannot. In the end, only a very small percentage of individuals might truly believe in the cause, but local dynamics, especially state fragility, could allow the threat to grow.

With the proper perspective, strategies to deal with the terrorist/VE threat can be developed, but the great challenge remains in implementing them. This is also the case for high-level regional reconciliation initiatives. Some countries in Southern Africa, for example South Africa, have adopted wonderful strategies and even implementation plans, but the follow-up, monitoring, and evaluation have been lacking. As for which tools make most sense, it is clear that the exclusively military approach is not the

right one because military solutions on their own will not resolve the problem. This truth has been borne out time and again over the last two decades. Rather, countries need to be thinking in terms of a whole-of-government and whole-of-society approach. This means bringing on board and making specific changes regarding specific state instruments. Legislative frameworks can serve to set overall government action, and further integrating the intelligence services is crucial. When intelligence services develop their own strategies, they tend to shut out key stakeholders. The prompt sharing of intelligence among agencies and among partner countries is crucial, and laws like the Combating Trafficking in Persons Act⁹ and the Cybercrimes Act¹⁰ work towards this end. Non-state actors should also be engaged. Since religion can play a major positive role in preventing radicalisation, communities and religious institutions, like mosques and churches, should be involved in dealing with the threat. Religious actors must be given a chance to intervene in the prevention of extremism.

Countries on the periphery should also work with others, through multilateral efforts, to strengthen their response to terrorism and violent extremism. They should, for instance, establish focal points for strategy implementation to improve multi-agency collaboration and partnerships. Regions can play a big role in preventing radicalisation, for example, by ensuring good governance in all member countries. Countries should increase resources allocated to regional reconciliation initiatives, and revise and realign national CVE and CT strategies with regional strategies. Regional connections can allow for much-needed exchange of practical experience with neighbouring states, regional organisations, and civil society/ NGOs, in order to cope with the main threats and to understand a permanently changing situation. Regional bodies like the CPLP can help their countries develop strategic plans that address the root causes of terrorism and VE.

Ultimately, it will be a strong social contract that best innoculates the periphery from the threat of violent extremism and terrorism. A big part of this is improving governance, since bad governance has become so rampant and has provided a fertile ground for recruiting and breeding extremists.¹¹ As part of this,

⁹ See for example: Republic of South Africa. Prevention and Combatting of Trafficking in Persons Act 2013, Government Gazette, No 36715, 29 July 2013.

¹⁰ See for example: Republic of South Africa. Cyber crimes and Cybercrimes Bill, B7-2016 as introduced to the National Assembly by the Minister of Justice and Correctional Services.

¹¹ In simple terms, governance, according to the World Economic Forum, refers to "... the structures and decision-making processes that allow a state, organisation or group of people to conduct affairs. The most obvious among these is the government running your country, as well as the administrations and groups that ensure its safety and efficiency."

governments need to be attentive to fostering jobs, working toward a better distribution of resources, and ensuring that political appointments are assigned equitably. A key component of this is for governments to build strong relations with threatened or 'at risk' communities. Power dynamics within states need to change, particularly in how they relate to vulnerable communities. Those communities must be consulted for their input into dealing with terrorism and violent extremism. Practitioners must consider how their state might engender confidence in these communities, and these officials must remain careful not to securitise the vulnerable in trying to face down the threat.

In building strong levels of trust with the local communities to reinforce the social contract, provision of services is an inevitable issue, especially offsetting services offered by groups that garner support of local populations by providing teachers, doctors, food, and fuel, when government cannot. Finally, the state needs to recognise that at times, violence by citizens has become a means of expression when government has proven unwilling or unable to provide what people are rightly entititled to for survival and that some terrorism is a result of this reaction. In some cases, it may even be that, as part of a political solution, negotiation with certain members of terrorist groups should take place in an effort to separate out and isolate pragmatic individuals mobilised for interest and opportunity and keep them away from hardline elements that must be fought through armed coercion.







Chapter 2

Giving content to the rule of law: Anti-terrorism legislation

Background

Terrorism can become at certain times and in certain places a threat to security and even stability, but terrorism is always and everywhere a crime – or at least it should be. To make this a reality, countries need legislation and laws that criminalise acts of intentional violence against civilians for political gain. Where terrorism is not a present danger, deciding when and how to adopt or update anti-terrorism laws is not straightforward. Addressing such laws can seem irrelevant or become politically fraught, leaving security and political leaders loathe to take on the project. Under such circumstances, why is crafting, enacting, and enforcing anti-terrorism important?

Updating national anti-terrorism laws is often part of honouring existing commitments. All African nations participate in organisations that have made concrete decisions on norms for anti-terrorism laws. In 2006, for example, the United Nations General Assembly adopted Resolution (A/RES/60/288) on a global counter-terrorism strategy that includes requirements about rigorous rule-of- law standards, including in the Plan

of Action an obligation that member states endeavour to legally prohibit incitement to terrorism.¹² Other international organisations with African members have also set strategies and standards by adopting treaties, conventions, and protocols – some of which have implications for international terrorism and anti-terrorism legislation. These organisations include, among others, the Arab League, the Organisation of Islamic Cooperation, and the Global Counter-terrorism Forum.¹³ Moreover, African nations themselves have made commitments to African multilateral instruments with implications for anti-terrorism laws, including instruments at the regional level through the African Union (AU) and the subregional level through Regional Economic Communities (RECs) and other regional organisations.¹⁴

Renewing anti-terrorism laws can serve specific purposes in nations on the periphery of international terrorism. Certain aspects of the problem – such as funding, material support, and sanctuary – can find ample support outside hotspots, and nations on the periphery of terrorism may find themselves extraditing terrorist suspects, determining the refugee status of people displaced by terrorist conflicts, or handling related specialised legal questions. Anti-terrorism laws can serve as a precaution, and they may also serve as a deterrent, dissuading terrorist organisations from exploiting the weak legal framework of a country to further their own aims.

