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**REPORT OF THE CHAIRPERSON OF THE COMMISSION ON TERRORISM  
AND VIOLENT EXTREMISM IN AFRICA**

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**I. INTRODUCTION**

1. In its decision Assembly/AU/Dec.536(XXIII) on the Report of the Peace and Security Council on its Activities and the State of Peace and Security in Africa, the 23<sup>rd</sup> Ordinary Session of the Assembly of the Union, held in Malabo, Equatorial Guinea, from 26 to 27 June 2014, expressed deep concern over the continued terrorism threat in Africa, particularly in the Sahelo-Saharan region, the Horn of Africa, including Somalia, Kenya and Djibouti, the Central African region with the attacks carried out by the Lord's Resistance Army (LRA), as well as the atrocities perpetuated by Boko Haram in Nigeria. The Assembly welcomed the on-going AU's efforts to address the scourge of terrorism, notably through the cooperative mechanisms being implemented by the African Centre for the Study and Research on Terrorism (ACSRT), the Nouakchott Process on the Enhancement of Security Cooperation and the Operationalization of the African Peace and Security Architecture (APSA) in the Sahelo-Saharan region, the Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army (RCI-LRA) and the AU Mission in Somalia (AMISOM).

2. In view of the seriousness of the threat posed by terrorism, the Assembly stressed the urgency of renewed efforts towards the effective implementation of the AU counter-terrorism framework, including the signing and ratification of the relevant instruments, notably the 1999 Algiers Convention on the Prevention and Combating of Terrorism and its 2004 Protocol. In this respect, the Assembly requested Council to devote a meeting, at summit level, to the issue of terrorism. Subsequently, and following consultations undertaken by Chad, as chair of Council for the month of September 2014, with the other members of Council and with the Commission, it was agreed to convene the envisaged meeting in Nairobi, Kenya, on 2 September 2014. In communiqué PSC/PR/COMM. (CDXLIX) on the situation in Mali and the Sahel region, adopted at its 449<sup>th</sup> meeting held on 11 August 2014, Council reiterated its determination to combat the scourge of terrorism in the context of the relevant African and international instruments, stressing, in this regard, the opportunity afforded by the Summit scheduled to take place in Nairobi.

3. The present report, submitted to facilitate the deliberations of Council, provides an overview of the terrorism threat and vulnerability in Africa, as well as an update on AU's efforts to address this scourge, including through the elaboration of a normative framework and the establishment of the required institutional capacity. The report concludes with recommendations on the way forward.

**II. GENERAL OVERVIEW AND TRENDS OF THE TERRORISM THREAT AND VULNERABILITY IN AFRICA**

4. Terrorism continues to be one of the most serious threats to international peace and security. Over the past decade, the threat of terrorism in Africa has assumed greater proportions. Regions that previously did not perceive the seriousness of the threat, or were considered to be immune from terrorism, have been targeted by terrorists. During the same period, the threat of terrorism has spread from North and East Africa to Western and Central Africa covering the Sahel, which expands from the Atlantic Ocean to the Red Sea and Indian Ocean.

5. While commendable progress has been made in tackling the threat of terrorism at the international and continental levels, there is a growing realization that the threat the continent is currently facing is a complex one. This is particularly true in the Sahel region, where drug and arms trafficking, human smuggling, kidnapping-for-ransom, illicit proliferation of arms and money

laundering - all of which are variants of transnational organized crime - have become intimately intertwined with terrorist groups' activities and sources of financing. This situation adversely affects security and stability in the region.

6. Terrorist threats on the continent can be broken down into a number of categories. These include: (i) terrorist attacks on African interests; (ii) terrorist attacks on Western and other foreign interests; (iii) use of African territories as safe havens; (iv) use of Africa as a terrorist breeding ground and source of recruitment and financing; and (v) Africa as a transit point for terrorists and fund-raising tied to other illicit activities.

7. The terrorist threat in Africa has been shaped by activities in North, West, East and Central Africa, mainly led by the following terrorist organizations: Al-Qaida in the Islamic Maghreb (AQIM) and the Movement for the Oneness and Jihad in West Africa (MOJWA) in North and West Africa, Boko Haram and Ansaru in Nigeria and Cameroon, Al-Shabaab in East Africa and the LRA in Central Africa. Mention should be made of the recent emergence of the Ansar Al-Sharia groups in some countries of the North Africa region.

8. The emergence and redeployment of terrorist groups in Africa and, in particular, in the Sahelo-Saharan region can be explained by six main reasons:

- (i) poverty, illiteracy and high rate of unemployment among the youth and the general population, which render them vulnerable to the manipulative messages of terrorist groups and their promises of quick gain;
- (ii) poor working conditions, insufficient training and discipline of law enforcement personnel that make them easy prey for corruption;
- (iii) the search for safe havens and refuge by criminal networks in a zone characterized by vast territorial expanses, low and insufficient security coverage and administrative presence;
- (iv) the quest for new sources of funding, especially through smuggling, drug trafficking and illegal migration;
- (v) the need to conquer new areas for recruitment and redeployment with the objective of expanding the confrontation field beyond their traditional zone of operations; and
- (vi) Government institutional weaknesses and the existence of long stretches of porous, largely ill-monitored and poorly-controlled borders, which, combined with vast, ill-administered spaces of territory, facilitate illegal cross-border movement of people and goods and provide fertile ground for exploitation by terrorists and transnational organized criminals.

9. Some of these groups while pursuing their locally-driven agenda, also committed themselves to a more global one, following their allegiance to Al-Qaida Central (AQC). This led not only to a shift in strategy to copy the Al-Qaida's model, but also to changes in terms of ideological rhetoric, recruitment, financing, propaganda methods and *modus operandi*. Recourse to suicide attacks and Improvised Explosive Devices (IEDs), as well as the use of teenagers and disabled individuals as suicide bombers, became a regular pattern. Kidnapping-for-ransom and drug-trafficking have also emerged as major sources of financing for terrorist groups in Africa.

### III. OVERVIEW OF THE SITUATION IN THE DIFFERENT REGIONS OF THE CONTINENT

10. West Africa and the Sahel continue to be seriously affected by terrorist activities. In addition to the entities mentioned above, two other groups have come to the fore in recent time: the first one is *Al-Mourabitoun*, which resulted from the merger between MOJWA and the AQIM splinter groups *al-Mouwakoune Bi-Dima* (Signers in Blood Battalion) and *Katibat al-Moulathamoun* (Brigade of the Turbaned People), and the second one is *Jama'atu Ansarul Muslimina Fi Biladis Sudan* (Vanguards for the Protection of Muslims in Black Africa - Ansaru), an off-shoot of Boko Haram, with a wider regional agenda and claims to be trained by AQIM. All these groups seem to have links with AQIM and other groups such as Al-Shabaab in Somalia, while pursuing local agendas.

11. In West Africa, specifically in Nigeria, Boko Haram has increased the frequency and intensity of its terrorist activities, in particular indiscriminate bombing of civilians, attacks against security forces and destruction of property and public infrastructure, leading to significant displacement of populations. It has engaged in all sorts of criminal activities to finance its operations. It has also resorted to kidnapping as a way of forcing the Nigerian Government to release its members held in Nigerian prisons. The kidnapping, on 14 April 2014, of more than 200 young girls from a school in the town of *Chibok*, in the Borno State, and other incidents, including the attack perpetrated towards the end of July 2014 against the Cameroonian locality of Kolofata and the kidnapping of about 100 people from Doron Baga, a village near the shores of Lake Chad, 85 of whom were subsequently rescued by Chadian troops when they intercepted the convoy of busses carrying the hostages, are all acts that further illustrate the magnitude of the challenge posed by Boko Haram terrorist activities.

