

Countering Terrorism and Building Cooperation in North Africa: The Potential Significance of the UN Global Counter-Terrorism Strategy (ARI)

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Theme: The UN Strategy for North Africa can contribute to a recalibration of counterterrorism efforts in the region and to a stronger cooperation among regional stakeholders and between the region and external partners such as the EU, the UN and the US.

Summary: Despite the considerable efforts by governments in North Africa, many of which pre-date the attacks of 11 September 2001, the terrorist threat there remains acute. The rapid growth of entwined transnational terrorist and other criminal networks operating between North Africa and the Sahel may be one of the most immediate causes of instability in the region. After providing an overview of the terrorist threats and vulnerabilities confronting North Africa, as well the region's capacities to address the threat and obstacles to cooperation, this policy brief will highlight the potential significance of the UN Strategy for the region. Among other things, it will explain how this UN instrument could contribute to a recalibration of counterterrorism efforts in North Africa and to a strengthening of cooperation both among regional stakeholders and between the region and external partners including the EU, the UN and the US.

Analysis: The threat of terrorism across North Africa and the responses from governments in the region differ in a number of ways and can best be understood in their specific political, cultural and historic contexts. Each country has had its own unique experience with the phenomenon and in countering it, with many having had to confront the threat years before September 2001. The recent and ongoing terrorism-related activities across North Africa and now moving into the Sahel highlight both the persistence and scope of a threat that affects each country in one form or another and the region as a whole. With this background, it might seem counterintuitive to suggest that a broad and somewhat vague UN counterterrorism framework –the September 2006 UN Global Counter-Terrorism Strategy (UN Strategy)–,¹ negotiated by diplomats in New York, could have a meaningful impact on efforts to combat and prevent terrorism in a region where the threat is so acute and responses so well developed. Yet this is what this policy brief will attempt to do.

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¹ United Nations General Assembly, United Nations General Assembly Resolution 60/288, A/RES/60/288, New York, 8/IX/2006.

Threats, Vulnerabilities and Capacities

Despite the considerable efforts by governments in North Africa, there is still a heightened terrorist threat there. A number of terrorist groups are present, most notably al-Qaeda in the Islamic Maghreb (AQIM), that have engaged in suicide bombings, money laundering, smuggling, kidnappings and drug and human trafficking as well as other illicit activities across the neighboring borders of Mauritania, Niger, Libya, Chad and Mali. In fact, the rapid growth of entwined transnational criminal networks operating between North Africa and the Sahel might be one of the most immediate causes of instability in the region in the near future.

These groups challenge already overstretched local security forces attempting to cover huge swathes of sparsely-populated desert. North African (and Sahelian) governments, often with technical assistance and other support from the US and EU governments, have enhanced their border security capacities, particularly since the attacks of 11 September 2001. However, vast stretches of border remain porous and the lack of resources and limited numbers of trained, equipped and motivated personnel continue to limit the ability of states in the region to adequately control areas of territory.

The threat emanating from the Maghreb extends north as well as south. For example, according to EUROPOL, in 2008, as in the two previous years, the majority of those arrested in Europe for involvement in Islamist terrorism came from 'North African countries, most notably Algeria, Morocco and Tunisia'.²

To compound matters, there are increasing numbers of North African youths who are experiencing social, economic and/or political alienation or marginalisation, with rapidly rising youth unemployment even for those with university degrees and a growing number of radicals increasingly interested in using violence to pursue political change. With a growing number of citizens in the region being denied access to any sort of democratic political process, the appeal of politically-motivated violence is rising.

Problematic Aspects of the Response

Despite the high priority that governments place on combating and preventing terrorism within their territories and the increasing recognition of the trans-regional nature of the threat, a number of aspects of the response have hindered its effectiveness.

The first is the limited cooperation within the region, which still has neither a trusted multilateral mechanism for facilitating such cooperation or a counterterrorism strategy. For instance, there is currently only selective intelligence and judicial cooperation between most countries in North Africa: Algeria and Tunisia are the only states that have any sort of institutionalised bilateral counterterrorism partnership.

This is due to a number of reasons, including: (1) the lack of a common perception of the threat; (2) the lingering tensions surrounding the dispute between Algeria and Morocco over the future of the Western Sahara, which led to the closure of the border between the two countries in 1994; and (3) the tendency of the ruling regimes to retain control over security issues, fearful that any regional multilateralism would jeopardise their domestic integrity and national development processes. This lack of trust has also been one of the obstacles to deeper integration, economic or otherwise, between countries in North Africa,

² TE-SAT 2009: *EU Terrorism Situation and Trend Report*, EUROPOL, 2009, p. 16.

which many experts believe would help to promote economic growth and improve stability and security in the region.