While important, updating laws to fight international terrorism and violent extremism presents some challenges. External actors can overly pressurise nations on the periphery to focus on this threat and to address it in predetermined ways that do not correspond to a nation's actual defence and security priorities and needs. Politicising the criminalisation of terrorism – and especially violent extremism – can also paradoxically create new threats. Profiling and securitising specific communities may generate new grievances, making concerns about a terrorist threat a self-fulfilling prophecy. In this counterproductive cycle, prevention of terrorism becomes promotion of terrorism. Couching anti-terrorism legislation within a national CT strategy process can help to avoid some of these pitfalls. As part of the strategy process, citizens and communities that risk feeling unduly targeted could share in consultations on the drafting and enforcement of the new law. South Africa, with its history of the abuse of security legislation to

¹² United Nations. Resolution adopted by the General Assembly on 8 September 2006. See https://bit.ly/1PTYXx5 [Accessed 2 January 2019].

¹³ United Nations. 2001. International Instruments related to the Prevention and Suppression of International Terrorism. New York.

¹⁴ Within the African Union, there is, for example, the Convention on the Prevention and Combating of Terrorism and the Protocol on the said Convention. See https://bit.ly/2VWtVul [Accessed 2 January 2019].

counter the armed struggle against apartheid, at the time of the advent of democracy, was equipped with legislation which was primarily aimed at addressing internal threats, and not at all aimed at the threat of international terrorism. In order to ensure a transparent process, inclusive of all viewpoints and with the maximum degree of consultation, a process was registered with the South African Law Reform Commission during 1996. This meant that the review process had the benefit of international reaction against the 1999 bombings in Nairobi and Tanzania, as well as the reaction of the United Nations Security Council (UNSC) and the subsequent spate of counter-terrorism legislation globally which could serve as an example of an appropriate response. The Committee of the SA Law Reform Commission, chaired by a Constitutional Court Judge, went through a process of the publication of a discussion paper for public comments. The said commission produced a report containing a draft Bill, which was eventually adopted as the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004, and which was regarded during its first country visit of the United Nations Counter-Terrorism Executive Committee to South Africa as "model legislation".

Analysis

In drafting anti-terrorism legislation, African nations on the periphery can benefit from international instruments already put in place to deal with the evolving threat. Nineteen international relevant instruments have been adopted, dealing with civil aviation; protection of international staff; maritime navigation and platforms; explosive materials (plastic explosives); terrorist bombings; financing of terrorism; and nuclear terrorism/control of nuclear material. The adoption of a universal international instrument on terrorism has remained unfulfilled due to differences on a universal definition of terrorism. Some of the existing legislation against violent extremism and terrorism include the UN Global Counter-Terrorism Strategy; the Algiers Convention on the Prevention and Combating of Terrorism of July 1999; the AU Plan of Action on the Prevention and Combating of Terrorism of July 1999; the AU Plan of Action on the Prevention and Combating of Terrorism forum's 2012 Rabat Memorandum. The Algiers Convention (1999) did not define "terrorism", but refers to a "terrorist act", and through Article 4 urge member states to become party to the relevant counter-terrorism conventions, with the obligation to enact crimes in line with those Conventions.

Legislation against violent extremism and terrorism is essential for setting the basis of national, regional, and international cooperation. The overall objective of national legislation against violent extremism and terrorism is to harmonise all national laws, creating a seamless web of preventive, punitive, and

international cooperative legal measures. The UNSC Resolution 1373 (2001)¹⁵ calls on all states to pass comprehensive counter-terrorism laws and measures, including by ratifying various international instruments and complying with internationally legally binding UNSC resolutions. Legislation against terrorism and violent extremism has been produced by most African governments. However, it has been influenced heavily by transnational organisations, bilateral aid agencies, etc., in ways that help it meet international standards. Unfortunately, the latter often leaves it less tailored to local contexts and thus a potentially dangerous mismatch with what local inhabitants are comfortable with.

Examples exist of countries on the periphery that have managed to adopt anti-terrorism laws. South Africa has good counter-terrorism legislation, as outlined above.

Within a context of corruption and state capture by criminals and certain economic groups, counterterrorism legislation may end up being abused to secure the government of the day and to eliminate certain groups from politics, business and investment. Some member countries have convicted people on terror crimes but struggle to end radicalisation in an open society. Hate speech and inciting violence are difficult to address with legislation, even when there are existing statutes on the books. Using evidence from intelligence sources to prosecute is also a challenge, since it exposes intelligence capabilities and processes.

Of importance in terms of counter-terrorism actions, inclusive of counter-terrorism legislation, is firstly the establishment of the United Nations Counter-terrorism Executive Directorate (UNCTED), which monitors the implementation of UNSC Resolutions pertaining to the countering of terrorism. Country visits are paid to numerous countries and reports are submitted on these country visits, reflecting the degree to which the relevant country has implemented these UNSC Resolutions. Secondly, there is the United Nations Special Rapporteur on the Promotion of Human Rights and Freedoms while countering terrorism. The Special Rapporteur also pays country visits and ensures a balance between the measures taken to combat terrorism and respecting human rights in combating terrorism. The Reports of the Special Rapporteur therefore also cover the scope and nature of counter-terrorism legislation and special measures to counter terrorism, which differ from the normal criminal law in the country.