12. In East Africa, Al Shabaab continues to represent the main terrorist threat, particularly in Somalia and Kenya. Although driven out of key Somali cities, Al-Shabaab still retains the capacity to launch attacks against the Federal Government of Somalia (FGS), civilians, international organizations and AMISOM, as well as the ability to expand its terror campaign beyond the Somali borders, into other countries in the region. All of the troops contributing countries (TCCs), which include Kenya, Uganda, Burundi, Djibouti, Ethiopia, and Sierra Leone, have been threatened with attacks by Al-Shabaab, with Kenya bearing the brunt of most of the attacks so far carried out. Under Ahmed Godane's leadership, Al-Shabaab's aspirations have widened and the group has been seeking to further expand its relationships with transnational terrorist groups.

13. Al Shabaab's modus operandi appears to be the same in all the countries they have targeted. Terror operatives build on local grievances to infiltrate local organizations, recruit young and frustrated youths, train them in bomb making or in carrying out complex attacks in Somalia and then unleash them against their countries of origin. In some circumstances, AQIC gets involved if the operation is meant to cause massive casualties and attract international publicity. Al-Shabaab funds its operations through a variety of means, notably the illegal charcoal trade and an elaborate taxation system levied on businesses operating in areas under the group's control, as well as on proceeds from piracy.

14. In Central Africa, the LRA, which began its terror campaign in the late 1980s, continues to perpetrate terror against civilians in remote villages in the Democratic Republic of Congo (DRC), South Sudan and the Central African Republic (CAR). In June 2014, the LRA resurgence in the DRC reportedly forced 1,300 Congolese civilians to seek refuge across the common border into South Sudan. Joseph Kony, its leader, also uses terror to ruthlessly intimidate his own commanders, fighters and abductees, to instill fear, command loyalty and enforce his continued grip on them. Boko Haram has marked its presence with attacks against Cameroon and attempts to infiltrate militants into Chad.

15. The LRA is also involved in poaching elephants in the Garamba National Park, in north-eastern DRC, to obtain ivory to be exchanged for weapons and other necessities. In May and June 2014, sixty eight (68) elephants were reportedly killed in the Park, mostly by the LRA. Al-Shabaab, although not known to have links with the LRA, has positioned itself as an intermediary in the illicit ivory trade, utilizing its regional networks to smuggle ivory to some Asian countries, where there is high demand for ivory.

16. The configuration of some of these groups has witnessed some changes over the past months. The rifts within both AQIM and Al-Shabaab and the subsequent restructuring have resulted in the multiplication of dissident groups. This situation contributes to an increase in terrorists activities, as the new groups attempt to establish themselves on the ground and assert their existence, while adhering to the idea of global terrorism, unlike the original groups whose focus was more local. The new terrorist groups are sophisticated, resilient and determined to unleash terror. They enjoy the process of planning as much as they enjoy carrying out attacks.

#### **IV. FACTORS CONTRIBUTING TO THE SPREAD OF TERRORISM**

17. The threat of terrorism in Africa is influenced by a number of factors. These relate to radicalization and violent extremism, the links with transnational organized crime, kidnapping-for-ransom, the proliferation of arms, weapons and ammunitions, mercenarism and consequences of political instability in North Africa.

18. *Radicalization and violent extremism:* Terrorist groups exploit and capitalize on social grievances, unresolved conflicts, personal or community identity claims, religion, history, marginalization, exclusion and a host of other factors, to produce an ideological narrative that creates an enabling environment for recruitment and radicalization, where the commission of terrorist acts becomes appealing as an instrument of political activism. Consistent reports indicate that indigenous networks are engaged in recruitment, radicalization and resource mobilization on behalf of groups such as AQIM, Al-Shabaab and Boko-Haram.

19. *Links with transnational organized crime:* The links between terrorism and transnational organized crime have become much clearer, with terrorist groups increasingly exploiting the pre-existing informal trade routes, as well as the black and illicit markets, to generate resources. This connection is particularly true in the Sahel, with the threat expanding into West Africa. The MOJWA, an offshoot of AQIM, is the best example of this trend. It is a terrorist group mostly financed by narco-trafficking, comprising radical elements and fanatics with a mercantile profit maximization mindset. The lucrative drug market supports a number of terrorist groups, fuels the traffic in arms and money laundering, generates violence and corruption, and, as a result, poses a serious threat to international peace and security. In 2011, the United Nations Office on Drugs and Crime (UNODC) reported that the annual criminal gains equalled 1.5% of the total world Gross Domestic Product (GDP), with drug trafficking alone generating \$320 billion annually, becoming the most lucrative form of business for criminals, compared to human trafficking, for instance, that generates \$32 billion. It is clear that, with these huge sums, transnational organized crime has the potential to undermine national economies, corrupt state officials and undermine the very foundations of society.

20. *Kidnapping-for-ransom:* Traditionally, terrorist groups in Africa relied on overseas funding and logistics, but since the terrorist attack of 11 September 2001 in the United States of America and the successful operations of the security forces, especially in North Africa, that have dismantled the support base and major revenue sources for the terrorist groups, the latter had to seek alternative sources of funding and logistics. These range from kidnapping-for-ransom to all

forms of illicit trafficking and including human trafficking, cigarettes smuggling, thus confirming the nexus between terrorism and transnational organized crime in the region.

21. Kidnapping-for-ransom has thus emerged as an integral financing model for the furtherance of terrorist activities in Africa and globally. There are many reported and unreported cases of kidnapping-for-ransom in Africa, with various groups involved in this thriving model of terrorism financing. Groups such as MOJWA, Boko Haram, Ansaru and AQIM and other criminal groups have benefitted substantially from the kidnapping of foreigners and affluent nationals for the purpose of securing ransom for their release. Kidnapping-for-ransom, whose proceeds are reported to have gone above \$180 million in less than 10 years, has thrived to the point of eclipsing other criminal activities that finance terrorism. Moreover, apart from ransom payment, terrorists have added to their demands the need to free imprisoned terrorists as a condition for the release of hostages.

22. Experts estimate that more than 35% of kidnapping-for-ransom cases for the year 2013 have been perpetrated in Africa. The most significant contributing factor to the growing incidents of kidnapping-for-ransom has been the changing nature of Al-Qaida from a fairly centralized organization, capable of directing and financing its affiliates, to a decentralized network of autonomous groups and cells, most of which have been forced to find new and mostly local or regional sources of financing. The proceeds of such operations end up being used to acquire sophisticated weapons, buy advanced communication systems and reinforce the human resource base of the terrorist groups.

23. In the Sahel belt, kidnapping-for-ransom has now developed into an industry that includes the terrorist organization at the core, interacting with a chain of intermediaries, contractors, subcontractors, spies, informers, criminal groups and local tribesmen or sympathizers who, acting in coordination, have acquired the ability to raise substantial amounts of money in just a single incident of kidnapping-for-ransom. The benefits of kidnapping-for-ransom have lured terrorist and criminal groups into actively hunting for potential hostage victims with the aid of agents across the region.

24. *Proliferation of arms, weapons and ammunitions:* The proliferation of weapons in Africa is a serious challenge to sustainable peace and security on the continent. The Libyan crisis further exacerbated an already precarious security situation, in particular in the Sahel region. Despite efforts by Governments of the region to control their borders, large quantities of weapons and ammunition from Libyan stockpiles were smuggled into the Sahel region. These included rocket-propelled grenades, machine guns with anti-aircraft visors, automatic rifles, ammunition, grenades, explosives (Semtex) and light anti-aircraft artillery (light calibre bi-tubes) mounted on vehicles. There are also indications that more advanced weapons, such as surface-to-air-missiles and man-portable air defense systems (MANPADs), may have been transferred to the region. This has greatly contributed to enhancing the capacity of terrorist groups, as demonstrated by such spectacular attacks as the In-Amenas Gas Facility in Algeria and the double attack in Arlit and Agadez, in Niger.