The dearth of intra-regional cooperation is in marked contrast with the strong cooperation that has developed between North African security and intelligence authorities and the US and other extra-regional actors in the post-9/11 fight against terrorism, including the provision of information on citizens who had travelled to Afghanistan and Iraq and cooperation in foiling terrorist plots.

For the past few years, the US, the EU and others have been trying to encourage more counterterrorism cooperation between countries in the region through joint training and operational activities, but continuing tensions between Algeria and Morocco have hampered these efforts. Nevertheless, there has been some tactical cooperation between intelligence services in the region. In a more recent development, Algeria, Libya and Mali decided to pool military and intelligence resources to combat cross-border terrorism in the Sahel-Saharan strip.³

A significant obstacle to deepening counterterrorism cooperation between North African countries is the lack of an effective and trusted multilateral mechanism within the region for facilitating it. With progress stymied in the Arab Maghreb Union, the most realistic opportunities lie with the African Union (AU), in particular its Algiers Centre on the Study and Research on Terrorism (ACSRT), and the League of Arab States. However, Morocco's absence from the AU poses a significant limitation to the ability of either its centre in Algiers or its other institutions to contribute to building much-needed trust among counterterrorism practitioners and to enhance the sharing of counterterrorism experiences, best practices and other information among all North African countries.

The Arab League has adopted numerous counterterrorism instruments and mechanisms, under its Council of Ministers of Justice and Interior, geared towards generating greater cooperation between Arab countries. However, the modalities for facilitating judicial cooperation in terrorism cases between countries do not exist, and most discussions and cooperation are political rather than technical and operational in nature. More broadly, the tendency of Arab regimes to 'jealously guard' security management and the mutual suspicion between them, which generates a preference for more discrete bilateral cooperation in counterterrorism matters, have limited the Arab League's ability to serve as a forum for stimulating critical information-sharing and other forms of cooperation between North African countries and the rest of the Arab world.⁴

A second aspect of the response to terrorism in North Africa that has been problematic has been the overemphasis placed on coercive measures, with national security and intelligence services acting as the primary counterterrorism actors in the region, while often inadequately funded, mandated and resourced police and gendarmerie have generally only played a supporting role. Although this approach has led to the capture or killing of many suspected terrorists, it has been problematic in places where these actors have shown a lack of respect for human rights and the rule of law. The –well-documented– heavy-handed reactions of states in the region have often been facilitated

³ 'Algeria, Libya, Mali to Unite against al-Qaeda', *Magharebia*, 21/VII/2009, http://www.magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/newsbriefs/general/2009/07/21/newsbrief-01.

⁴ Claire Spencer, 'North Africa: Challenges, Old Regimes, and Regional Security', *International Peace Institute*, November 2008, p. 14, <http://www.ipinst.org/asset/file/408/NAPub.pdf>.

by the declaration of states of emergency and the adoption of anti-terror laws based on what the 2009 Arab Human Development report describes as 'a wide and unspecific definition of "terrorism"... [which] have given government security agencies sweeping powers which, although effective in some contexts, can form a threat to basic freedoms in others'.⁵ In some instances, counterterrorism measures have been used to justify state repression of political opposition and civil society groups. Rather than reducing terrorist and other politically-motivated violence in a country, widespread arrests and detentions, and the use of torture under the guise of counterterrorism, have contributed in some instances to the violent radicalisation of detainees, the targeting and marginalisation of vulnerable communities and a further rupture in the trust between the state and its citizens, which is critical to an effective long-term counterterrorism strategy.⁶

Third, and related, countries in North Africa have favoured short-term political stability, security and regime maintenance at the expense of more progressive political reforms and the development of the institutions necessary to promote the levels of democratic governance, respect for human rights and the rule of law needed to counter terrorism and, more broadly, improve stability and security over the long term. Many authoritarian leaders in the region have succeeded in using the 'global war on terror' as a justification for democratic inaction or domestic repression. In doing so, moderate Islamists who may be highly critical of US policy have been tarred with the broad-brush label of belonging to a radical Islamist movement.⁷

Fourth, in the context of increasing counterterrorism cooperation with North Africa, external partners, such as the EU –in particular Spain and France– and the US, have struggled to develop a constructive approach for dealing with the rising influence of political Islam in North Africa or, more broadly, to find the right balance between promoting narrow security interests and democracy and human rights. In fact, in the EU context the point has been made that there has been an increasing 'securitisation' of the Euro-Med partnership in recent years, with Justice and Home Affairs issues now a higher priority for Europe than previously and with heightened concern related to the threats posed to Europe from illegal migration and terrorism in North Africa.⁸ As a result, much of the EU's attention has focused on strengthening the judiciaries, police forces and other law-enforcement capacities in North Africa, with the promotion of democracy and the rule of law, while critical issues directly related to long-term terrorism prevention have received less attention than they should.

