

Lessons from Africa: 20 Years of UN Security Council Counter-Terrorism Policy

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KEY FINDINGS

- **The United Nations Security Council (UNSC) counter-terrorism (CT) framework largely** reflects the concerns of the Global North, particularly the views of some members of the Permanent Five (P5).
- **The African Union (AU) and African sub-regional organizations spend a significant amount** of time and resources implementing the UNSC framework under Chapter VII of the UN Charter, even though it is not always applicable to the African context.
- **African approaches to CT and Preventing/Countering Violent Extremism (P/CVE) are often** too security-focused and overlook the drivers of extremism, including governance shortcomings and human rights violations in Member States. The AU should endeavor to be a norm-shaper in taking a human security approach to CT and P/CVE.
- **The UNSC could do more to support African States in moving from a state-centric to a** human security approach, rather than insisting on African States implementing UNSC resolutions that may not necessarily be relevant to the continent.
- **Both the UNSC and the African Union's Peace and Security Council (AUPSC) have** acknowledged that civil society can play a role in CT and P/CVE, but in the absence of clearly mandated roles and responsibilities for these actors, African Member States continue to prioritize a state-centric approach that lacks meaningful civil society engagement.

INTRODUCTION

In 2021, Sub-Saharan Africa accounted for 48% of global terrorism deaths.¹ The continent appears to be no closer to mitigating the threat that extremist groups pose, despite years of counter-terrorism (CT) operations and other measures, many of which are part of an effort to implement the various United Nations Security Council (UNSC) resolutions related to terrorism. Countries and regions previously seen to be less at risk of terrorism, such as Mozambique and Southern Africa more broadly, are now witnessing a spate of attacks, and countries like Benin and Ghana, where terrorism has never been a priority, are now increasingly concerned with these issues. Addressing these challenges requires new and innovative approaches that extend beyond those that have dominated the CT landscape in Africa over the past two decades and which have been heavily influenced by decisions taken by the UNSC in New York. In Africa, terrorism is localized and often related to issues such as governance, requiring a broader human security approach, but, as this paper shows, current responses are insufficient to stem the growing tide of terrorism. This paper examines the way that the African Union (AU) has responded and adapted to the threat of terrorism and violent extremism (VE) in terms of UNSC resolutions and activities, both normatively and practically. The paper first analyzes UNSC efforts and then unpacks the AU's Peace and Security Council's (AUPSC) approach to these issues. It then looks at how these efforts have impacted regional and national efforts on the ground before making recommendations on the way forward.

ANALYSIS

The Growth of the UNSC Counter-Terrorism Agenda

Following the September 11, 2001 attacks, the UNSC immediately adopted Resolution 1368, condemning terrorism as a threat to international peace and security.² A subsequent resolution, 1373 (2001) set out measures that Member States were required to adopt under Chapter VII of the United Nations (UN) Charter, including countering terrorist financing, administrative measures, and through international cooperation.³ However, the threat of terrorism was undefined, leaving room for different interpretations by Member States. The inability to define terrorism is a product of the differences among Member States, which the UN has worked around by focusing, with few exceptions, on acts rather than specific groups or individuals. Subsequently, a new UNSC (and wider UN) institutional architecture emerged, accompanied by a growing number of UNSC decisions that have contributed to the elaboration of a normative international counter-terrorism framework.

1 "Global Terrorism Index 2022," *Institute for Economics and Peace*, 2022, <https://reliefweb.int/report/world/global-terrorism-index-2022>.

2 "Resolution 1368 (2001)," *United Nations Security Council (UNSC)*, 2001, <http://unscr.com/en/resolutions/doc/1368>.

3 "Resolution 1373 (2001)," *UNSC*, 2001, https://www.unodc.org/pdf/crime/terrorism/res_1373_english.pdf.

Since the adoption of UN Security Council Resolution (UNSCR) 1368, almost 50 CT resolutions have been passed that are relevant to terrorist action.⁴ Initially these were condemnations of terrorist attacks, mostly of events that took place in UNSC Member States, but these have expanded to focus on emerging thematic issues, including foreign terrorist fighters (FTFs), addressing recruitment and radicalization, rehabilitation, and imposing targeted sanctions on those supporting terrorism, including restrictions on providing assets to designated persons or restrictions on dealing with the assets of designated persons.⁵ These resolutions have included sanctions against all individuals, and entities associated with Al-Qaida and/or the Taliban and/or the Islamic State in Iraq and the Levant (ISIL) (Dae’sh) and their affiliates. Later sanctions also extended specifically to Africa, including against the Islamic State West Africa Province, the Islamic State in the Greater Sahara, and ISIL – Libya.⁶