25. *Mercenarism:* Marginalization, lack of employment and opportunities for youth, incomplete disarmament, demobilization and reintegration of former rebels, drawn into fighting as a form of employment, resulted in the emergence of new forms of mercenary activity in Africa, characterized by armed elements joining terrorist groups not for ideological reasons, but for financial gains, escalating, this way, terrorist operations and spreading their activities beyond their traditional areas of operation. Other relevant developments relate to the action of Private Military Companies/Contractors (PMC) intervening on behalf of States, without proper accountability mechanisms.

26. *Consequences of political instability in North Africa:* As some countries in North Africa undergo profound evolution, terrorist and rebel groups have been exploiting the ensuing security vacuum to expand their territorial reach, access new sources of funding and armament, radicalize new recruits, spread their message of hate and violence, undermining the peoples' quest for peace, stability and democracy, values that are inherently opposed to the motivations and goals of terrorism. Beyond the region, North African youths have been recruited and radicalized, making them among the largest group of foreign fighters in the ranks of terrorist groups fighting in Syria and Iraq. The return of these youths will create heightened security challenges not only to the region, but also to Africa and the rest of the world as a whole.

#### **V. VULNERABILITIES TO TERRORISM AND TRANSNATIONAL ORGANIZED CRIME**

27. A number of vulnerabilities, which are common to most AU Member States and regions, have contributed to the increased threat of terrorism and transnational organized crime in Africa. Among the *common vulnerabilities* are the vast sparsely-populated and poorly-administered territories that can be found in virtually all the countries affected by terrorism, particularly in the Sahel. Such vast expanses of land provide hidden training camps for terrorist and criminal organizations, some of which have a broad financial base to customize the desert to their specific needs.

28. Economic, political and institutional weaknesses leave many countries vulnerable to terrorist penetration, recruitment, radicalization and violent extremism.. Widespread conditions of conflict and poverty, marginalization, human rights violations, unresolved conflicts, ethnic, national and religious-based discrimination, lack of employment and opportunities for youth create a breeding ground for alienation and radicalization and, most importantly, render these segments of the population vulnerable to terrorist and criminal groups that offer them money and provide them with a sense of belonging. When combined with the proliferation of small arms and light weapons (SALW), often linked to the violent conflicts that continue to plague Africa, this state of affairs leaves the continent highly vulnerable to terrorist violence. Inadequate perception and awareness of the evils of terrorism and organized crime is also another contributing factor.

29. The limited capacity of law enforcement agencies, corruption among customs and other security officials is another all-pervading problem that is exacerbated by the lack of resources, training and operational capabilities. The lack of an adequate legislative framework and poor criminal justice systems moreover contributes to the impunity of perpetrators of terrorist acts, from prosecution and punishment. Another major vulnerability is the lack of adequate capacity to intervene militarily against such groups. As a result, the continent, in some instances, has, had to resort to military operations by foreign powers in order to address the security challenges at hand. While the support provided by partners is welcomed, it is important to bear in mind that foreign military interventions could, at times, spark a significant influx of international terrorists, as the latter try to open a new terror front.

#### **VI. EXISTING AFRICAN LEGAL INSTRUMENTS**

30. The AU's efforts to prevent and combat the scourge of terrorism have a long history. During its 28<sup>th</sup> Ordinary Session, held in Dakar, Senegal, from 29 June to 1<sup>st</sup> July 1992, the Assembly of Heads of State and Government of the Organization of African Unity (OAU) adopted resolution AHG/Res.213(XXVIII) on the Strengthening of Cooperation and Coordination among African States. The resolution called on Member States to enhance cooperation and coordination, in order to fight the phenomenon of extremism and terrorism. At its 30<sup>th</sup> Ordinary Session, held in Tunis, Tunisia, from 13 to 15 June 1994, the OAU Assembly of Heads of State and Government adopted declaration

AHG/Decl.2(XXX) on the Code of Conduct for Inter-African Relations, which rejected all forms of discrimination, injustice, extremism and terrorism; and unequivocally condemned as criminal all terrorist acts, methods and practices. The decision reiterated Member States' commitment to refrain from organizing, instigating, facilitating, financing, encouraging or tolerating activities that are terrorist in nature or intent and from participating in such activities, as well as to take necessary operational measures to ensure that their territories do not serve as training camps or indoctrination centers for terrorist elements and movements, and as sanctuaries for the planning and organization of terrorist and destabilization activities. These efforts culminated in the 1999 OAU Convention on the Prevention and Combating of Terrorism and its 2004 Protocol.

**(a) The 1999 Convention on the Prevention and Combating of Terrorism**

31. The Convention on the Prevention and Combating of Terrorism was adopted by the 35<sup>th</sup> Ordinary Session of the OAU Summit, held in Algiers, Algeria, from 12 to 14 July 1999 [AHG/Dec.132(XXXV)]. It entered into force on 6 December 2002. To date, 50 Member States have signed the Convention, while 41 have ratified it. The Convention provides a legal framework for preventing and combating terrorism at the continental level. It identifies a number of terrorist offences and areas of co-operation among Member States, and contains detailed provisions on extradition, extra-territorial investigations and mutual legal assistance.

32. Under the Convention, Member States committed themselves to review their national laws, establish criminal offences for terrorist acts and make such acts punishable by appropriate penalties; consider, as a matter of priority, the signing or ratification of, or accession to, relevant international counter-terrorism (CT) instruments; implement the actions required in terms of the relevant international CT instruments; and notify the Secretary-General of the OAU (later, the Chairperson of the AU Commission) of all the legislative measures they have taken and the penalties imposed on terrorist acts within one year of ratification of, or accession to, the Convention. Member States also undertook to refrain from any acts aimed at organizing, financing, committing or inciting others to commit terrorist acts, or providing havens for terrorists, pledging, in this respect, to take a number of steps, as well as to cooperate among themselves in preventing and combating terrorist acts, through strengthened exchange of information, mutual assistance with regard to procedures relating to the investigation of terrorist acts and arrest of terrorists, exchange of studies and researches, and provision of technical assistance.

33. Improvement of surveillance and border patrol capacities is another point emphasized in the Convention. The Convention requires States to develop methods of monitoring and controlling land, sea, customs and immigration check points to pre-empt infiltration by those involved in the planning, organization and execution of terrorist acts.

**(b) The 2004 Protocol to the OAU Convention on the Prevention and Combating of Terrorism**

34. While the adoption of the Algiers Convention constituted a watershed in Africa's efforts to address the threat of terrorism, concerns were quickly expressed at some of its inherent weaknesses and their impact on the implementation of this instrument. In this respect, it was noted that the Convention did not provide for an implementation mechanism and adequate measures for the suppression of terrorist financing. The provisions on human rights protection were also deemed to be insufficient, and the risks of terrorists acquiring weapons of mass destruction were not adequately addressed. It is against this background that the Second High-Level Inter-Governmental Meeting of the AU Member States on the Prevention and Combatting of Terrorism, held in Algiers, from 13 to 14 October 2004, encouraged efforts by the Commission to prepare an additional Protocol to the



Convention. The Declaration of the Meeting was endorsed by the 6<sup>th</sup> Ordinary Session of the Executive Council held in Abuja, Nigeria, from 24 to 28 January 2005 [EX.CL/Dec.176 (VI)].