⁵ *Arab Human Development Report 2009: Challenges to Human Security in the Arab Countries*, United Nations Development Programme, Regional Bureau for Arab States, 2009, p. 6.

⁶ See, eg, Veronica Martins, 'Maghreb Challenges and EU Measures Taken Towards the Region', EU-Consent: Constructing Europe Network, 27/II/2009, <http://www.eu-consent.net/library/deliverables/D121.pdf>, p. 25; Yahia Zoubir, 'The United States, Islamism, Terrorism, and Democracy in the Maghreb: The Predominance of Security', in Yahia Zoubir & Haizam Amirah-Fernández (Eds), *North Africa: Politics, Region and, the Limits of Transformation*, Routledge, 2008, p. 267.

⁷ Rex Brynen, 'Political Reform in the Maghreb: Some Preliminary Thoughts on Comparative Context', delivered at a conference on Political Reform in North Africa, Virginia, March 2007, <http://www.mcgill.ca/files/icames/MaghrebDemocratization.pdf>.

⁸ 'Workshop on Implementing the UN Global Counter-Terrorism Strategy in North Africa', 15-16/IX/2009, The Hague, organised by the Center on Global Counterterrorism Cooperation with the support of the Ministry of Foreign Affairs of The Netherlands, Meeting Summary and Preliminary Recommendations, http://www.globalctc.org/images/content/pdf/summaries/09Sept15-16_Summary.pdf.

The UN Strategy and its Potential Significance

Before explaining how the UN Strategy could be a vehicle for modulating all or at least some of the problematic aspects of the response to terrorism in North Africa, some background on this historic UN document is required.

The General Assembly's unanimous adoption of the UN Strategy in September 2006 was the first time that all UN member states agreed on a common framework for addressing the terrorist threat. Although it is largely a compilation of pre-existing UN counterterrorism-related resolutions, norms and measures adopted by the Security Council, General Assembly and other UN bodies, the Strategy pulls them together into a single, coherent and universally adopted framework. As such, it broadened political support for UN counterterrorism efforts by reflecting the consensus of the entire UN membership rather than just the Security Council, which had previously dominated UN counterterrorism efforts. The Strategy was drafted and adopted as a complete package of measures necessary for an effective counterterrorism strategy, including both repressive and coercive ones and those addressing underlying conditions, for instance, political, social and economic marginalisation. Its four-pillar plan of action consists of provisions to address conditions conducive to the spread of terrorism, measures to prevent and combat terrorism, capacity building and ensuring a human rights- and rule-of-law-based approach to countering the threat. The point has often been made that states committed to translating the words of the Strategy into reality on the ground cannot simply choose to pursue coercive measures to the detriment of human rights or development objectives, but must implement the framework in an integrated manner.⁹

In addition to its comprehensive scope, part of the Strategy's significance lies in its call for an inclusive, multi-stakeholder response to the threat at the national, regional and global levels involving both traditional and non-traditional counterterrorism actors. Although it reinforces the point that national governments, which have a responsibility to protect their citizens from terrorism, are the primary counterterrorism actors, it highlights the role that the UN system, regional bodies and civil society can play in working with states to implement the framework. It is the first UN document that explicitly acknowledges that civil society has a role to play in countering terrorism. In sum, the Strategy provides a common framework for states, the United Nations, regional and subregional bodies, and civil society to better coordinate their efforts and offers legitimacy for action against terrorism over the long term.¹⁰

The UN Strategy and the more recent shift away from the 'war on terror' rhetoric offer the opportunity to begin a discussion of terrorism and counterterrorism in North Africa that moves beyond an exclusive focus on the military and other coercive aspects of the response. Instead, for example, the discourse can now better take into account the wider context in which the threats in North Africa arise. This could mean focusing more attention on issues like slow economic development, rising unemployment among educated youth, the growing void between the people and the state, limited political freedom, political disenfranchisement, the lack of democratic space and the abuse of human rights that are among the factors creating an environment conducive to violent radicalisation and terrorism.

⁹ *Ibid.*

¹⁰ United Nations General Assembly, *United Nations General Assembly Resolution 60/288*, A/RES/60/288, New York, 8/IX/2006, para. 3(e).

Countries in North Africa need to take a broader view of the threat and what is needed to address it effectively over both the short and long terms. The UN Strategy could be used as a vehicle to encourage this thinking and it offers a platform for these broader discussions. Among the goals should be the development of national and regional responses that reinforce all four pillars of the UN Strategy and involve a wide range of stakeholders, including civil society.