The UN Counter-Terrorism Committee (CTC) was established as part of the UNSC architecture in the wake of 9/11, which was followed by the establishment of the Counter-Terrorism Committee Executive Directorate (CTED). CTED has the primary mandate of supporting CTC's efforts to monitor implementation of UNSC resolutions 1373 and 1624 (2005), which look at measures to prevent terrorist acts and prohibit the incitement of these acts, resolutions 2178 and 2396 on FTFs, and resolution 2462 on terrorist financing. CTED also facilitates technical assistance to UN Member States. This focus has evolved to increasingly encompass a human rights and rule of law-based approach, and to strengthen the engagement of civil society and non-governmental actors in the implementation of UNSCR 1373.⁷

CTED conducts global surveys on the implementation of three terrorism-related resolutions, namely UNSCR 1373 (2001), 1624 (2005) and 2178 (2014), which it analyzes across sub-regional levels to provide Member States and the wider international community an overview of the state of implementation of the different resolutions, including where gaps may lie. This, along with CTED's ongoing engagements with individual countries in Africa on the state of their implementation of the UNSC CT framework, is designed to support African (and other) States with adherence to these UNSC resolutions. CTED does this largely through individual assessment visits and subsequent follow-ups on the gaps and recommendations identified, as well as the promotion of regional or country-focused initiatives to address these gaps.

Africa and the UNSC: a Reflection of P5 Priorities?

Over time, the UNSC has placed a growing emphasis on the African continent due to the increased terror threat in the Sahel, the Lake Chad Basin, and the Horn of Africa. However, UNSC engagement in this regard

4 “Security Council Resolutions,” *UNSC*, n.d., accessed April 6, 2022, <https://www.un.org/securitycouncil/ctc/content/security-council-resolutions>.

5 “A Closer Look at the Seventh Review of the United Nations Global Counterterrorism Strategy,” *International Peace Institute & Global Observatory*, 2021, <https://theglobalobservatory.org/2021/06/a-closer-look-at-seventh-review-of-the-united-nations-global-counterterrorism-strategy/>.

6 “Security Council ISIL (Da’esh) and Al-Qaida Sanctions Committee Adds Two Entries to Its Sanctions List,” *United Nations*, February 23, 2020, <https://www.un.org/press/en/2020/sc14118.doc.htm>.

7 “Meeting the challenge: A Guide to United Nations Counterterrorism activities,” *International Peace Institute (IPI)*, 2012, https://www.ipinst.org/wp-content/uploads/publications/ebook_guide_to_un_counterterrorism.pdf.

has primarily examined actions related to ISIL. In the African context, insurgent groups that operate under ISIL influence are fragmented and localized, often drawing on socio-economic grievances and operating under a “marriage of convenience.”⁸ Addressing this, therefore, requires a human security approach, defined as “an approach to assist Member States in identifying and addressing widespread and cross-cutting challenges to the survival, livelihood and dignity of their people.” This requires “people-centered, comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people.”⁹ Africa also struggles with other regional groups, such as Boko Haram in West Africa, Jama'at Nasr al-Islam wal Muslimin (JNIM) in the Sahel region, and Al Shabaab in the Horn of Africa, that have not been the subject of UNSC resolutions or action. As such, it could be argued that the UNSC has not adequately taken African perspectives into account and are more reflective of the interests of the Global North, predominantly some members of the Permanent Five (P5). In this regard, efforts to address home-grown terror groups have largely been left to the actions of the AU, sub-regional organizations, and the actions of African Member States.

While CTED monitors the relevant UNSC implementation efforts of African Member States at a technical level, there have also been efforts to strengthen linkages between the UNSC and the AUPSC. This has primarily occurred at a political and thematic level. In 2005, for example, UNSCR 1631 (2005) outlined the contribution that regional organizations can play in addressing peace and security and urged regional and sub-regional organizations to enhance their CT efforts and to develop the capacity of Member States.¹⁰ The UN and the AU have subsequently put in place several coordination mechanisms, including the 2017 Joint UN-AU Framework for an Enhanced Partnership in Peace and Security, with annual meetings “encouraged and facilitated” between the UNSC and the AUPSC.¹¹ Through these meetings, the fifteenth of which was held on December 17, 2021, these entities have also broadly reinforced their commitments to addressing some of the normative elements raised in UNSC resolutions, including condemning all acts of terrorism, addressing the threat posed by FTFs, addressing the conditions conducive to the spread of terrorism, and complying with commitments and obligations under international law.¹²

In March 2020, the UNSC released a statement on “Peace and Security in Africa” in which it emphasized the importance of promptly and effectively implementing its resolutions related to the fight against terrorism in Africa. It also lauded efforts made by African countries, the AU, and other regional/sub-regional organizations in countering terrorism and VE, within the framework of the African Peace and Security Architecture (APSA). Critically, it stressed the need to continue to provide and strengthen support

8 “Civil Society Perspectives: ISIL in Africa – Key trends and Developments,” *UNSC Counter-Terrorism Committee Executive Directorate (CTED)*, April 2022, <https://www.un.org/securitycouncil/ctc/content/civil-society-perspectives-isil-africa-key-trends-and-developments>.