¹⁵ See UNSC Resolution 1373 of 2001, available at https://www.unodc.org/pdf/crime/terrorism/res_1373_english.pdf

Recommendation

Anti-terrorism laws must be distinctive, strategic, and legitimate. When terrorism is not a pressing concern, the move to adopt or update terrorism legislation, risks becoming, in perception or reality, a political project that securitises a population or criminalises the opposition – a development that ultimately undermines the legitimacy of the law. Careless legal drafting of anti-terrorism laws can also unintentionally alter or simply duplicate existing statutes, adding to 'legal pollution' and avoiding some truly unique and vital legal issues specific to terrorism and violent extremism, such as how to outlaw and punish violent extremist hate speech, online recruitment, participation in terrorist acts by juveniles, and so on.

Countries on the periphery need to decide the phases of law and strategy. Some nations may wish to first define a counter-terrorism strategy in order to identify and advocate for specific legal instruments, whereas others may decide to pass bills straight away, guided by national legal traditions and thereby ensuring that any subsequent counter-terrorism strategy follows a rule of law based on independently determined standards.

To be perceived as legitimate, their drafting should include dialogue, consultation, and inputs from all political parties, civil society actors, and marginalised communities. Laws should stem from a holistic approach against violent extremism and terrorism and should involve dialogue and consultation with local communities. National legislation against violent extremism and terrorism should not be aimed at or abuse the right of political opponents. Torture, even under extreme circumstances, will provoke negative reaction, degrade the constitutional and rule of law, undermine state legitimacy, and ultimately prove ineffective as well as immoral. To be legitimate, prior to approval by parliament, the legislation has to be discussed with communities and relevant persons in a country, and regular evaluations of the legislation and its efficacy have to be conducted. Its implementation also must be done in a legitimate way: for example, parts of terrorism trials should be held in public for transparency reasons (and other parts in camera in order to protect intelligence sources).

Formulating the law also requires forethought. Countries on the periphery should avail themselves of useful model laws that can assist in the drafting of a country-specific counter-terrorism law, using existing models as 'checklists.' In drafting, they can refer to the countries that do have anti-terrorism legislation and frameworks, as well as UN and RECs strategies. RECs like the South African Development Community (SADC) and the Economic Community of West African States (ECOWAS) can assist member

states to legislate anti-terrorism laws. At the same time, countries on the periphery should also make sure to take account of all components of their previously drafted legislation, to avoid legal pollution by repeating existing laws. They should also take pains to understand their own local context. Any legislation against violent extremism and terrorism will be influenced by international frameworks, but above all it should be tailored to fit national and local conditions. It requires a multi-disciplinary approach involving all departments and should be appropriate for the institutions, the law-enforcement instruments, and the capacity of the concerned country.

Many elements should be considered and probably included in anti-terrorism legislation. Laws related to control of firearms and explosives; cybercrime, including cyber terrorism; the control of the trade in conventional arms; witness protection; and immigration are of particular importance to effectively draft comprehensive national or international legislation to prevent violent extremism and combat terrorism. There may also be a need for new areas of law, such as codes of conduct for community radio stations and new standards against online radicalisation, which have been lagging behind and need more investment and reflection.

One particular element requiring attention is rehabilitation. Laws must be adept at treating minors/ juveniles who are members of militant organisations, with an emphasis on rehabilitation. There may even be a need for amnesty laws in relation to child militants and forced recruits, although amnesty must not make the government look weak and certain heinous crimes must be excluded. For those detained or convicted and imprisoned in connection with violent extremism, there should be a classification along a spectrum – from less to more radicalised. Here the entrapment is to balance the classification with constitutional and human rights provisions as mere suspicion could easily violate the latter. Prisons need reform to help eradicate radicalisation to include separating radicalised prisoners from the general prison population. Eventually the less radicalised will need to be released into society, and for re-integration, the state must be able to monitor such individuals, especially those considered dangerous. At present, states do not have this capacity; intelligence services cannot do it, for example, while constitutional and human rights must preferably be the guiding intelligence on such matters. The state will need to build capacities to address this challenge and international co-operation forms an important element to harness capacities on monitoring dangerous or suspicious individuals.

Once legislation is in place, implementation has to be done correctly. If strategies and proper consultation are taken into account, CT and CVE legislation can be properly developed. During the process of drafting

a CT/CVE law, it is important to include the ways and means by which the application of the legislation will be monitored. Legislation should also be built in such a way as to use the information and evidence available, since intelligence gathering remains one of the most important aspects of any policy aimed at countering terrorism and preventing violent extremism. Open Source Intel, for example, is available to everyone to follow movements of these extremists in any part of the world.

Training is also key to be able to use anti-terrorism legislation. Countries on the periphery and not yet entangled in full-blown terrorism and VE need to seek near parity in building the capacity of offices responsible of both CVE and CT. Training needs to be extended to many categories, based on their contributions. Effective legislation is dependent upon constant capacity building within law enforcement structures and retention of scarce skills. Training of specific counter-terrorism judges can ensure successful prosecution in terrorism cases, as is done in the French/Algerian model. Furthermore, institutions of the United Nations, namely the UNCTED and the Special Rapporteur referred to should be utilised in order to ensure adequate legislation which at the same time respects human rights.