35. The Protocol was adopted by the 3<sup>rd</sup> Ordinary Session of the Assembly of the Union, held in Addis Ababa, from 6 to 8 July 2004 [Assembly/AU/Dec.36(III) Rev.1], in pursuance of Article 21 of the Convention. Its main purpose is to enhance the implementation of the Convention and to give effect to article 3(d) of the Protocol Relating to the Establishment of the Peace and Security Council on the need to coordinate and harmonize continental efforts in the prevention and combating of terrorism in all its aspects. Under the Protocol, States Parties commit themselves, *inter alia*, to implement fully the provisions of the Convention and to take a number of other steps, including cooperation on the suppression of the financing of terrorism; to submit, on an annual basis, or at such regular intervals as shall be determined by Council, reports on measures taken to combat and prevent terrorism; to report to Council all terrorist activities in their countries as soon as they occur; and to become parties to all relevant continental and international instruments on terrorism. As of August 2014, the Protocol had been signed by 45 Member States and ratified by 15 of them. It entered into force on 26 February 2014.

## **VII. THE 2002 AU PLAN OF ACTION FOR THE PREVENTION AND COMBATING OF TERRORISM**

36. The Plan of Action (PoA) was adopted by the first AU High-Level Inter-Governmental Meeting on the Prevention and Combating of Terrorism in Africa, held in Algiers, from 11 to 14 September 2002. The PoA, which was endorsed by the 2<sup>nd</sup> Ordinary Session of the Executive Council held in Ndjamen, Chad, from 3 to 6 March 2003 [EX.CL/Dec.13(II)], intended to give concrete expression to the CT commitments and obligations of AU Member States as contained in the 1999 Algiers Convention and UN Security Council resolution 1373 (2001) adopted on 28 September 2001, in order to enhance and promote African countries' access to appropriate CT resources, through a range of measures establishing counter-terrorism cooperation on the continent. The PoA stresses the importance of joint action, coordination and collaboration among Member States for the eradication of terrorism on the continent. It contains specific provisions on police and border control, legislative and judicial measures, suppression of the financing of terrorists, exchange of information, and coordination at regional, continental and international levels. It also specifies the role to be played by Council and the Commission. As a follow-up to the PoA, a number of steps have been taken to further CT efforts on the continent, notably through the enhancement of the Commission's capacity and the establishment of the ACSRT.

### **a) Role of the Commission**

37. Paragraph G of the PoA stipulates that the Commissioner for Peace and Security is entrusted with the task of following-up on terrorist-related matters. More specifically, the Commissioner is tasked with:

- a. examining the reports submitted by Member States in relation to paragraph 16.b of the Plan of Action;
- b. reviewing and making recommendations to update the PoA;
- c. providing advice on matters pertaining to counter-terrorism action, including preparation of model legislation and guidelines to assist Member States; and

- d. following-up with Member States and any other States on decisions taken by Council and other organs of the Union on terrorism and activities of terrorist groups.

38. In order to facilitate the implementation of the above tasks, a Defense and Security Division was established within the Peace and Security Department of the Commission. Among others, the DSD is charged to follow-up all CT-related matters.

**b) The African Centre for the Study and Research on Terrorism**

39. In the 2002 PoA, Member States undertook to establish an African Centre for the Study and Research on Terrorism - ACSRT, to serve as a structure to centralize information, research and analyses on terrorism and terrorist groups and develop training programmes for Member States. Since its launching in 2004, the ACSRT has been active in many fronts. Through its network of 47 national Focal Points and 7 regional Focal Points, and in close cooperation with the Committee of Intelligence and Security Services of Africa (CISSA) and the Fusion and Liaison Unit (UFL) that brings together relevant services of countries of the Sahelo-Saharan region, it has established a platform for CT interaction, debate and cooperation among Member States and the Regional Economic Communities/Regional Mechanisms for Conflict Prevention, Management and Resolution (RECs/RMs). It has sought to enhance technical, scientific and operational CT capacity of AU Member States, through training programs and seminars.

40. To date, the ACSRT has held seven meetings of national and regional Focal Points, most recently in Algiers from 11 to 13 December 2013. During these meetings, a number of important decisions were adopted. These include a Code of Conduct regulating the relationship between the ACSRT and the Focal Points (this document was considered by UN Security Council resolution 1267 Monitoring Team as an example of best practice, which should be shared with other stakeholders); the development of a Threat Assessment Template; and the elaboration of a Strategic Plan of Activities covering the 2010-2013 period. Furthermore, and within the framework of the 2002 PoA, the ACSRT publishes, twice a year, the "*African Journal for the Prevention and Combating of Terrorism*," in addition to the *Counter-Terrorism Daily News-Briefs*. *Terrorism Alerts* and *Terrorism Incident Preliminary Analysis Reports* are issued whenever terrorist incidents occur. The ACSRT also produces *Monthly Terrorism Situation Reports* (Sitreps), which assist CT practitioners to monitor and analyze terrorist incidents, trends and developments on the continent, in addition to the annual African Terrorism Reports, which include statistical and analytical analysis on terrorism incidents in Africa. The ACSRT also carries out its own evaluation missions to Member States and takes an active part in the monitoring missions conducted by the UN Security Council Counter-Terrorism Executive Directorate (CTED), contributing, in this way, to the reports submitted to the UN Security Council.

41. Building on the successful implementation of its 2010-2013 Strategic Plan of Activities, the ACSRT prepared a similar document for the next 4 years, which was presented and adopted during the 7<sup>th</sup> meeting of the national and regional Focal Points. This Plan of Activities focuses on four Pillars: enhancing information sharing and dissemination through the ACSRT CT-Situation-Room and the CT Early Warning System (CTEWS), in addition to enhancing collaboration with regional Focal Points; enhancing the quality and increasing the frequency of the publications of the ACSRT; implementing national and regional capacity-building programmes, including the strengthening of the capacity of the national and regional CT Focal Points; and enhancing the ACSRT cooperation with regional and international partners.

42. The ACSRT has finalized the establishment of a database on the prevention and combating of terrorism. However, access to the database has so far been limited to the staff of the ACSRT and not yet extended to the Focal Points community. Such access would require a secured communication channel between the Centre and its end-users.

### **VIII. OTHER EFFORTS IN THE PREVENTION AND COMBATING OF TERRORISM**

43. As a follow-up to existing African instruments and decisions, and in response to some of the challenges encountered in the fight against terrorism, the AU has taken a number of other initiatives. These relate to the payment of ransom to terrorist groups, the elaboration of a Model Law and the appointment of a Special Representative for CT Cooperation.

#### **(a) Prohibition of the payment of ransom to terrorist groups**

44. As a result of Africa's growing concern over the phenomenon of the payment of ransom to terrorist groups, the Assembly of the Union, at its 13<sup>th</sup> Ordinary Session, held in Sirte, Libya, from 1 to 3 July 2009, adopted decision Assembly/AU/Dec.256(XIII) to address this situation. In that decision, the Assembly, having strongly condemned the payment of ransom to terrorist groups in exchange for the release of hostages, requested that the payment of ransom to terrorist groups be considered a crime; called on the UN Security Council to adopt a resolution against the payment of ransom, in order to consolidate existing legal provisions, particularly resolutions 1267 (1999) of 15 October 1999 and 1373 (2001); and appealed to the UN General Assembly to include this issue on its agenda and to initiate negotiations, with a view to elaborating a supplementary Protocol to the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999 or to the International Convention against the Taking of Hostages of 3 June 1983. Subsequently, Council, in its communiqués PSC/PR/COMM.(CCXLVIX) and PSC/PR/COMM.2(CCCIII), adopted at its 249<sup>th</sup> and 303<sup>rd</sup> meetings held on 22 November 2010 and 8 December 2011, respectively, reiterated this concern and the need for effective international action in this respect.