9 UN General Assembly resolution 66/290, as cited in *United Nations Trust Fund for Human Security*, “What is human security.” n.d., <https://www.un.org/humansecurity/what-is-human-security/>.

10 “Resolution 1631 (2005),” *UNSC*, 2005, [https://www.undocs.org/Home/Mobile?FinalSymbol=S%2FRES%2F1631\(2005\)&Language=E&DeviceType=Desktop&LangRequested=False](https://www.undocs.org/Home/Mobile?FinalSymbol=S%2FRES%2F1631(2005)&Language=E&DeviceType=Desktop&LangRequested=False).

11 “Joint UN-AU Framework for an Enhanced Partnership in Peace and Security,” *United Nations Office to the African Union*, 2017, https://unoau.unmissions.org/sites/default/files/joint_un-au_framework_for_an_enhanced_partnership_in_peace_and_security.pdf.

12 “Joint Communiqué: Fifteenth Annual Joint Consultative Meeting Between Members of The Peace and Security Council of African Union and The United Nations Security Council,” *United Nations and African Union*, December 17, 2021, <https://www.peaceau.org/uploads/eng-final-joint-communicue-aupsc-uns-17-december-2021.pdf>.

to African Member States facing ongoing capacity challenges to counter terrorism and VE at national, sub-regional, and regional levels.¹³

This was followed by a further statement in December 2020 that again affirmed the role of regional and sub-regional African organizations in CT and P/CVE. Interestingly, the document does not refer to the African Centre for the Study and Research on Terrorism (ACSRT), which was established in 2004 by the AU with a specific focus on research and information-sharing on CT and with whom CTED has a long-standing relationship, which should theoretically be the first point of contact for African CT and P/CVE matters. Rather, it stressed the role of the APSA and its African Governance Architecture (AGA) in CT and P/CVE. It reiterated the responsibility that regional organizations have in securing human, financial, logistical, and other resources, thereby placing most of the responsibility for taking action on Africa. It also alluded to more human security, African-oriented approaches, such as the AU's Post Conflict Reconstruction and Development Policy, its Transitional Justice Policy, and the AU's Silencing the Guns Roadmap, but did not specify ways in which it would be willing to provide support in this regard. At the same time, it commended African CT missions, such as African Union Mission in Somalia (AMISOM), the Multinational Joint Task Force (MNJTF) in the Lake Chad Basin, and the G5 Sahel Joint Force.¹⁴ As such, Africa has largely been left to implement its own agenda, which has not been a primary focus on the UNSC.

Africa's Normative CT and P/CVE Approach

To date, national African CT and P/CVE approaches have been overly securitized, but over time there have been some shifts involving the adoption of legislation, the use of P/CVE strategies, and community engagement. However, community engagement has been limited and P/CVE programs are often funded by external donors, with implications for their sustainability.¹⁵ Similarly, the AU has also previously taken a military-focused approach, as illustrated by the fact that the ACSRT's work is not integrated into the APSA. In addition, its primary frameworks on CT include the Convention on the Prevention and Combating of Terrorism (1999), the Algiers Plan of Action on the Prevention and Combating of Terrorism (2002), and the African Model Anti-Terrorism Law (2011), none of which refer to P/CVE. Currently, the APSA is undergoing a process of reform, having merged the Department of Political Affairs with the Department for Peace and Security to create the Department of Political Affairs, Peace and Security (PAPS). One of the ambitions underlying these reforms is to promote greater synergy in addressing inter-related issues of security and governance on the continent, including on CT and P/CVE.¹⁶

13 "Statement by the President of the Security Council," *UNSC*, March 11, 2020, https://www.securitycouncilreport.org/atf/cf/%7B65BF-FCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_prst_2020_5.pdf.

14 "Statement by the President of the Security Council," *UNSC*, December 4, 2020, https://www.securitycouncilreport.org/atf/cf/%7B65BF-FCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_prst_2020_11.pdf.

15 CTED, "Civil Society Perspectives: ISIL in Africa – Key trends and Developments."

16 "AU reforms present a unique opportunity for greater synergy in addressing inter-related issues of security and governance in Africa," *African Union (AU)*, June 17, 2021, <https://au.int/en/pressreleases/20210617/au-reforms-present-unique-opportunity-greater-synergy-addressing-inter>.