Chapter 3

Dealing with illegal finances: Combating the financing of terrorism

Background

Creating, sustaining, and spreading terrorism and violent extremism requires money. A suicide bomber in a crowded market can detonate an improvised explosive device (IED) assembled from cheap parts, killing and injuring dozens of victims and destroying infrastructure with a minimum amount of money. Such operations, however, usually rely on a wider structure that entices young people into a group, sometimes with financial rewards like microcredit loans and salaries; provides for terrorist cells in hiding; gains community tolerance through investments in social services; maintains an online presence to publicise and frame a group's violence and cause; and so on. Even so-called lone actor terrorism often finds its origins in online or face-to-face radicalisation involving a sustained relationship across months, and the actual attack can follow training and may in fact receive some assistance from other terrorist operatives.

For terrorism in Africa, sources of revenue overlap strongly with areas of operation. Terrorists steal and seize resources from the places and the people they control, occasionally enhancing and prolonging their revenue streams by commandeering local economies, for example. But terrorists do gain some

wealth from well beyond the crisis epicentre as well. Terrorists in Africa regularly profit from trafficking and other transnational crimes (by conducting or 'taxing' illicit trade, piracy, etc.) that tie a hotspot to the wider region. In this way, terrorist financing can affect established commerce and commodity prices throughout a subregion, including in states on the periphery of international terrorism. When Boko Haram disrupts cattle markets, livestock prices fluctuate and herders can suffer across West and Central Africa; when Al-Shabaab in Somalia intervenes in the charcoal trade, charcoal production bans in neighbouring nations aimed at preserving trees and forests can come under increased pressure.

International funding expands terrorist revenue streams even beyond the periphery. Whether from state sponsors, organised criminals, or diaspora communities, money from across and outside the continent flows into and out from the coffers of terrorist groups in ways that affect Africa's banking and financial systems. International responses aimed at combating the financing of terrorism (CFT) include antimoney laundering measures, for example, to obstruct illicit financial flows. These measures can strike a blow against terrorists and violent extremists, curtail corruption and transnational organised crime, build trust with international institutions, and demonstrate national will to join the international struggle against terrorism. Done with inexactness, however, the fight against this genuinely global threat can also excessively limit banking and finance, hamper foreign direct investment, and hinder crucial remittance payments – thereby punishing communities rather than terrorist groups. Properly calibrating the CFT response, and fitting this tool into a comprehensive approach to the threat, is critical for countries on the periphery. Success is most likely to come from an inclusive process that hears a variety of voices and perspectives on vulnerabilities to terrorism and violent extremism funding – from experts and economists to shopkeepers in markets along borders – and uses their insights to develop tailored approaches that fill potential security gaps.

Analysis

Violent extremists and terrorists fund their activities in complex ways that directly affect countries on the periphery. Terrorists use abductions, armed robberies, drug trafficking, smuggling of arms and ammunition, taxes on traders, and many other techniques as their sources of income. The role of charities is also important in extremist funding, as are diasporas. The Lebanese diaspora in West Africa, for example, has had elements supporting Hezbollah, and remittances of Somalis in the diaspora have at times reached militant movements in Somalia, including Al-Shabaab. Moreover, the nexus between organised crime, specifically narco-trafficking, is a key source of terrorism funding. Financing violent

extremism and terrorism often involves money laundering, which denotes a set of more or less complex financial transactions that seek to incorporate into the formal economy the substantial resources that are generated in the practice of illicit acts. One of the most effective ways to fight against organised crime is to deprive criminals of the proceeds from activities that involve money laundering.

Governments on the periphery have some tools to deal with violent extremist funding. There are both specialised agencies and standard rule-of-law actors, like the police (responsible for investigation), prosecutors (responsible for prosecution), and the courts (responsible for trial). But often, existing authorities have limited access to the financial information needed to investigate fraud, and an organ to receive and process this information is also indispensable (where financial institutions are required to disclose suspicious transactions). Such agencies benefit from regional cooperation. To combat the new global converging threats, it is critical to have community involvement, capacity building, the use of intelligence, legal institutions and law-enforcement institutions. At the political level, international cooperation is equally important. Cooperation with non-governmental organisations such as the Centre on Illicit Network and Transnational Organised Crime (CINTOC), which works with local partners to help support the investigation and arrest of suspected members of terrorists groups, is vital.¹⁶

These agencies face challenges due to complicity, however. Where mechanisms for counter-financing terrorism exist, their efficiency and effectiveness depend on human capital, but endemic corruption of the officials/operational leaders can block functioning. On some occasions, governments in Africa have created units to oversee the movement of financial flows, nontraditional businesses, and the arrival of groups of businessmen with suspected ties to terrorist or suspected groups. Yet most of these surveilled groups establish themselves with support from the very same authorities that have the role of monitoring them. Corruption and graft complicate oversight of money-laundering operations. In countries where political economies are based on drug deals, cocaine, heroin, etc., it is very difficult to combat money laundering. A public information campaign of the activities conducted, people involved, and destiny of funds captured has to be conducted permanently.