45. In implementation of this decision, the Commission has taken a number of steps to mobilize international support for the prohibition of the payment of ransom to terrorist groups. Encouraging results have been recorded. Worth mentioning here is the adoption, by the UN Security Council, on 27 January 2014, of resolution 2133 (2014). The resolution reaffirms earlier Security Council decisions requesting Member States to prevent and suppress the financing of terrorist acts and refrain from providing any form of support to entities or persons involved in terrorist acts, as well as to prohibit their nationals or any persons or entities within their territories from making any funds, financial assets or economic resources available for persons and entities involved in the commission of terrorist acts. The resolution calls upon Member States to prevent terrorists from benefiting directly or indirectly from ransom payments or from political concessions and to secure the safe release of hostages. Recalling the adoption by the Global Counter-Terrorism Forum (GCTF) of the "Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping-for-Ransom by Terrorists", the Security Council encouraged the Counter-Terrorism Executive Directorate (CTED) to take it into account as appropriate, including in its facilitation of capacity building to Member States.

#### **(b) Elaboration of African Anti-Terrorism Model Law**

46. The Commission has continued to intensify its efforts towards raising Member States' awareness on the imperative of developing a comprehensive legislative framework, in line with the relevant regional and international counter-terrorism instruments, to strengthen their criminal justice

system and effectively prevent and combat terrorism. It is against this background that the Commission, in follow-up to decision Assembly/AU/Dec.311(XV), adopted by the 15<sup>th</sup> Ordinary Session of the Assembly of the Union, held in Kampala, Uganda, from 25 to 27 July 2010, which underscored the need for renewed efforts and increased mobilization to combat the scourge of terrorism, developed a Model Law to assist Member States in their efforts. In its decision Assembly/AU/ Dec.369(XVII), adopted at its 17<sup>th</sup> Ordinary Session, held in Malabo, Equatorial Guinea, from 30 June to 1 July 2011, the Assembly welcomed the elaboration of the Model Law, encouraging Member States to take advantage of this instrument to strengthen and/or update their national legislations.

47. To date, three Member States, namely Ghana, Mauritius and Burkina Faso, have formally requested the Commission to avail legal expertise, for incorporation into their criminal legislation of the pertinent provisions of the Model Law. The Commission has responded positively to all requests, and is currently in the process of making the necessary arrangements in consultation with the interested Member States, the Terrorism Prevention Branch of the UNODC and other partners.

**(c) Appointment of an AU Special Representative for Counter-Terrorism Cooperation and engagement with relevant stakeholders**

48. In decision Assembly/AU/Dec.311(XV), the Assembly of the Union, *inter alia*, underscored the need for renewed efforts and increased mobilization to combat the scourge of terrorism, and requested the Commission to initiate appropriate measures to this end. It was in this context that, on 7 October 2010, the Chairperson of the Commission appointed Ambassador Francisco Caetano Jose Madeira, from Mozambique, as Special Representative in charge of Counter-Terrorism Cooperation and, concurrently, Director of the ACSRT.

49. Since his appointment, the Special Representative has undertaken consultations with various Member States, in the context of the ACSRT evaluation missions, as well as with the Regional Mechanisms. High-level consultations have also been held with a number of UN bodies and other international organizations, including the UN Counter-Terrorism Committee (UN-CTC), the CTED, the Counter-Terrorist International Task Force (CTITF) and UNODC Terrorism Prevention Branch. Furthermore, he has held consultations with representatives of partner institutions and countries, including the European Union's Counter-Terrorism Coordinator, the UK Prime Minister's Advisor on Counter-Terrorism, the Office of the Coordinator for Counter-Terrorism of the US State Department, as well as officials from the Governments of Australia, Austria, China, Denmark, Germany, Norway, Indonesia, Japan and Russia, to name just a few. In all these meetings and consultations, the Special Representative stressed the importance of effective international cooperation and coordination in the fight against terrorism. He urged the partners to extend full support to the efforts towards the implementation of the relevant AU decisions and instruments.

50. As part of the efforts to strengthen relations with the RECs/RMs and AU Member States, the ACSRT has signed Memoranda of Understanding (MoUs) with CISSA, the Southern African Development Community (SADC), the Nigeria National Defense College (NDC) and the Sudan Higher Security Institute (SHSI). It is currently in the process of concluding an MoU with the Sahel UFL and with the Tunisian Higher School of Internal Security Forces (HSISF) on mutual cooperation. It is also working closely with IGAD through its Security Sector Program (ISSP) and SADC. In 2013, the ACSRT initiated a process of periodic meetings with Regional CT Coordinators. The ACSRT maintains close working relationship with the different Chiefs of Police Cooperation Organizations, Interpol Regional Bureaus and the International Civil Aviation Organization's regional bureaus to enhance collaboration and joint action in the area of CT.

51. At the level of the headquarters, the Commission has continued its cooperation with relevant international organizations dealing with counter-terrorism issues, including the CTC, UNODC, the UN Interregional Crime and Justice Research Institute (UNICRI), the CTITF, the GCTF and the Center on Global Counterterrorism Cooperation (CGCC). The Commission has also actively participated in the various activities organized by the relevant United Nations agencies and bodies. These activities include forums to review the implementation, in the different regions, of relevant UN resolutions, as well as the Global Counter Terrorism Strategy adopted by the UN General Assembly in 2006. In this regard, joint efforts between the ACSRT, CGCC and the CTITF are underway to assist the Economic Community of Central African States (ECCAS) and the SADC develop regional counter terrorism strategies more adapted to their specific needs and conditions.

**(d) Evaluation Missions**

52. As part of the implementation of its Strategic Plan of Activities for the period 2010-2013, the ACSRT has conducted evaluation missions in a number of Member States, to assess their capacity to fulfill their commitments under the AU PoA (2002) and relevant AU and international CT decisions and instruments; evaluate the capacity of the respective National Focal Points to implement the tasks set out in the AU PoA and the Code of Conduct regulating the relationship between the ACSRT and the Focal Points; and to develop recommendations on measures to be taken by the visited Member States and identify areas in which they may require or provide technical assistance. The Member States visited to date are:

- Niger, from 6 to 10 December 2010;
- Guinea, from 21 to 25 February 2011;
- Guinea Bissau, from 28 February to 4 March 2011;
- Mali, from 26 April to 3 May 2011;
- Mauritania, from 9 to 13 May 2011;
- Sudan, from 28 May to 2 June 2011;
- Uganda, from 17 to 22 September 2012;
- Burundi, from 24 to 28 September 2012;
- Djibouti, from 1 to 05 October 2012;
- Burkina Faso, from 5 to 9 November 2012;
- The Gambia, from 26 to 30 November 2012;
- Senegal, from 4 to 7 December 2012;
- Saharawi Arab Democratic Republic, from 1 to 3 September 2013;
- Ghana, from 11 to 16 November 2013;
- Côte d'Ivoire, from 18 to 22 November 2013;
- Chad, from 25 to 29 November 2013; and
- Comoros, from 16 to 21 December 2013;
- Namibia, from 16 to 21 December 2013.

53. These missions revealed, among other things, acute weaknesses in the fields of CT information sharing, co-ordination, prevention, law enforcement, damage control and protection. Most of the problems were identified as structural and profoundly interrelated. They need to be addressed in a holistic manner and be struck between actions aimed at reinforcing security and those directed to development.

**(e) African Arrest Warrant**

54. In pursuance of the relevant provisions of communiqués PSC/PR/COMM.(CCXLVIX) and PSC/PR/COMM.(CCCIII), the Commission is working towards the elaboration of an African arrest warrant for persons charged with or convicted of any terrorist act. Initial consultations have been undertaken with the UNODC, as well as with the EU's Judicial Cooperation Unit (Eurojust). Steps are being taken to hire a legal consultant to coordinate the process for the development of the African arrest warrant.