Until now, the work of the AU has been fragmented to a degree and has failed to adequately consider the root causes of conflict on the continent, including governance and human rights violations by Member States. In the past, the AU addressed governance through the African Peer Review Mechanism, a voluntary (and therefore unenforceable) system of reporting by Member States that is separate from the APSA. It then established the AGA, but this continued to have weak synergies with the APSA and, as a high-level dialogue platform, its track record is difficult to establish. More importantly, AUPSC decisions on governance have been inconsistent, as crises in Mali, Sudan, and Zimbabwe have shown, with the AU alluding to principles of sovereignty and non-interference as a reason for failing to hold Member States accountable. However, these reforms offer the AU an opportunity to be a norm shaper on the link between governance and CT and/or P/CVE.

At a normative level, the AU has supported the uptake of UNSC resolutions through several communiqués issued by the AUPSC, including on the impact of FTFs on peace and security in Africa¹⁷ and on countering extremist ideology, radicalization, and financing of terrorism in Africa.¹⁸ While such communiqués are important, time could be better spent on supporting implementation of CT frameworks relating directly to the African context. Rhetorically, the AU appears to be moving away from narrow security responses towards human development approaches that consider the African context. For example, in January 2018, it issued a statement on the theme “Towards a Comprehensive Approach to Combatting the Transnational Threat of Terrorism in Africa,” where it welcomed the development of national CT strategies focusing on prevention, the adoption of holistic approaches to address the root causes of terrorism, and the importance of engaging a wide range of actors in the fight against terrorism, such as religious groups, community leaders, civil society, and women.¹⁹ In 2021, the AUPSC conducted a review of continental efforts, in which it again urged Member States to address the root causes, drivers, and enablers of terrorism and VE.²⁰

In practice, such efforts have been limited. AU interventions tend to be through peacekeeping missions or specialized CT missions, which represent a conflict management, rather than a conflict prevention approach and there is no comprehensive continental strategy at the AU on CT or P/CVE. CTED sees comprehensive

17 “Communique of the 957th PSC Meeting on the Impact of Foreign Terrorist Fighters on Peace and Security in Africa,” *African Union Peace and Security Council (AUPSC)*, October 20, 2020, <https://www.peaceau.org/en/article/communique-of-the-957th-psc-meeting-on-the-impact-of-foreign-terrorist-fighters-on-peace-and-security-in-africa>.

18 “Communique of the 1048th meeting of the AU Peace and Security Council (PSC) held on 15 November 2021 on Countering Extremist Ideology, Radicalization and Financing of Terrorism in Africa,” *AUPSC*, November 15, 2021, <https://www.peaceau.org/en/article/eng-communique-of-the-1048th-meeting-of-the-au-peace-and-security-council-psc-held-on-15-november-2021-on-countering-extremist-ideology-radicalization-and-financing-of-terrorism-in-africa>.

19 “Communiqué of the 749th meeting of the AU Peace and Security Council, at the level of Heads of State and Government, on the theme: ‘Towards a Comprehensive Approach to Combatting the Transnational Threat of Terrorism in Africa,’” *AUPSC*, January 27, 2018, <https://www.peaceau.org/en/article/communique-of-the-749th-meeting-of-the-au-peace-and-security-council-at-the-level-of-heads-of-state-and-government-on-the-theme-towards-a-comprehensive-approach-to-combatting-the-transnational-threat-of-terrorism-in-africa>.

20 “Communiqué of the 1040th meeting of the Peace and Security Council of the African Union held on 22 October 2021, at Ministerial level, on the Report of the Chairperson of the Commission on Continental Efforts in Preventing and Combating of Terrorism and Violent Extremism in Africa,” *AUPSC*, October 22, 2021, <https://www.peaceau.org/en/article/communique-of-the-1040th-meeting-of-the-peace-and-security-council-of-the-african-union-held-on-22-october-2021-at-ministerial-level-on-the-report-of-the-chairperson-of-the-commission-on-continental-efforts-in-preventing-and-combating-of-terrorism-and-v>.

approaches as including a wider range of government stakeholders beyond law enforcement agencies, such as engaging ministries of education, information, and youth, or municipalities, with best practices of engaging non-governmental actors, and a greater focus on preventative measures.²¹