Mozambique suffers from some of these challenges. There are frequent reports of poached animal products and denunciations of drug dealers and corrupt traders, and money is confiscated in ports and airports, just as drugs are seized. But those involved often manage to come out clean from confrontations

¹⁶ For more information on Centre on Illicit Network and Transnational Organised Crime (CINTOC), see https://www.cintoc.org/

with authorities. There are mechanisms for individuals and groups to denounce people who traffic drugs, who move money through the *hawala* system and are linked to money laundering, drug trafficking, and contraband on the borders. But the relationship between cases announced publicly and convictions is often very weak. The state has ended up defending persons on the US list of drug barons. There is a tendency to always accuse the same persons and groups, while new players and new organisations are conveniently neither monitored nor publicly exposed. One new area of potential money laundering is the health sector. Suppliers are often family members of ministers and health officials. Investigation should be done about these suppliers, their international contacts, and whether there are any direct or indirect links with terrorist groups.

The nefarious actions of violent extremists and terrorists are enabled by some cultural and political factors. Many Africans do not use banks, and the informal sector presents a problem for effective monitoring. Crypto currencies, rising with use of the internet on the continent, are also difficult to police. The existence of black market economies and two rates of exchange for currencies is another problem. Finally, the payment of ransoms – whether to terrorists, traffickers, pirates in East Africa, or others – is extremely damaging. Authorities cannot control these large sums of money, and there are no tools to check and tackle the corruption of the authorities dealing with them, which undermines governance and the rule of law.

Recommendations

Combating the financing of terrorism requires an effective government agency dedicated to financial crimes. Whatever its specific structure, an entity devoted to monitoring, tracking, interdicting, and seizing illicit financial flows that support international terrorism is critical in peripheral African countries. Ideally this organ should be able to reach beyond the banking and financial sector, since so much economic activity on the continent lies outside the formal and legal spheres. The agency should have well-trained and vetted personnel who can handle petty and grand corruption, uncover hidden monetary movements in unexpected domains (e.g., money laundering in health projects), and develop and curate evidence admissible in courts of law.

Countries on the periphery might take steps now to prevent the spread of financial support for terrorism and violent extremism. For example, they could better regulate illegal mining, which was discussed as a potential source of terrorist funding. Perhaps a framework similar to the Kimberley process for conflict
diamonds might be replicated for other resources. Countries should also better regulate local and foreign charities operating in African countries and publicly collect funds. Countries on the periphery should improve cooperation at the local and regional levels. Authorities should improve operational cooperation among monitoring, intelligence, and investigation bodies (including Financial Intelligence Units (FIUs) in their country and with other countries. It is often not even necessary to set in place or negotiate new agreements, institutions or even legislation. Terrorist groups of the region operate across borders, so cooperation with customs officials could be key to detecting cross-border movements of cash. Governments should also ensure all relevant financial institutions could report, particularly those at high risk of being used for terrorism financing and/or money laundering. Governments should also work with the private sector, due to the informal nature of the African economy. Countries could also take steps to develop training and awareness, and to build capacity regarding the financial element of terrorism investigations.

The public must be engaged. There might be public campaigns to get people to trust the banking system more, including working with banking officials to simplify banking features. Information and public education should also be undertaken. The public has no idea about the financial and human costs that money-laundering activities bring. It is also too difficult for the public to work with authorities. For example, the threshold for reporting suspicious transactions is too high and could be lowered.







Chapter 4

Revisiting border control: Mitigation through border management practices

Background

By definition, transnational threats like today's international terrorism cross national borders. As a result, ports of entry (e.g., seaports, airports, etc.) and Africa's long land and sea borders carry critical defence and security implications. Just as terrorist funding can flow across national borders, so can the materiel and personnel – the guns, ammunition, papers, laptops, and cell phones, as well as the trainers, operatives, radicalisers, and leaders who sustain the conflict. At the same time, people fleeing terrorist epicentres may cross several borders to escape the crisis. If contiguous countries receive tens or even hundreds of thousands of refugees displaced by terrorist crises, nations on the periphery of international terrorism can also find hundreds or thousands of displaced victims on their doorstep, occasionally creating a new subcommunity within a country and novel security considerations. Nations on the periphery of international terrorism also face the challenge of foreign terrorist fighters (FTFs). Many African countries have seen at least a few of their citizens depart for terrorism hotspots near or far, with a fraction of them eventually returning. Foreign fighters necessarily exit a port of entry or cross a border, sometimes passing through (or even settling in) a second or third country while travelling to a conflict zone or returning to

their home. The flow of repatriated foreign fighters carries serious implications for the African nations on the periphery of terrorism.

Simply shutting down borders to prevent such risks, however, is counterproductive. African nations have made remarkable strides in (sub)regional integration, including significant steps toward the free movement of goods and people across borders. These achievements play a critical role in Africa's economic, diplomatic, and political advancement. Not only does truly sealing borders lie well beyond virtually any state's capabilities, it would violate norms like *non-refoulement*, and even partial success could generate backlash effects. Border closings can cut off marginalised citizens from relatives and sources of revenue on the other side, ironically exacerbating grievances that might indirectly foment violent extremism within.

To be effective, defence and security concerns about international terrorism crossing borders must be incorporated into robust and nuanced comprehensive approaches. Border security (and defence) should fit within a broader conception of border management, a system that determines who and what crosses, where, when, why, and how. Calibrating this system is critical to tackling international terrorism and violent extremism without placing undue cost and burden on circulation, a lifeblood of any nation's wellbeing.

Analysis

Improved defence and security comes from better management and integration at the border. Isolation is not an option for African countries on the periphery of terrorism. (Sub)regional integration is too important and has come too far to reverse, and international terrorists manage to cross even ostensibly closed national borders.

