



Countering Terrorism through African Union

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The term 'terrorism' is one of those words finding more and more discussion in day today life around the globe. Despite its long history and growing impact, there is no clear or consistent widely accepted definition on what terrorism actually is and who the terrorist is. David Rapoport identified four waves of terrorism in modern times¹- the Anarchist, Anti-colonial, New Left and Religious waves. Some scholars define Terrorism as the deliberate creation and exploitation of fear through violence or the threat of violence in pursuit of political change². Terrorism is the illegitimate use of covert violence by a group for political ends³. While there are no universally accepted definitions, there are certain common features in discussions around the discourse. At least four crucial components can be identified⁴: acts of violence far-reaching psychological effects, innocent victims and political motives. Terrorism involves an act of violence committed or threatened, with the capacity and willingness to commit violence being displayed⁵. It is designed to have long term psychological effects not only to the victims but intimidation of a wider target audience⁶. Terrorists will always possess political goals and motives⁷.

Oladosu Ayinde describes three different phases of development of terrorism on the continent of Africa⁸- Afro-Oriental phase, Afro-Occidental phase and Afro-Global phase. Afro-Oriental phase describes 'external' terror by Arab invasion into Sub-Saharan Africa in search of slaves. The beginning of Afro-Occidental phase was marked by active involvement of Europeans in enslavement of Africans. The end of slavery marked the emergence of Afro-Global phase of terrorism in Africa.

The rise in cases of violent extremism in Africa has created wide range of security threats that has insidiously worked its way into everyday parlance. This growing phenomenon has resulted in instability, death and destruction in various parts of Africa. The examples of Al Qaeda August 1998 bombing of US embassies in Nairobi, Kenya and Dar es Salaam in Tanzania, Boko Haram in Nigeria, Ansar Dine in Mali and Al Shabaab in Somalia have threatened larger African political, social, economic security with thousands of people dead and displaced.

With the growing strength of radical and extremist Islam on the continent, Africa has witnessed intensification of religious strife. Islamists declared moderate Sufi practices to be pagan⁹ and have

¹ Rapoport, David. The Four Waves of Rebel Terror and September 11, *Anthropoetics*, Vol. 8, No. 1, 2002, p. 4-7.

² Mahan, Susan and Griset, Pamela L. *Terrorism in Perspective*. Thousand Oaks, CA: Sage, 2008, p. 4-5.

³ Ibid.

⁴ Combs, Cynthia C, *Terrorism in the Twenty-First Century*. Upper Saddle River, NJ: Pearson Prentice Hall, 2006, p. 11.

⁵ Ibid.

⁶ Whittaker, David. *The Terrorism Reader*. 4th Edition, Abingdon: Routledge, 2012, p. 11.

⁷ Lutz, James and Lutz, Brenda. *Global Terrorism*. London: Routledge, 2004, p. 10.

⁸ Ayinde, Oladosu. Beyond 9/11: Histories and Spaces of Terrorism in Africa, in Malinda S. Smith(ed.) *Securing Africa: Post- 9/11 Discourses on Terrorism*. Farnham: Ashgate, 2010, p. 56-61.

⁹ Rosander, Eva E. Introduction: The Islamization of Tradition and Modernity, in David Westerlund and Eva E. Rosander (ed.) *African Islam and Islam in Africa: Encounters between Sufis and Islamists*, London: Hurst, 1997, p.1.

attacked Sufi shrines in Somalia and Mali. Both internal and external factors have given rise to extreme Islamism in Africa. External factors include enduring legacy of Arabism and Wahhabi Islam with issues of Islamic charity operating in the continent. Internal factors include elements of poverty, illiteracy and underdevelopment¹⁰.