The Failure to Address Governance and Human Rights

The absence of a comprehensive continental strategy has arguably led to significant differences in the way that CT/PVE strategies have developed across Africa’s different geographic regions. In East Africa, the Inter-Governmental Authority on Development (IGAD) has adopted a Regional Strategy for PVE,²² and four of its members have adopted PVE strategies, with Kenya having been innovative in adopting county-level PVE action plans in addition to its national PVE action plan, suggesting the importance of norm diffusion. In West Africa, the Economic Community of West African States (ECOWAS) has adopted an action plan on the Prevention and Combatting of Terrorism in Africa (2020-2024)²³ but the plan has been criticized for failing to adequately address the root causes of extremism and allocating most of the plan’s budget to CT measures.²⁴ According to CTED, six States in West Africa have taken measures to develop a national CT strategy and one has developed a national PVE strategy, but this has faced challenges in operationalization.²⁵ In North and Southern Africa, no comprehensive strategies exist.²⁶

Both the UNSC and the AUPSC have been mostly silent on governance issues. For example, in its last survey on the implementation on UNSCR 1373, CTED made one reference to the considerable challenges that Member States face in preventing and countering terrorism in the context of armed conflicts, stressing that conditions such as deep-rooted grievances and governance and accountability gaps can be exploited to act as drivers for violent extremism.²⁷ However, such gaps have not been analyzed at a country-level. In its March 2020 statement, the UNSC referred to good governance and socioeconomic development in African CT and P/CVE efforts, but more could be done to advocate for this at a technical level.²⁸

21 “Global Survey of the implementation of Security Council resolution 1373 (2001) and other relevant resolutions by Member States,” CTED, 2021, https://www.un.org/securitycouncil/ctc/sites/www.un.org.securitycouncil.ctc/files/ctc_1373_gis.pdf; “Statement by the President of the Security Council,” UNSC, March 11, 2020, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_prst_2020_5.pdf.

22 “Regional Strategy for Preventing and Countering Violent Extremism,” *Intergovernmental Authority on Development*, 2018, <https://resilience.igad.int/resource/igad-regional-strategy-for-preventing-and-countering-violent-extremism/>.

23 “Fifty-Sixth Ordinary Session of the ECOWAS Authority of Heads of State and Government,” *Economic Community of West African States*, 2019, https://www.ecowas.int/wp-content/uploads/2019/12/Eng.Final-Communique-Summit-21-December-2019_VF.pdf.

24 “Slow progress for West Africa’s latest counter-terrorism plan,” *ISS Africa*, 2021, <https://issafrica.org/iss-today/slow-progress-for-west-africas-latest-counter-terrorism-plan>.

25 CTED, “Global Survey of the implementation of Security Council resolution 1373 (2001) and other relevant resolutions by Member States.”

26 Ibid.

27 Ibid.

28 UNSC, “Statement by the President of the Security Council,” March 11, 2020.

In reality, governance has been a thorny issue at the AU and among its Member States, as well as at the UNSC. At the UNSC, members of the P5 can veto any resolutions that they do not agree with, with Russia and China, for example, supporting principles of sovereignty and non-interference. Africa has witnessed a democratic backsliding, with recurring coups, but the AU has been inconsistent in how it deals with unconstitutional changes of government and could do more to sanction bad governance.²⁹ Only 34 out of 55 countries have ratified the African Charter on Democracy, Elections and Governance, and adherence to this Charter has not been enforced.³⁰ As specified by the Charter, failure to comply can result in the suspension of the right of the Member State to participate in its activities, sanctions, and even military intervention (as a rare case), as well as public condemnation.³¹ Under the new AU reforms, the AGA will be incorporated into the AU PAPS rather than being a separate entity from peace and security, but it is unclear how it will apply specific measures to countries flouting governance norms.

Moreover, there is clear evidence that human rights violations committed by Member States act as a driver of violent extremism.³² It is therefore concerning that none of the AUPSC's later communiqués make mention of human rights, despite this being a growing focus of UNSC resolutions and actions. For example, starting with UNSCR 1456 (2003), every UNSCR on CT includes some mention of the need for States to comply with their obligations under international human rights, humanitarian, and refugee law. Further, UNSCR 1624 emphasizes the importance of human rights in counter-incitement measures and UNSCR 2395 even goes so far as to note how violations of human rights can be a condition conducive to the spread of terrorism. While UNSC resolutions have increasingly incorporated human rights obligations into the work of CTED, the application of these principles has been less pronounced in AUPSC communiqués, in the establishment of African CT missions, and in the work of the ACSRT.³³ The African Commission on Human and People's Rights has developed principles and guidelines on human and people's rights while countering terrorism in Africa, but these have been largely ignored by Member States.³⁴

One ongoing criticism - also a criticism often levelled at the UN due to the lack of agreement among UN members - relates to the problematic definition of terrorism by the AU, which leaves room for interpretation by governments wishing to stifle their opposition.³⁵ The AU's 1999 Convention on the Prevention of Terrorism problematically defines a terrorist act as any violation of the criminal laws of a State and

29 "African coups are making a comeback," *ISS Africa*, October 15, 2021, <https://issafrica.org/iss-today/african-coups-are-making-a-comeback>.