**(f) Peace and Security Council Sub-Committee on Counter-Terrorism**

55. In communiqué PSC/PR/COMM.(CCXLVIX), Council decided, in accordance with Article 8(5) of its Protocol, to establish, as a subsidiary organ, a Sub-Committee on Counter-Terrorism, comprising five members of Council representing the different regions of the continent, to ensure the implementation of relevant AU and international instruments; prepare, publicize and regularly review a list of persons, groups and entities involved in terrorist acts, in line with the 2002 PoA on the Prevention and Combating of Terrorism; and undertake other related tasks. At its 311<sup>th</sup> meeting, held on 20 February 2012, Council reviewed the document prepared by the Commission regarding the mandate, composition and functions of its Sub-Committee on Counter-Terrorism. At its 447<sup>th</sup> meeting held on 24 July 2014, Council nominated the 5 members of the Sub-Committee as follows: Algeria (Chair), Equatorial Guinea, Ethiopia, Nigeria and South Africa.

**(g) AU-led regional initiatives**

56. In addition to the above-mentioned efforts, the Commission has launched initiatives directed at specific threats in some regions of the continent. The objective is to facilitate the pooling of efforts and resources to enable the countries concerned to address more effectively the common challenges facing them.

*(i) AMISOM-led Joint Operation Coordination Centre*

57. To strengthen the capacity of the Somali security agencies in information and intelligence gathering and analysis and to enhance timely and secure operational information sharing and dissemination, AMISOM, with the support of the ACSRT, has established a Fusion and Liaison Unit in Mogadishu, which subsequently evolved into a Joint Operations Coordination Centre (JOCC), regrouping the Mission, the Somali National Army, the Somali National Police and the National Intelligence and Security Agency, as well as other stakeholders. This has enabled AMISOM and the Somali Government to carry out a more effective knowledge-based counter-insurgency action. The JOCC also monitors the situation in the areas under the control of the Somali Government and works towards the establishment of similar structures in the sectors in which AMISOM contingents are deployed. Securing borders and ensuring that terrorist and criminal elements are not allowed free cross-border movement in the region is also a priority. In this regard, AMISOM conducts regular meetings with law enforcement agencies of the neighboring countries to share information and coordinate activities relating to border security. To enhance this mechanism and ensure effective coordination through the timely exchange of actionable intelligence, AMISOM, with the support of the ACSRT, is taking the necessary steps to expand the JOCC to include officers and representatives of law enforcement agencies from the neighboring countries.

(ii) The Nouakchott Process

58. The Nouakchott Process on the Enhancement of Security Cooperation and the Operationalization of the African Peace and Security Architecture in the Sahelo-Saharan region was launched by the Commission on 17 March 2013, following a ministerial meeting held in the Mauritanian capital. The Process consists of bimonthly meetings of Heads of Intelligence and Security Services (HISS) and bi-annual meetings of Ministers of Foreign Affairs of the following countries: Algeria, Burkina Faso, Chad, Côte d'Ivoire, Guinea, Libya, Mali, Mauritania, Niger, Nigeria and Senegal. The ACSRT, CISSA, ECOWAS, UFL and the UN also participate in the meetings of the Nouakchott Process. The Process has so far held five meetings of the HISS and three of Ministers of Foreign Affairs. These meetings constitute an important forum for the HISS and other decision-makers to exchange views and perspectives on the prevailing security situation in the region, their assessment of the threats and risks, as well as on the steps to be taken to address the challenges at hand. A number of capacity-building activities and assessment missions have been conducted within this framework.

59. At their 3<sup>rd</sup> ministerial meeting held in Niamey on 19 February 2014, the countries of the region agreed on a number of steps to enhance the Nouakchott Process. These include : (i) the convening of meetings of the Chiefs of Defense Staff and Ministers of Defense to consider the generic Concepts of Operations for joint patrols and mixed units, as well as the modalities for strengthening the existing cooperation structures and all other modalities of collaboration between and among the countries of the region; (ii) the convening of a Summit of the countries participating in the Nouakchott Process, to mobilize further political support for the Process and enhance ownership by the countries of the region; and (iii) the establishment, under the leadership of the Bamako-based AU Mission for Mali and the Sahel (MISAHEL), of a lean Secretariat in Niamey, to better coordinate the implementation of the Nouakchott Process, pending its possible transformation into an Executive Secretariat linked to MISAHEL. At the time of finalizing this report, steps were underway to follow-up on these decisions. In communiqué PSC/PR/COMM. (CDXLIX), Council commended the countries of the Sahelo-Saharan region for their commitment to work together within the framework of the Nouakchott Process, and encouraged them to continue and intensify these collective efforts.

(iii) RCI-LRA

60. The AU-led Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army - RCI-LRA was authorized by Council at its 299<sup>th</sup> meeting held on 22 November 2011, to strengthen the operational capability of the countries affected by atrocities of the LRA; create an environment conducive to the stabilization of the affected areas, and facilitate the delivery of humanitarian assistance to the affected areas [Communiqué PSC/PR/COMM.(CCXCIX)]. At its 436<sup>th</sup> meeting held on 23 May 2014, Council extended the mandate of the RCI-LRA for one additional year [Communiqué PSC/PR/COMM/1.(CDXXXVI)]. The RCI-LRA comprises three components, namely: a Joint Coordination Mechanism, chaired by the AU Commissioner for Peace and Security and comprising the Ministers of Defense of the affected countries; a Regional Task Force (RTF), as a military component, with a projected maximum strength of 5,000 troops contributed by the affected countries; and a Headquarters for the RTF, including a Joint Operations Centre, staffed with officers seconded by the affected countries.

61. Since its operationalization in March 2012, the RCI-LRA has made significant progress against the LRA. The RTF has destroyed a number of LRA camps in the CAR and the DRC, disrupted the group's supply networks, and degraded its fighting capacity. Overall, the RCI-LRA has reduced the rate of killings and abductions of civilians by the LRA, resulting in the relative improvement in the security

situation on the ground. The establishment of the RCI-LRA has also facilitated greater commitment from the RCI-LRA member countries and galvanized international partners in the fight against the LRA. While significant progress has been made, a number of challenges remain, including logistical and financial constraints, as some of the affected countries face difficulties in availing to their contingents the required support in terms of mobility, medical infrastructure, rations and communications. This situation is compounded by the prevailing political crisis in the CAR and the conflict in South Sudan.

**(h) Envisaged operation against Boko Haram**

62. At their 5<sup>th</sup> meeting, , held in Ouagadougou, Burkina Faso, from 19 to 20 May 2014, the Heads of Intelligence and Security Services of the countries of the Sahelo-Saharan region agreed on a number of steps to enhance the efforts aimed at neutralizing the Boko Haram terrorist group. These include the launching, by the AU Commission, of a study on the urgent establishment of a Regional Task Force, building on the experience of the RCI-LRA, to facilitate effective regional action against Boko Haram, and submission of appropriate recommendations to Council. In communiqué PSC/PR/COMM/2.(CDXXXVI) adopted at 436<sup>th</sup> meeting held on 23 May 2014, Council welcomed the Ouagadougou operational conclusions and requested the Commission and the other concerned stakeholders to spare no efforts towards their timely and effective implementation. In decision Assembly/AU/Dec.536(XXIII), the July 2003 Malabo Ordinary Session of the Assembly fully supported the steps agreed upon in Ouagadougou, including the conduct of a study on the possible establishment of an RTF along the lines of the RCI-LRA, bearing in mind the initiatives underway within the framework of the Lake Chad Basin Commission, and stressed the need for the urgent implementation of these measures. As a follow-up, the Commission has initiated consultations with the countries affected by the Boko Haram activities, for the dispatching of a technical assessment mission that will examine the situation on the ground and make recommendations on the modalities for the possible establishment of an RTF.