The terrorist threat to the continent is escalating with more states targeted by the terrorists. Africa's limited ability in countering terrorism is evident as it confronts physical, legal and financial safe heavens and supply of arms and ammunition. Andre le Sage describes physical safe heaven as ungoverned places where the relevant national government is either unwilling or unable to exercise control¹¹. Various states lack a suitable legal framework to prosecute terrorists and stop them from receiving financial support to commit acts of terrorism. Following decades of conflict in different forms in the continent and within the context of cold war, there is no shortage of light weapons and ammunitions, mostly in wrong hands¹². Under these circumstances it is not surprising that the scope, magnitude and sophistication of terrorism have increases in various parts of Africa. Emergence of groups like Al Qaeda in the Islamic Maghreb (AQIM) underline the gravity of this threat with transnational dimensions. Terrorist groups like Salafist Group for Preaching and Jihad (GSPC) rebranded themselves as affiliate of AQIM and have recruited large numbers from different parts of Africa like Libya, Nigeria, Morocco, Tunisia, Mali etc¹³.

The Organisation of African Unity (OAU), in its convention on the Prevention and Combating of Terrorism¹⁴ in 1999 defines terrorism as: Any act which is a violation of the criminal laws of a State Party and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any number of group of persons or cause or may cause damage to public or private property, natural resources, environmental or cultural heritage and is calculated to:

1. Intimidate, put in fear, force, coerce or induce any government, body, institution, the general public or any segment thereof, to do or to abstain from doing any act, or to adopt or abandon a particular standpoint, or to act according to certain principles; or
2. Disrupt any public service, the delivery of any essential service to the public or to create a public emergency; or
3. Create a general insurrection in a state.

Legislative actions taken by OAU to counter terrorism include Resolution 213 passed in July 1992 when heads of state in Dakar adopted it to curb extremism. In June 1994 Summit Assembly of heads of state rejected fanaticism and extremism in all forms¹⁵. The African Union has built on this counter-terrorism platform. Like the OAU, African Union (AU) also affirms the principles of sovereignty, independence of member states and their territorial integrity. Article 4(g) of Constitutive Act of AU stresses on non-interference by any member state in affairs of another. At the same time unlike OAU, Article 4(h) of the Act authorise intervention in grave circumstances including war crimes, genocide

¹⁰ Solomom, Hussein. *Terrorism and Counter-Terrorism in Africa: Fighting Insurgency from Al Shabaab, Ansar Dine and Boko Haram*. Hampshire: Palgrave Macmillan, 2015, p. 24-35.

¹¹ Ploch, Luren. *African Command: US Strategic Interests and the Role of US Military in Africa*. Washington, DC: Congressional Research Service, 2011, p. 1.

¹² Sage, Andre le. *Terrorism Threats and Vulnerabilities in Africa*, in Andre le Sage (ed.) *African Counter-Terrorism Cooperation: Assessing Regional and Sub-Regional Initiatives*. National Defence University Press and Potomac Books, 2005, p. 1.

¹³ Pham, Peter J. *Terrorism and Counter-Terrorism in Africa: Evolving Focus*, in James J. Hentz (ed.) *Routledge Handbook of African Security*. London: Routledge, 2014, p. 44.

¹⁴ Organisation of African Unity Convention on the Prevention and Countering of Terrorism, Article 1, Section 3(a), Adopted on July 14, 1999. https://au.int/sites/default/files/treaties/37289-treaty-0020_-_oau_convention_on_the_prevention_and_combating_of_terrorism_e.pdf.

¹⁵ Ewi, Martin and Aning Kwesi. *Assessing the Role of African Union in Preventing and Combating Terrorism in Africa*, *African Security Review*, Vol. 15, No. 3, 2006, p. 35.

and crimes against humanity¹⁶. This paved way for intervention of Economic Community of West African States (ECOWAS) intervention in Mali and also the deployment of African Mission in Somalia (AMISOM) in Somalia.

The Convention on Prevention and Combating of Terrorism (adopted- July 1, 1999 and entered into force on December 6, 2002) requires the state parties to criminalize terrorist acts under national laws and also defines areas of cooperation among states, establishes State jurisdiction over terrorist acts. It also provides legal framework of extradition as well as extra territorial investigations¹⁷. The Convention sought to focus on four key areas¹⁸:

- i)Addressing the structural conditions contributing to the spread of terrorism,
- ii)Capacity building of member states with a view to increase their resilience,
- iii)Preventive measures, and
- iv)Promoting human rights and the rule of law while countering terrorism.