Although the approaches of some countries in the region have evolved in recent years, moving away from one-dimensional security-focused responses, more work is needed. For example, stakeholders involved in efforts to reduce poverty and marginalisation, improve governance, strengthen the rule of law and combat corruption need to be brought into the discussion on a more regular basis. Further, despite some progress in certain parts of the region, civil society continues to be denied the necessary space to be able to participate in the counterterrorism discourse, let alone contribute to the development and implementation of effective counterterrorism strategies.

In addition to stimulating broader national responses, the UN Strategy offers an alternative and more palatable framework for external partners to provide counterterrorism-related assistance and within which to better coordinate efforts to build capacity and improve cooperation in North Africa. Given the political support that the UN Strategy enjoys in North Africa and the holistic approach it advocates, both the EU and the US should consider using it as the normative framework in which to engage countries in the region. Using the Strategy, in which the protection of human rights and the promotion of the rule of law are critical components, might also mitigate the likelihood that, in their eagerness to build counterterrorism capacities in and cooperation with North Africa, external partners will end up reinforcing the capacities of sometime repressive security and law enforcement services, which could end up further alienating vulnerable local communities. Thus, as the EU and other external actors continue to engage with countries in North Africa on counterterrorism, careful attention should be paid to ensure that this engagement cuts across all four pillars of the UN Strategy in a coherent and mutually reinforcing manner.

Because sustained implementation of the Strategy in North Africa will require contributions from a wide range of stakeholders, starting at the national level, but also including the UN and regional bodies, and the Strategy touches on a range of issues that fall outside the purview of security and intelligence service, it has the potential to stimulate much needed intra-regional dialogue and cooperation on terrorism. It might even provide the impetus for the development of a regional mechanism to foster this dialogue and cooperation.

Given the political tensions in the region that have so far inhibited the establishment of an effective, trusted multilateral mechanism, it is unlikely to develop organically, even with the existence of the UN Strategy. Rather, it will likely need to be driven by external partners. Because of its neutrality and distance from the region the UN might be best placed to drive a multilateral response to terrorism in North Africa and should treat the relative lack of cooperation there as an opportunity for it to do so, using the holistic UN Strategy as an entry point.

For example, the UN could help create a broad, legitimate platform for a discussion of counterterrorism in the region that involves both governments and civil society and goes beyond the role of law enforcement and security services and addresses some of diverse

political, social and economic dynamics that can give rise to terrorism. In addition, with its universal membership, the UN is uniquely placed to provide the space for a discussion that involves all of the states relevant to addressing the threat that has now spread into and is inexorably linked with the Sahel. This includes not only Algeria, Chad, Libya, Mali, Mauritania, Morocco and Niger, but external actors engaged in the region such as the US, the UK, France and the EU as a whole.

In addition to stimulating the discussion that could lead to the development of a multi-dimensional regional counterterrorism strategy that incorporates best practices and lessons learned at the national level, the UN could create a multilateral mechanism for capacity building and information sharing and cooperation that helps to strengthen efforts to combat terrorism as well as other transnational criminal activity across the Maghreb and Sahel.

Yet, despite the potential significance of the UN Strategy for the region, awareness of its existence, let alone of the opportunities it offers, particularly for multi-stakeholder, holistic action, is extremely low, limited mostly to Ministries of Foreign Affairs. Therefore, raising awareness and the potential significance of the Strategy in the region, including among civil society groups, needs to be a priority. The UN and other external partners should work closely with countries in the region, as well as relevant regional bodies, in developing and implementing an awareness-raising campaign. Part of this campaign should involve highlighting what both the Strategy and the UN can bring to the table in terms of long-term efforts to combat and prevent terrorism, even in a region such as North Africa, where states have long-struggled with terrorism and already have, in many cases, highly-developed security-focused responses to addressing the threat.

Conclusion: Few counterterrorism policymakers and practitioners think of the UN as having the ability to make meaningful contributions to efforts to address the terrorist threat, particularly in regions such as North Africa –where the threat is acute, addressing it a priority and security management is seen as a sovereign monopoly–. Yet, for reasons enumerated in this policy brief, the UN Strategy has the potential to contribute to a recalibration of counterterrorism efforts in North Africa and to a strengthening of cooperation both between regional stakeholders and between the region and external partners including the EU, the UN and the US. As both stakeholders in and outside the region search for ways of enhancing counterterrorism cooperation across North Africa and the overall response to the threat in the region, they would be wise not to overlook the comparative advantages of the UN in this context, both as a norm-setter and a convener.

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