30 "African Charter on Democracy, Elections and Governance," *AU*, n.d., accessed March 9, 2022, <https://au.int/en/treaties/african-charter-democracy-elections-and-governance>.

31 *Ibid.*

32 "Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment," *United Nations Development Programme (UNDP)*, 2017, https://journey-to-extremism.undp.org/?utm_source=EN&utm_medium=GSR&utm_content=US_UNDP_Paid-Search_Brand_English&utm_campaign=CENTRAL&c_src=CENTRAL&c_src2=GSR&gclid=CjwKCAjw9LSSBhBsEiwAKtfOnx_XFG7y6mriU-7JHtLVZqd9cYn8nW6ocGwBJQ5-T8GaBlj-j48WzBBoc_sUQAvD_BwE.

33 "Human Rights," *UNSC*, n.d., accessed March 9, 2022, <https://www.un.org/securitycouncil/ctc/content/human-rights>.

34 Norman Sempijja & Ekeminia Eyita-Okon, "Counter-Terrorism Resolutions and Initiatives by Regional Institutions: African Union and African Commission on Human and People's Rights" in *International Human Rights and Counter-Terrorism*, edited by Eran Shor and Stephan Hoedley (Singapore: Springer, 2019), http://dx.doi.org/10.1007/978-981-10-4181-5_6.

35 "The legal black hole in United Nations counterterrorism," *IPI*, 2021, <https://reliefweb.int/report/world/legal-black-hole-united-nations-counterterrorism>.

which may endanger people or property, which is aimed at intimidating any government institutions or creating a general insurrection.³⁶ The absence of such a universal definition can be a challenge for interstate cooperation, the enforcement of standards based on “soft” definitions of terrorism, and the use of different definitions to infringe on human rights, while allowing the Convention to be used against those fighting for self-determination. UNSCR 1566 offers a non-binding definition of terrorism, but it is unlikely that these efforts have influenced African frameworks.³⁷ For example, in 2001, CTED’s global survey on the implementation of UNSCR 1373 found that many countries in North, West, East, and Southern Africa use overly broad definitions of terrorism, that could be used to suppress dissent.³⁸ The AU can therefore do much more to enforce a human-rights based approach, especially given that 54 out of its 55 Member States have ratified the African Charter on Human and People’s Rights.³⁹ The UN can also play a greater role in assisting African States in moving towards a human security approach that addresses the drivers of extremism.

UNSC Engagement on African CT Operations

Practically, the UNSC has supported the notion of African-led military operations (including both CT and peacekeeping missions), although sticking points remain on their financing and on the nature of their mandates. The AU would like to access UN-assessed contributions, but there is a lack of a clear agreement on how a 25:75 split would work in practice, especially considering the AU’s difficulties in meeting financial obligations. In discussions regarding the mandate extension of AMISOM, the AU called for a hybrid AU-UN mission that would merge the UN’s political mission with the existing mission, which some labelled as an attempt to get concessions on UN funding.⁴⁰ There is also the challenge of how these AU missions would comply with international human rights law and UN accountability standards.⁴¹ As a result, the UNSC has stressed the responsibility that regional organizations have in securing their own resources, but these limitations have had an impact on the success of its missions.⁴²

Due to the challenges of financing, Africa has opted for ad hoc blended missions, operating under various mandates. The UN, for example, has several large missions in Africa, such as in the DRC, Central African Republic (CAR), Mali, and South Sudan, to which African countries contribute troops. AMISOM was the

36 “OAU Convention on the Prevention and Combating of Terrorism,” *African Union*, 1999, https://au.int/sites/default/files/treaties/37289-treaty-0020_-_oau_convention_on_the_prevention_and_combating_of_terrorism_e.pdf.

37 IPI, “The legal black hole in United Nations counterterrorism.”

38 CTED, “Global Survey of the implementation of Security Council resolution 1373 (2001) and other relevant resolutions by Member States.”

39 “African Charter on Human and People’s Rights,” *AU*, n.d., https://au.int/sites/default/files/treaties/36390-sl-african_charter_on_human_and_peoples_rights_2.pdf.

40 “Reforming the AU Mission in Somalia,” *International Crisis Group (ICG)*, November 15, 2021, <https://www.crisisgroup.org/africa/horn-africa/somalia/b176-reforming-au-mission-somalia>.