**(i) Creation of AFRIPOL**

63. The operationalization of African Mechanism for Police Cooperation (AFRIPOL) will greatly enhance the capacity of the continent to address the threat posed by transnational organized crime. AFRIPOL was established following the African Conference of Police Directors and Inspector-Generals, which took place in Algiers on 10 and 11 February 2014, with the aim of promoting police coordination at strategic, operational and tactical levels, bearing in mind the common challenges facing the African countries in terms of terrorism and organized transnational crime. In decision EX.CL/Dec.820(XXV) adopted at its 25<sup>th</sup> Ordinary Session held in Malabo, from 20 to 24 June 2014, the Executive Council endorsed the establishment of AFRIPOL. In pursuance of that decision, the Commission convened, in Addis Ababa, on 2 July 2014, the first meeting of the *ad hoc* Committee on the establishment of AFRIPOL. The meeting discussed various aspects relating to the operationalization of AFRIPOL, and agreed to convene the next meeting of the *ad hoc* Committee in Uganda, in October 2014.

**(j) Implementation of UN Security Council resolution 1540 in Africa**

64. Within the framework of the AU CT framework, the Commission has also taken steps towards the implementation of UN Security Council resolution 1540 (2004) in Africa. The resolution requires States to refrain from providing any form of support to non-State actors, including terrorist groups, that attempt to develop, acquire, manufacture, possess, develop, transport, transfer or use nuclear,



chemical or biological weapons and their means of delivery, and to adopt and enforce appropriate effective laws in this respect.

65. Notably, the Commission, jointly with South Africa, as Chair of the Committee established pursuant to UN Security Council resolution 1540 (2004), and with the support of the UN Office for Disarmament Affairs (UNODA), organized from 21 to 22 November 2012, in Pretoria, a workshop on the implementation of resolution 1540 in Africa. In the course of their deliberations, the participants underlined the relevance of AU non-proliferation and counter-terrorism instruments. They requested the Commission to take the necessary steps, in collaboration with the 1540 Committee and all other stakeholders, to further promote and enhance the implementation of resolution 1540 (2004) in Africa. This was followed by the holding of another workshop, in Addis Ababa, from 10 to 11 December 2013, on the implementation of UN Security Council resolution 1540 (2004), which agreed on practical steps to enhance the capacity of AU Member States to fulfill their obligations under the resolution.

## **IX. OBSERVATIONS**

66. Terrorism continues to be one of the most serious threats to peace and security in Africa. The continent has and continues to pay a heavy toll for these outrageous and criminal acts, which have resulted in mass casualties, destruction of infrastructure, loss of livelihoods and displacements. Terrorist groups are becoming increasingly bold in their activities and attacks. The resilience of AQIM's and other terrorist groups operating in the Sahelo-Saharan region, Boko Haram's widening scope of activity, and the continuing atrocities and destabilization activities of the LRA and Al-Shabaab are all alarming signals of the level of threat facing the continent. The mass kidnapping of over 200 young girls from a school in Borno State, in Northern Nigeria, by Boko Haram, which has shocked the conscience of the international community and garnered significant media attention globally, is a further illustration of the magnitude of the challenges at hand.

67. As I indicated in earlier reports to Council, the threat of terrorism has, in the past decade, assumed greater proportions. Regions that previously did not perceive the seriousness of the threat, or were considered to be immune from terrorism, have been targeted by terrorists. The threat is becoming increasingly complex. The boundaries between political, religious and ideological extremism and crime are blurring, while terrorist groups operate increasingly as a network. I am deeply concerned by these developments and the resulting threat to peace, security, stability and development in the continent. I reiterate AU's unequivocal rejection of terrorism in all its forms and manifestations and strong condemnation of all terrorist acts, which cannot be justified under any circumstances. I, once again, express the continent's solidarity with the affected countries and the victims, whose plight should be fully acknowledged and addressed. In this respect, the Commission intends to convene a symposium on victims of acts of terrorism, to provide the victims with a platform to share their experiences and to identify modalities through which Member States can incorporate victims assistance into their national counter terrorism strategies. The Commission remains determined to do whatever is in its power to assist Member States more effectively confront the scourge of terrorism within the framework of the relevant African and international instruments.

68. Over the past two decades, the relevant AU policy organs have adopted a number of instruments to facilitate and promote a coordinated and effective action against terrorism. The 1999 Algiers Convention and its 2004 Supplementary Protocol, as well as the 2002 PoA and the establishment of the ACSRT, provide a sound legal and institutional basis for enhanced cooperation among Member States, particularly as it relates to exchange of information on the activities and movements of terrorist groups in Africa, mutual legal assistance, exchange of research and expertise,

and the mobilization of technical assistance both from within and outside Africa. I would like, in particular, to underline the importance of the 2004 Protocol, whose objective is to give effect to Article 3 (d) of the Protocol Relating to the Establishment of the Peace and Security Council, which mandates Council to co-ordinate and harmonize continental efforts in the prevention and combating of terrorism in all its aspects and to ensure the implementation of the OAU 1999 Convention and other relevant international, continental and regional instruments. The Protocol outlines key measures and mechanisms to be undertaken by, and in close collaboration between, States Parties, RECs, the Commission and Council. I welcome the entry into force of the Protocol, on 26 February 2014, following the deposit of the 15<sup>th</sup> instrument of ratification.

69. From an operational perspective, the Commission remains actively engaged, in order to address this scourge. Steps have been taken to mobilize Member States towards the full and effective implementation of the AU normative counter-terrorism framework. Cooperative mechanisms developed and administered by the ACSRT, notably the National and Regional Focal Points, as well as by AMISOM, the RCI-LRA and the Nouakchott Process on the Enhancement of Security Cooperation and the Operationalization of the APSA in the Sahelo-Saharan region have also been established to address country and region specific issues. In addition, the ACSRT and the Commission are actively involved in capacity building support, notably through training and assistance in the elaboration of requisite legislation on the basis of the AU Model Law adopted in July 2011.

70. Despite the steps taken at national, regional and continental levels, the terrorist threat remains as present as ever, and Africa continues to display significant vulnerabilities. Effectively preventing and combating terrorism requires renewed and firm commitment from Member States. It also calls for enhanced joint action, given the transnational nature of the terrorist groups, which are skillfully taking advantage of the limits of the territorial jurisdictions of States and differences in terms of judicial procedures, as well as of existing institutional weaknesses, the porous nature of African borders and other shortcomings. The continent ought to take stock of the wealth of knowledge, experience and capacity it has acquired to better manage the present security situation, anticipate future mutations, devise efficient and flexible strategies to deal with the challenges at hand and adapt to rapidly evolving circumstances. The present Summit meeting of Council provides a unique opportunity for a more effective collective action that must be fully seized.

71. In this respect, I would like, once again, to emphasize the urgent need for Member States that have not yet done so to urgently take the required steps to become parties to the 1999 Convention and its 2004 Protocol. While forty one (41) Member States, out of fifty signatories, are parties to the Convention, only 15 countries have to date ratified the Protocol, and it took a decade to reach this figure. The importance of the Protocol hardly needs to be emphasized. Indeed, as indicated above, this instrument strengthens coherence and coordination by clearly outlining the respective roles of the RECs/RMs, the Commission and Council. Furthermore, it requires Member States to submit reports to Council on an annual basis, or at such regular intervals as shall be determined by Council, on measures they may have taken to prevent and combat terrorism, as well as report to Council all terrorist activities in their countries as soon as they occur. Needless to stress that such reports will go a long way in facilitating information sharing, coordination and follow-up by the Commission on decisions adopted at the continental level. Council may wish to set a timeframe for all Member States to become parties to this Protocol, while also urging all those concerned to take the necessary steps to ratify other relevant international instruments.