That said, borders are a difficult subject for African nations. African borders remain poorly defined and have become a recurrent source of conflicts and disputes on the continent. The location of strategic natural resources in cross-border areas poses additional challenges and has led to interstate conflicts with regional dimensions. States have been known to disagree about borders. Such is the case of Nigeria and Cameroon, or Tanzania and Malawi. Certain disputes and confrontations come from long-standing community struggles along international borders, like the Somalia-Kenya border and the Sudan-South Sudan border. In some cases, there are spillover effects across borders, like the Burundi

crisis. In terms of non-state actors, violent extremists and terrorists often work the seam between nations and regions, as the Lord's Resistance Army has long done in Eastern and Central Africa.

It may be that the free movement of people has contributed to the circulation and expansion of violent extremism in Africa, but the only solution is to ensure better regulation of the borders. Open borders need not mean unregulated borders. Countries can work together bilaterally and multilaterally through the peace and security departments of their (sub)regional bodies to address border control. These bodies can help navigate difficult questions like 'hot pursuit' across land borders, an important policing tool but one that can infringe upon sovereignty. 'Hot pursuit' can apply in the traditional sense around water borders, especially in cases where there are many islands bearing small boat traffic and that are difficult to monitor and control. Multilateral cooperation is also at the heart of common passports. The African Union has plans for an African passport, which it adopted in 2002 but has yet to implement. Opening the continent in this way may allow for terrorists to cross borders, but biometric elements of passports and national identity cards may help to combat violent extremism and terrorism in these circumstances.

Regulation often means more technology. African nations now use heat sensors, motion detectors, and even drones to monitor activity along their borders. And technology provided from outside – by the US, the UK, and others – has seen some success. For example, border screening equipment and training led to an Iranian and a Pakistani on the Interpol alert system being arrested in Africa. Technology has its drawbacks, however. Some technology is simply beyond the financial means of African nations, and it takes leadership and political will to continue investing the resources necessary to have up-to-date functioning technology. In some cases technology has failed tremendously due to ineffective management and poor equipment maintenance.

But ultimately, successful border management depends on the people doing the work. Putting personnel in a single location – creating a 'one-stop' border post – has helped in information sharing among services and countries. It is critical, for example, that border control officers have specialised training to be able to enforce laws against human trafficking and sex slavery, which can be applied to terrorists who use trafficked individuals in attacks in some cases. Countries must also fight the moral decay at border posts that contributes to border porosity. To enter countries through borders and airports, violent extremists and terrorists occasionally exploit weak points exposed by organised criminal connections. Effective borders will require that personnel have the necessary competencies and integrity to avoid bribes and carry out their duties professionally.

Recommendations

Working through (sub)regional bodies holds forth the promise of overcoming problems emanating from terrorism epicentres, such as refugee flows or potential 'hot pursuit' actions. Policies promoting the free movement of goods and people across borders, and the existing and emerging common passports by (sub)region in Africa, are in the long run harbingers of progress, but they are not yet functioning as expected and will likely bring new challenges. Better training for border staff and investments in modern technologies, including biometric identity cards and shared databases of wanted individuals and suspicious shipments, can help make African border management more effective. Improved screening equipment could help detect fake travel documents at aerial ports of entry. Community involvement, specifically by tribal chiefs on border areas, could serve as the eyes and ears of the authorities in the face of terrorism, and particular incentives might be offered for this service. There might be value in creating a centralised database tracking the flow of fighters to, from, and within Africa. Some Mozambicans fought in Afghanistan, for example, but there are no records of how many, who was involved, and so on. The ability to keep track of numbers is crucial to predicting future patterns of insurgency and terrorism, especially in regions on the periphery that are actually fielding large numbers of fighters, many of whom are returning. Cabo Delgado in Mozambigue is a case in point. The state is unable to control the flow of foreign fighters in that region, and keeping better records is an important step. These sorts of actions are increasingly necessary as the continent transitions toward a more integrated future.





Chapter 5

Reflecting upon Peace Support Operations: Enter terrorism and violent extremism

Background

Terrorism hotspots engender or overlap with Peace Support Operations (PSOs) and trouble them at the same time. Because terrorism is defined by universally condemned tactics, it tends to cross borders, and figures as an international security priority, a common response by (sub)regional and external actors is to mount some type of coordinated multilateral action, at times including a military intervention. Today a PSO led and supported by some mix of (sub)regional and international actors exists in most terrorist hotspots in Africa. The Lake Chad Basin Commission, alongside the AU and with help from abroad, oversees the Multinational Joint Task Force and its fight against Boko Haram. For over ten years, the African Union Mission in Somalia has fought Al-Shabaab in that country, with assistance from the European Union and other external partners. In Mali, the African-led International Support Mission to Mali transitioned to the Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA), under United Nations (UN) control, which continues to patrol the country and provide civilian protection in the face of devastating

attacks. These PSOs have played an essential role in limiting terrorist groups' ability to operate widely, retain territory, build up sanctuaries, and directly control the lives of African citizens.