41 “The Price of Peace: Securing UN Financing for AU Peace Support Operations,” *ICG*, 2020, <https://www.crisisgroup.org/africa/286-price-peace-securing-un-financing-au-peace-operations>.

42 UNSC, *Statement by the President of the Security Council*, December 2020, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_prst_2020_11.pdf.

AU's flagship mission, which changed to the AU Transition Mission in Somalia in April 2022. Then, there are regional initiatives such as the G5 Sahel Joint Force and the Lake Chad Basin MNTJF, composed mainly of military units from neighboring countries and supported by interested donors (either financially or through their own bilateral means, such as French Operation Barkhane). The AU's proposed African Standby Force (ASF) is not yet operational, although a roster has been developed.⁴³ There are ongoing debates as to whether the ad hoc model or the ASF would be more effective, but what these operations lack is a clear overarching and comprehensive normative framework from the AU. Without a shared set of objectives among all the parties involved in an ad hoc mission, these operations remain vulnerable to being focused on countering terrorism through military means alone. There are also discussions on the establishment of a CT unit in the ASF, which could streamline activities and assist with a greater preventative approach, but no resolution on this has been reached.⁴⁴

Furthermore, African CT operations have neglected the issue of governance and human rights, the failure of which can serve as a tipping point for extremists.⁴⁵ The fact that the UNSC CT framework is largely silent on governance issues means that a key element of addressing terrorism in Africa is often overlooked by all actors. In the Sahel region, approaches to address CT have involved multiple external actors focused on security, which has detracted national efforts to look inwardly and to understand the context. The G5 Sahel is an intergovernmental organization including Burkina Faso, Chad, Mali, Mauritania, and Niger, but is heavily reliant on external funding. It also works alongside the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), the MNJTF, French Operation Barkhane, as well as soldiers from the United States, Germany, Belgium, the United Kingdom, and Italy. With these operations ongoing for more than a decade, there are increasing calls for "softer" approaches in this region, such as engaging in dialogue with communities and militants, adopting structural reforms, and improving social services.⁴⁶

Recently, the AUPSC has reiterated the need to address the root causes and drivers of terrorism, such as marginalization and exclusion, and to take economic and social actions that support long-term stabilization and development. But it could do more to ensure these approaches are implemented.⁴⁷ One positive example (as noted by CTED)⁴⁸ may exist in the Lake Chad Basin, where a Regional Stabilization Strategy has been developed that aims to address the drivers of extremism and the lack of development

43 "ACCORD induction training on the handover of the African Standby Capacity," *ACCORD*, November 9, 2020, <https://www.accord.org.za/news/accord-induction-training-on-the-handover-of-the-african-standby-capacity/>.

44 "Communique adopted by the Peace and Security Council (PSC) of the African Union (AU) at its 960th meeting held on 28 October 2020, on the Establishment of the Special Unit on Counter Terrorism within the framework of the African Standby Force (ASF)," *AUPSC*, October 28, 2020, <https://www.peaceau.org/uploads/eng-communique-for-the-960th-psc-meeting-speacial-unit-asf-28-oct-2020.pdf>.

45 UNDP, "Journey to Extremism in Africa: Drivers, Incentives and the Tipping Point for Recruitment."

46 "A Course Correction for the Sahel Stabilisation Strategy," *ICG*, 2021, <https://www.crisisgroup.org/africa/sahel/299-course-correction-sahel-stabilisation-strategy>.

47 "Communique of the 838th meeting of the AUPSC on countering extremism and violent extremism in the Lake Chad and the Sahel regions; and renewal of mandate of the G5 Sahel Joint Force," *AUPSC*, April 9, 2019, <https://www.peaceau.org/en/article/communique-of-the-838th-meeting-of-the-aupsc-on-counterterrorism-and-violent-extremism-in-the-lake-chad-and-the-sahel-regions-and-renewal-of-mandate-of-the-g5-sahel-joint-force>.

48 CTED, "Global Survey of the implementation of Security Council resolution 1373 (2001) and other relevant resolutions by Member States."

in the region.⁴⁹ The Strategy calls for new ways of working and places a larger emphasis on community engagement and civil-military cooperation, but suffers from funding gaps and an over-reliance on military and other security institutions. Nevertheless, it poses a new model of sustainability from which the African continent can learn.⁵⁰ There have also been promising developments in Kenya, where there have been efforts to support the implementation of County Action Plans through multi-sectoral and human rights-based frameworks and calls for robust collaboration between national and county governments and civil society organizations. As a result of these efforts, these action plans focus on sharing local knowledge and bringing together grassroots organizations to prevent radicalization.⁵¹ In this regard, the AU should lead the way through not only advocating for, but also implementing, a truly inclusive approach to CT and P/CVE. At present, the AU has launched the Interfaith Dialogue on VE (iDove), which demonstrates a move towards a more inclusive P/CVE approach that involves youth and religious leaders, but much more can be done to set norms, advocate for their implementation, and to provide technical and other support to its Member States.