It also stressed on the importance of regional organisations in this fight against terrorism because these regional organisations could design specific counter- terrorism policies given the cultural and contextual issues in that particular region¹⁹.

Further initiative to strengthen cooperation and to facilitate the achievement of African Union counter-terrorism objectives has been the creation of the African Centre for the Study and Research on Terrorism (ACSRT) in July 2002 to undertake range of research and analysis, knowledge management and capacity-building activities²⁰. The adoption of the African Union Plan of Action on the Prevention and Combating of Terrorism on September 14, 2002 is also an achievement for Au efforts against terrorism. This plan aimed at state-building and intergovernmental cooperation with special focus on sealing Africa's borders to terrorists²¹. Recognising the nexus between terrorism, corruption and money-laundering, this plan also seeks national legislations to criminalise terrorism financing. It also seeks to establish "financial intelligence units" in member states²².

In practice though, some progress has been made in relation to strengthening the regional framework for countering terrorist threats and better coordination, significant challenges still remain. The financial and human resources invested in these policies have serious capacity constraints. These initiatives are poorly resourced and managed as counter terrorism has not been a high priority for member states when compared to hard pressing immediate economic, developmental and social issues.

The realities on the ground are completely different from policy making. These legislative frameworks did not translate into successful counter-terrorism strategies on the ground as the violent resurgence of Boko Haram, the strengthening of AQIM²³. As Martin Ewi and Kwesi Aning points out, "the AU is

¹⁶ Packer, Corinne A. and Rukare, Donald. The New African Union and its Constitutive Act, The American Journal of Institutional Law, Vol. 96, No. 2, April 2002, p. 372.

¹⁷ Organisation of African Unity Convention on the Prevention and Countering of Terrorism, Article 2,4,5,6,7, Adopted on July 14, 1999. https://au.int/sites/default/files/treaties/37289-treaty-0020_-_oau_convention_on_the_prevention_and_combating_of_terrorism_e.pdf.

¹⁸ Okeke, Vincent O.S., Africa and the War on Terrorism: The Role of the African Union, Global Advanced Research Journal of Social Science, Vol. 3, No. 3, May 2014, p. 29.

¹⁹ Ibid.

²⁰ Ewi, Martin and Aning Kwesi. Assessing the Role of African Union in Preventing and Combating Terrorism in Africa, African Security Review, Vol. 15, No. 3, 2006, p. 39.

²¹ Sturman, Kathryn. The AU Plan of Action on Terrorism: Joining the Global War or Leading an African Battle, African Security Review, Vol. 11, No. 4, 2002, p. 103.

²² Ibid, p. 105.

²³ Solomom, Hussein. Terrorism and Counter-Terrorism in Africa: Fighting Insurgency from Al Shabaab, Ansar Dine and Boko Haram. Hampshire: Palgrave Macmillan, 2015, p. 107.

yet to overcome legacy of OAU, namely a tendency to adopt landmark decisions and make pronouncements without ensuring effective and appropriate follow up”²⁴

There are various reasons for the failure of AU to formulate a successful counter-terrorism mechanism. The lack of political will to recognise the seriousness of these threats by the heads of state is evident. Many African leaders are focused on domestic and regional threats that may unseat their government²⁵. The African Union decided to create a monitoring mechanism headed by a commissioner to monitor the implementation of its plan of Action against terrorism. Article 16 of the plan cites Article 7 of the protocol creating the Peace and Security Council (PSC) as being responsible for the implementation of international, continental and regional conventions and instruments on terrorism. Specifically, the council among other things was required to ‘request all member states, on an annual basis, to report on the steps taken to prevent and combat terrorism’²⁶ but One indication in this aspect of lacking political will is that, despite legally being obliged to report on their implementation of continental and international counter terrorism policies to the chairperson of AU, many member states do not, citing ‘report fatigue’²⁷.

Resolution 213 of July 1992 was an attempt to create a counter terrorism strategy by aligning national legislations to the constitutional body framework but member states were reluctant to share their sovereignty with any supranational structure. This narrow mindedness not only hampers states’ ability to counter terrorists but has also resulted in growing criminalisation and ill treatment of citizens by the state giving rise to more extremism.