Yet PSOs are an awkward fit for the challenge of terrorism and violent extremism. The international authorities and mandates for such actions, derived from the AU and UN, rely on security cooperation scenarios quite unlike the asymmetric threats of today. The UN Charter, for instance, sanctions peacemaking (in Chapter VI Operations) and peace enforcement (in Chapter VII Operations), yet contemporary missions often sit uncomfortably in between in a grey zone – for the lack of an official term, sometimes called Chapter VI.5 Operations. And since terrorist and violent extremist groups fundamentally reject the international order, they preclude any pacific settlement of disputes and dangerously redefine peace as victory by a PSO force that is party to the conflict. Moreover, PSOs are not always simply a reaction to pre-existing terrorist challenges. The relationship between PSOs and terrorism is complex and often two-way, as the case of Libya demonstrates. International violent extremist and terrorist threats have at times persisted and indeed grown in the presence of a PSO. Some analysts have argued that PSO interventions actually lay the groundwork for international terrorism by further disrupting political systems (often through expeditionary external forces), then permitting international terrorists to move in and take advantage of a more chaotic landscape, rising grievances, and lucrative foreign military targets.

The evolution of PSOs in Africa is critically important for nations on the periphery of terrorism. All African nations share some responsibility for Africa's PSO missions and mandates prepared at the (sub) regional level. At the same time, joining a PSO in a hotspot where a terrorist group operates can precipitate a direct threat to a contingent, their nationals, and their homeland, bringing a country from *periphery* rapidly toward the *centre* of a conflict. There may be very good reason to take on PSO roles to fight terrorism across the continent, but the decision should be done strategically, with input from the nation's military, civilian, and civil society actors likely to be deployed, as well as from citizens concerned about their nation's commitments and use of force abroad.

Analysis

Countries on the periphery are caught in the United Nations' transition toward complex peace support operations. Whereas traditional peacekeeping was defensive and required the consent of the host government, new peace-enforcement-style interventions are offensive and do not always require the consent of the host government. Peacekeeping comes after peace has been established, whereas peace enforcement tries to create the peace itself. There are calls to give peacekeeping operations more robust mandates to engage in counter-terrorism tasks. But the idea of peacekeepers conducting counter-terrorism operations has problems. Peace support operations should have more leeway to go from Chapter VI to Chapter VII. The MINUSMA mission in Mali has taken a multidimensional approach and is combating terrorism and countering violent extremism. Countries that are also marked by asymmetric conflict and violent extremism should take this example. The move to fighting terrorism is a mixed bag for UN peace support operations. It demonstrates the UN's interest and ability in taking on global responsibilities for peace and security, but the UN also risks losing legitimacy through engaging, intervening or even being perceived to choose sides in conflicts, and – lacking a standing army or support like airlift and so on – the UN may be putting its workers and civilians in danger.

Shifts in the UN are paralleled in the African Union. Both organisations have increasingly moved from defensive peacekeeping to offensive peace enforcement, to mixed effect for "peripheral" member states. If anything, the AU has focused even more on peace enforcement. The African Union has key peace support missions in Africa, including AMISOM (African Union Mission to Somalia), UNAMID (United Nations-African Union Mission in Darfur), AU RCI-LRA (Africa Union-led Regional Cooperation Initiative Against the Lord's Resistance Army), and the MNJTF (Multinational Joint Task Force in Lake Chad Basin). The AU is working to adjust to its role, but capacity and mandates do not always change as much or as quickly as needed. Insurgents and terrorists change tactics more regularly and rapidly than peace support operations, whose structures and chain of command are not always built for that. Somalia is perhaps an example of the lag.

The new role of peace support operations drawing upon countries on the periphery of terrorism is not without its challenges. Operations now take place within a continuum of conflict: terrorism, guerrilla warfare, mobile warfare, and war of position. The national armed forces of peripheral countries contributing to PSOs are often not ready for asymmetric warfare and need to overhaul their conventional warfare doctrine. There is also debate among nations over the new peace support operations against terrorism, due to concerns that, whereas traditional operations require host nation invitation, sovereignty may be violated by new PSOs, which could lead to reactions by local populations. There must be an emphasis on civilian protection and winning hearts and minds so that PSOs are regarded as legitimate. When peace support operations rely on such non-conventional forces as a force multiplier, as AIMSOM did with Ahlu Sunna Wal Jama, then the sovereignty of the state may also be impinged upon.

Forces from countries on the periphery face problems at every level when fighting terrorism in a PSO context. Although they should provide a military deterrent against armed groups, UN peacekeepers are not likely to be able to perform counter-terrorism tasks in a satisfactory manner, militarily speaking. They are composed of troops from many different countries, are not likely to be able to protect themselves against asymmetric attacks, and their errors in conduct could delegitimise an intervention. Regional efforts are also problematic and weakened by terrorism challenges. The African Standby Force, for example, appears to be stillborn. Few states or regional bodies have ready battalions or regular reserves, and it is unclear if the standby force model is even the right one for PSOs to also combat terrorism at the continental level. Then there are the problems between different multi-lateral groupings. There is uncertainty regarding subsidiarity that comes up when PSOs must fight terrorism as well with political will being a major stumbling block when forces must be committed. For instance, the Mali intervention revealed tensions between AU and ECOWAS on how to react to jihadists that captured large swathes of territory in northern Mali, a hesitation that contributed to the French intervening. The Sahel G5 initiative, meanwhile, is seen by some as competing with ECOWAS and the MultiNational Joint Task Force for the same resources, all of which is counterproductive.¹⁷

Recommendation

African soldiers and civilians require relevant up-to-date training before deploying for PSOs in contexts of terrorism and violent extremism. Increasingly, countries on the periphery are sending their men and women into international terrorism hotspots as members of PSOs. Because the United Nations is unlikely to take on confrontational operations that necessitate tight national fighting units, demand a willingness to take the offensive, and risk calling into question impartiality, Africans will likely lead and specialise in PSOs fighting terrorists on the continent through their (sub)regional organisations. To function properly, these new missions need apt and flexible mandates, and their personnel must be properly prepared, trained, and equipped, learning *inter alia* how to provide social services and build trust with local populations in order to isolate and defeat terrorist and violent extremist elements.