Human rights concerns are also a serious problem across African CT responses, which have manifested in various ways, such as through legislation, disregard for the protection of due process and rights, and extrajudicial killings. The UN has raised the issue of human rights violations as a challenge in ad hoc peacekeeping missions, but national African CT responses are also concerning. In Nigeria, for example, Human Rights Watch denounced the conditions and outcomes of the country's terrorism trials of Boko Haram suspects in 2017.⁵² Bilateral engagements, where some African countries have brought in private military contractors to support government efforts to root out armed groups, have also posed challenges in terms of human rights standards and accountability. In CAR, the Wagner group (a Russian mercenary group thought to be linked to the Russian government – an accusation that Russia emphatically denies) has supported a weak government and its interventions have been characterized by many, including the UN, as flouting human rights principles, such as through the indiscriminate killing of Muslims, which are likely to only drive radicalization.⁵³ With Putin claiming that the group operates as an independent organization, holding these troops accountable is a significant challenge, since their activities are not officially attached to the Russian State.

49 “Regional Stabilization Strategy,” *Lake Chad Basin Commission*, accessed February 25, 2022, <https://cblt.org/regional-strategy-stabilization/>.

50 Olajumoke Ayandele, “Why integrating non-military actors in security strategies can stabilize the Lake Chad Basin,” *London School of Economics*, June 8, 2021, <https://blogs.lse.ac.uk/africaatlse/2021/06/08/why-integrating-non-military-actors-security-strategies-stabilise-lake-chad-region/>.

51 “Kenyan Stakeholders Call for Implementation of Local Action Plans to Stem Youth Radicalisation and Extremism,” *Strong Cities Network*, 2021, <https://strongcitiesnetwork.org/en/kenyan-stakeholders-call-for-implementation-of-local-action-plans-to-stem-youth-radicalisation-and-extremism/>.

52 “Nigeria: Flawed Trials of Boko Haram Suspects,” *HRW*, 2018, <https://www.hrw.org/news/2018/09/17/nigeria-flawed-trials-boko-haram-suspects>.

53 “CAR: Experts alarmed by government’s use of ‘Russian trainers’, close contacts with UN peacekeepers,” *United Nations Office of the High Commissioner for Human Rights*, March 31, 2021, <https://www.ohchr.org/en/press-releases/2021/03/car-experts-alarmed-governments-use-russian-trainers-close-contacts-un>.

Forging the Way Ahead on African P/CVE

In sum, the AUPSC has taken up and reiterated normative aspects of UNSC CT resolutions but needs to place a greater focus on human rights, governance, and community engagement, which are particularly relevant in the African context and either insufficiently addressed or ignored in the UNSC CT framework. The AU can even be a norm shaper in reviewing its definition of “terrorism” to prevent its misuse and in defining “violent extremism.” Since the UNSC allows Member States to define terrorism under domestic law, the AU can play an important role in setting down guidelines for its own Member States that are relevant to the current context. The AU lacks a comprehensive strategy on CT and P/CVE, which has filtered down to its operations and the actions of its Member States. By taking greater ownership, the continent may be less subjected to the competing interests of different actors that may not necessarily have the same end-goal objectives. The recent AU reforms provide an excellent opportunity for integrating holistic CT and PVE approaches into the APSA, and the UN can also play a role in sharing its past experiences and lessons learned in this regard, and in providing technical and financial support for these efforts in a sustained manner.

KEY RECOMMENDATIONS TO THE UNSC

- **Better incorporate African priorities, needs, and perspectives by broadening the work of CTED to consider governance and human rights, placing African P/CVE issues more firmly on the UNSC agenda, and by considering UNSC resolutions on human security and P/CVE.**
- **Develop a UN-AU technical working group to assess major gaps in African Member States’ implementation of the UNSC CT framework by building on the long-standing relationship between CTED and the ACSRT and strengthening engagement with the APSA.**
- **Through the new working group, highlight where African states are adopting overly broad definitions of terrorism and strengthen the connection between the implementation of UNSC resolutions and human rights and democracy, in collaboration with the APSA.**
- **Provide technical and financial support the AUPSC to develop multilateral approaches that enforce accountability and transparency in terms of human rights, especially in terms of counter-terrorism operations.**
- **Share innovative multi-stakeholder and community-led approaches to P/CVE from around the world to demonstrate best practices to the African continent, not just in rhetoric but also in action.**

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