The effectiveness of international community and organisations like the AU is intimately related to the amount of power given to it by the member states. Despite most African States acknowledging the transnational threat of terrorism, they are reluctant to provide the AU with powers and share their sovereignty.

The impact of financial constraint is persistent in functioning of these counter terrorist policies of African Union. It was evident in West Africa when the British sent two C-17 military transport aircrafts to transport ECOWAS troops and equipments into Mali in 2013 as the ECOWAS lacked proper airlift capability²⁸. These financial limitations cannot be ruled out completely but the organisation can work smarter by developing coordination among existing structures and funds can be better utilised by using local and indigenous methods rather than copying costly duplication of operations by western powers. In the matters of technical knowledge, AU and its commissions are dependent on the assistance from the west and international donor community but the help is not coming as they should. It has not been able to sustain itself independently and the lukewarm response from the member states is problematic in itself. One such example is in area of exchanging information among member states to establish a common Terrorism Activity Reporting (TAR) as a database on names of identified organisations, persons, places and resources but member states were still unwilling

²⁴ Ewi, Martin and Aning Kwesi. Assessing the Role of African Union in Preventing and Combating Terrorism in Africa, African Security Review, Vol. 15, No. 3, 2006, p. 42.

²⁵ Pham, Peter J. Next Front?Evolving United States- African Strategic Relations in the “War on Terrorism” and Beyond, Comparative Strategy, Vol. 26, No. 1, 2007, p. 42.

²⁶ The Plan of Action of the African Union for the Prevention and Combating of Terrorism, Article 16 (b), African Union, September 9, 2002.

²⁷ Ewi, Martin and Aning Kwesi. Assessing the Role of African Union in Preventing and Combating Terrorism in Africa, African Security Review, Vol. 15, No. 3, 2006, p. 42-43.

²⁸ French Rafal Jets target Gao in Eastern Mali, BBC News, January 13, 2013. <https://www.bbc.com/news/world-europe-21002918>.

to share sensitive information²⁹. Overall there is very little united effort to counter terrorism faced by all countries on the continent.

The success of any Organisation is intimately connected to the common values shared by the member states of such political union³⁰. Unfortunately, the disagreement around common shared values like democracy among states brings out differences in policies and actions on matter such as terrorism.

One of the most important reasons for growing terrorist activities in the continent is criminalisation of state apparatus and using it as a tool to promote self interests of the ruling elites. We have seen the example in various parts of Africa like Sudan and South Sudan where state uses its resources and institutions torture its own citizens. The criminal and corrupt institutions create an aggrieved population where extremism and terrorist activities thrive. Terrorism is not only a political problem where military intervention can solve the problem. Military centred responses have proven to be counterproductive it is also related to socio-economic problems which include issues like good governance, social safety nets and economic opportunities. The rise of Boko Haram and other terrorist organisation in Africa can be linked to such issues.

AU's Plan of Action against terrorism sought to regulate borders and ports of entry using mechanised travel documents with enhanced security features for all arriving and departing travellers³¹ but the reality on ground is different. Many African States do not have effective population register and passport system to distinguish citizens from foreigners³². This level of reliance on information will generate similar policy outcomes which will be different from the realities on ground making counter terrorism efforts of AU ineffective.

AU's peace and security architecture places large emphasis on the role of sub regional organisations and member states to secure their respective regions but this is problematic as members of same sub regional organisation have vested interest in a particular outcome. This hampers practice implementation of planned policies on ground thus making the response by the organisation much less effective.

Domestic terrorism in Africa influences and is in turn influenced by its international counterpart. The issues of funding and training of these terrorist activities need not only cooperation among African states but international community as a whole. The spill over effects of terrorism from one part of the globe to another is displayed on various occasions. It needs an effective strategy from African Union in synchronicity with international community. It is also the role of international organisations to support and assist the African Union when required with proper funding mechanism as the terrorist threats in Africa are not isolated from world events and it will benefit the globe as a whole. African Union in turn must present itself as an organisation of willing member states who are serious to counter the threat posed by terrorism and show its effectiveness on ground to be taken up seriously by the assisting international community.