This work of shifting missions to deal with matters embedded in local populace and to fight those involved in terrorism and VE will need to be done by Africans. Regional ad hoc coalitions with a strong orientation

¹⁷ Essa, A. 2017. *G5SAHEL counterterrorism force explained*. Al Jazeera, News/Burkina Faso, 3 November. See https://bit.ly/2UAfSu6 [Accessed 22 February 2019].

towards counter-insurgency and counterterrorism should be integrated into African security plans. The goal should be to create a sustainable security, and convergence of the peace operations and counter-terrorism agendas should not remain at the rhetorical level. And Africans must take ownership of these problems. AMISOM is 90% funded by EU, which precludes a sense of African ownership. Terrorism of the sort in the Horn and Lake Chad Basin is a global concern, yet only a handful of neighboring countries have proven willing to invest even a modicum of blood and treasure in the fight. This contributes to lethargy and lack of conceptual clarity on CVE and terrorism on the continent, and it must be overcome with support from countries on the periphery.











Conclusion

The above sections cover a broad, dangerous and shifting African strategic landscape. If the strategic responses to war proper are difficult, countering terrorism and violent extremism and combinations of the two are bound to tax politicians, military decision-makers and international peacekeeping commanders even more. The array of international perceptions about threats and vulnerabilities found across the African continent tend to dwarf the progress and even successes of certain African states and regions. Subsequently, much attention goes towards placing African countries within a core, peripheral and at times merely shielded against the current wave of terrorism, VE and their interconnectedness.

Fact remains that that too many African countries face direct and indirect threats of terrorism and VE that prey upon weaknesses and other vulnerabilities of African states. This highlights the imperative for those African states not yet immersed in terrorism and VE campaigns to take steps and build their own preventative governance measures. Early responses, without having to engage simultaneously in anti-terrorism and CVE campaigns within their own borders or regionally, are a hidden advantage politicians so often fail to recognise and exploit.

African countries not yet engaging in counter-terrorism and CVE could do well by setting in place rule of law by formulating and adopting suitable legislative measures to counter terrorism and VE. This is a most

important measure for any African country perceiving a real or potential terrorist or VE risk in the near or even longer-term future. In this vein, Africa displays some examples of good progress. Participants recommended that African states learn from one another and collaborate to set in place this important preventative measure to curb the slide into counter-strategies and military campaigns that so often render disappointing outcomes, destruction of lives and of institutions.

Two aspects that could serve African governments well to prevent or rapidly stall the rise of a terrorist threat and VE are measures to mitigate illicit money flows and promote effective border management. Both are difficult measures that require appropriate legislation and international cooperation within and beyond Africa. On the positive side, both measures reside within security-promoting strategies that increasingly place pressure on terrorist and VE movements through their preventative contributions in African governance programmes. African borders are long, porous and often vague, but government agencies must set up and execute governance over their border regions that too often become distant and weakly governed mobilising zones for VE, insurgencies and terrorism.

Terrorism, VE and peace missions on the African continent represent perhaps the most acute difficulties. They do not only overlap in geographic terms, but also conceptually in their understanding which works in the favour of the terrorists and their VE allies or proxies. In practice, such an overlap complicates PSOs that portray mandates and rules of engagement, as well as trained contingents that have little in common with countering terrorism and VE. If the overlap occurs and has to be countered, this implies additional training and skills for soldiers in the relevant peace mission. In addition, adjusted mandates and rules of engagement could well further disrupt the difficult and intricate realm of setting up, staffing and funding these missions in the first instance. Africa houses the bulk of international peacekeeping missions and complicating this complex realm is best avoided.

For the benefit of the delegates that attended the workshop, the following five thoughts sum up the deliberations. Except for the fifth suggestion, the rest offer scope for peripheral states to set in place and execute conflict-prevention policies and strategies through good governance practices.

First, not all African countries find themselves within the destructive realm of countering terrorism and VE through expensive and destructive campaigns where armed forces become the lead, but often manifest as an unsuccessful policy instrument.

Secondly, prevention is difficult and taxing on political will and public resources. Prevention is also a tradeoff between a choice for constructive governance with its own difficulties and destructive, expensive warfighting bringing to bear its own long-term difficulties.

Thirdly, rule of law remains the central tenet to counter terrorism and VE, demanding of African governments on the periphery to cooperate and assist one another to promote a domino effect towards better and successful prevention.

Fourthly, constraining illicit funding streams and reinventing border management are taken up in new security thinking. Both are rapidly being reinforced with technological and cooperative inputs to lower the burden for decision-makers and practitioners. Peripheral countries must harness these two domains for their own preventative strategies.

Fifthly, the complexity of overlaps between peace-missions, and countering terrorism and VE suggests to peripheral states to avoid this confluence. As a dangerous vulnerability, the overlapping dangers turn the attention back to the preventative arguments of the first four observations. The latter could well be the pathway for peripheral countries to avoid the risk of entering the cauldron of peace-missions intermixed with terrorism and CVE campaigns or the slide towards reactive and destructive national counter strategies.





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