²⁹ Okeke, Vincent O.S., Africa and the War on Terrorism: The Role of the African Union, Global Advanced Research Journal of Social Science, Vol. 3, No. 3, May 2014, p. 29.

³⁰ Moller, Bjorn. The African Union as Security Actor: African Solutions to African Problems? Crisis States: Working Paper, Vol. 2, London: Crisis State Research Centre, London School of Economics and Political Science, August 2009, p.1.

³¹ Sturman, Kathryn. The AU Plan of Action on Terrorism: Joining the Global War or Leading an African Battle, African Security Review, Vol. 11, No. 4, 2002, p. 105.

³² Ibid.

Bibliography

1. Ayinde, Oladosu. Beyond 9/11: Histories and Spaces of Terrorism in Africa, in Malinda S. Smith(ed.) *Securing Africa: Post- 9/11 Discourses on Terrorism*. Farnham: Ashgate, 2010.
2. Combs. Cynthia C, *Terrorism in the Twenty-First Century*. Upper Saddle River, NJ: Pearson Prentice Hall, 2006.
3. Ewi, Martin and Aning Kwesi. Assessing the Role of African Union in Preventing and Combating Terrorism in Africa, *African Security Review*, Vol. 15, No. 3, 2006.
4. French Rafael Jets target Gao in Eastern Mali, BBC News, January 13, 2013. <https://www.bbc.com/news/world-europe-21002918>
5. Lutz, James and Lutz, Brenda. *Global Terrorism*. London: Routledge, 2004.
6. Mahan, Susan and Griset, Pamala L. *Terrorism in Perspective*. Thousand Oaks, CA: Sage, 2008.
7. Moller, Bjorn. *The African Union as Security Actor: African Solutions to African Problems?*, Crisis States: Working Paper, Vol. 2, London: Crisis State Research Centre, London School of Economics and Political Science, August 2009.
8. Okeke, Vincent O.S., *Africa and the War on Terrorism: The Role of the African Union*, *Global Advanced Research Journal of Social Science*, Vol. 3, No. 3, May 2014.
9. Organisation of African Unity Convention on the Prevention and Countering of Terrorism, Article 1, Section 3(a), Adopted on July 14, 1999. https://au.int/sites/default/files/treaties/37289-treaty-0020_-_oau_convention_on_the_prevention_and_combating_of_terrorism_e.pdf.
10. Packer, Corinne A. and Rukare, Donald. *The New African Union and its Constitutive Act*, *The American Journal of Institutional Law*, Vol. 96, No. 2, April 2002
11. Pham, Peter J. *Terrorism and Counter-Terrorism in Africa: Evolving Focus*’, in James J. Hentz (ed.) *Routledge Handbook of African Security*. London: Routledge, 2014,
12. Ploch, Luren. *African Command: US Strategic Interests and the Role of US Military in Africa*. Washington, DC: Congressional Research Service, 2011.
13. Rapoport, David. *The Four Waves of Rebel Terror and September 11*, *Anthropoetics*, Vol. 8, No. 1, 2002.
14. Rosander, Eva E. *Introduction: The Islamization of Tradition and Modernity*, in David Westerlund and Eva E. Rosander (ed.) *African Islam and Islam in Africa: Encounters between Sufis and Islamists*, London: Hurst, 1997.
15. Sage, Andre le. *Terrorism Threats and Vulnerabilities in Africa*, in Andre le Sage (ed.) *African Counter-Terrorism Cooperation: Assessing Regional and Sub-Regional Initiatives*. National Defence University Press and Potomac Books, 2005.
16. Solomom, Hussein. *Terrorism and Counter-Terrorism in Africa: Fighting Insurgency from Al Shabaab, Ansar Dine and Boko Haram*. Hampshire: Palgrave Macmillan, 2015.
17. Sturman, Kathryn. *The AU Plan of Action on Terrorism: Joining the Global War or Leading an African Battle*, *African Security Review*, Vol. 11, No. 4, 2002.
18. *The Plan of Action of the African Union for the Prevention and Combating of Terrorism*, Article 16 (b), African Union, September 9, 2002.
19. Whittaker, David. *The Terrorism Reader*. 4th Edition, Abingdon: Routledge, 2012.