72. The ratification of, or accession to, existing instruments should go hand-in-hand with determined efforts to implement the provisions contained therein. It was within this spirit that the first AU High-Level Intergovernmental Meeting on the Prevention and Combatting of Terrorism

adopted the 2002 Plan of Action, whose objective is to give concrete expression to the commitments made by Member States, to enhance and promote African countries' access to appropriate CT resources through a range of measures establishing a counter-terrorism framework on the continent. The PoA contains specific provisions relating notably to police and border control, legislative and judicial measures, suppression of the financing of terrorism, exchange of information, and coordination. The Commission intends to convene the 3<sup>rd</sup> High-Level Intergovernmental Meeting on the Prevention and Combatting of Terrorism to take stock of the implementation status of the PoA and update it as necessary, in light of the developments that took place since its adoption over a decade ago.

73. The need for Member States to develop effective criminal justice systems to combat terrorism cannot be overemphasized. They must invest in counter-terrorism legal frameworks, capable and credible criminal justice systems that adequately sanction and deter the commission of terrorist acts. In this regard, I call on Member States to fully take advantage of the Model Law to strengthen and/or update their national legislation. I reiterate the Commission's readiness to provide technical assistance to Member States that so require, for the incorporation of the Model Law into their national legislations. In addition, the Commission will continue to engage relevant institutions, such as the CTED, UNDOC and the GCTF, in order to mobilize additional expertise and the resources required. Furthermore, the Commission will expedite its efforts toward the elaboration of an AU draft Convention on Extradition and Mutual Legal Assistance, as well as of an African Arrest Warrant.

74. More sustained operational efforts are required to enhance the effectiveness of the fight against terrorism. Weaknesses in border management and control are evident in most of the countries facing the threat of terrorism. Efforts need to be redoubled with the view to strengthening Member States' capacity to effectively police and control their borders, curb illegal crossing of terrorist elements, illicit arms and goods and deny terrorist safe-havens. In this regard, special attention should be directed to providing the institutions involved in border control and management with requisite human resources, training and equipment.

75. While acknowledging the progress made, many challenges remain as far as coordination among relevant institutions within and between Member States is concerned. I, therefore, encourage Member States to take further steps to ensure effective coordination and facilitate real time sharing of critical information. Undoubtedly, closer cooperation among Member States will require the establishment of a secure communication system. I take note of the efforts being made by CISSA and the ACSRT in this respect. Given the financial and other constraints encountered in this endeavor, I call on Member States to make voluntary contributions and provide other type of support as may be required to facilitate the early establishment of this system among the relevant African services and institutions.

76. Another issue calling for urgent action relates to the role of the national Focal Points of the ACSRT. The experience on the ground clearly demonstrates that these Focal Points do not always enjoy a mandate that enables them to play the coordinating role that is expected of them. I strongly encourage Member States to appoint in this position senior level individuals with access to decision-makers, so as to be able to directly convey messages to the right levels of decision making and ensure adequate and timely engagement. I urge the Member States that have not yet done so to urgently appoint their national Focal Points. Council may wish to set a timeframe to this effect. In addition, better institutional interaction can be achieved through supporting the establishment of national and regional coordinating structures for terrorism and organized crime in the form of Fusion Centers that bring together the different countries in each region. This mechanism will enable the timely exchange of information, the creation of synergies, the sharing of resource among different institutions

involved and the conduct of joint operations. I note with satisfaction the establishment of such structures in the Sahelo-Saharan region, as well as within AMISOM. Council may wish to encourage other regions to take similar steps. The Commission is ready to provide technical expertise and facilitate exchange of experiences to this effect.

77. Continued efforts are required to prevent and suppress the financing of terrorist acts. The AU has played a critical role in raising international awareness about the danger posed by the payment of ransom to terrorist groups, as illustrated by the decision adopted by the Assembly on the issue in July 2009 and subsequent efforts to enhance the existing international frameworks. I welcome the adoption by the Security Council of resolution 2133(2014), which rightly notes that ransom payments to terrorist groups are one of the sources of income which support their recruitment efforts, strengthens their operational capability to organize and carry out terrorist attacks, and incentivizes future incidents of kidnapping for ransom. No effort should be spared to ensure full compliance with this resolution, while consultations should be intensified for the elaboration of a specific Protocol prohibiting the payment of ransom to terrorist groups.

78. I welcome the establishment by Council of its Sub-Committee on Counter-Terrorism. I reiterate the Commission's commitment to avail every support to this Sub-Committee in the discharge of its mandate, particularly with respect to preparing, publicizing and regularly reviewing a list of persons, groups and entities involved in terrorist acts, it being understood that such a list shall be drawn up on the basis of accurate evidence or material proof from Member States and other credible sources; requesting all Member States to report, on an annual basis, on the steps taken with respect to terrorism; and presenting an annual report to the Assembly of the Union on the situation of terrorism on the continent.

79. I would like to acknowledge the key role to be played by the RECs/RMs in the prevention and combating of terrorism. Indeed, both the PoA and the 2004 Protocol detail the activities they are expected to undertake. I express appreciation for the initiatives and steps taken by some of the RECs/RMs. There is however need for greater mobilization in this regard. Within the context of the relevant provisions of the Memorandum of Understanding on Cooperation between the AU and the RECs/RMs in the Area of Peace and Security, the Commission intends to encourage and facilitate greater role by the regional organizations.

80. Countering radicalization and violent extremism lies at the heart of the efforts to address conditions that are conducive to the spread of terrorism. It is a long-term process that requires the development of sound national policies and programmes. Hence the need for Member States to adopt counter-radicalization and de-radicalization policies and programmes that include engaging and working with the media, civil society organizations, notably community leaders, religious authorities, women – who can play a crucial role at family and community level – and victims of terrorism, formal and informal educational institutions, as well as legislative reforms, prison rehabilitation programs and building national capacities, to ensure effective implementation and sustainability of related measures.

81. In order to counter radicalization and violent extremism and to reduce vulnerability to extremist ideology, it is also important to address issues such as poverty, deprivation and marginalization, which provide a breeding ground to terrorism. In this respect, particular attention needs to be paid to the education and employment of the youth. Equally important is the need to rehabilitate communities affected by terrorist acts and promote social cohesion, including preventing revenge killing and inter-communal violence, which perpetuate instability and exacerbate extremism.

82. No sustainable results can be achieved in the prevention and combatting of terrorism if the efforts undertaken are not based on the scrupulous adherence to human rights and international humanitarian law instruments. I echo the repeated pronouncements made in this respect by Council, as well as the relevant provisions of the 2004 Protocol. The Commission intends to convene a meeting bringing together the relevant AU organs and national security institutions to identify practical steps aimed at better mainstreaming human rights and IHL considerations into the challenging and ever relevant struggle against the evil of terrorism.

83. I would like to assure Member States of the Commission's resolve to pursue and intensify its efforts. Particular emphasis will continue to be placed on the enhancement of the capacity of Member States, through training and exchange of experiences, as well as on the facilitation of coordination and real time exchange of information and intelligence. To this end, I cannot but emphasize the need to strengthen the capacity of ACSRT, the main AU body for the implementation of the counter-terrorism framework, in terms of staffing, equipment and resources to fulfill its mandate. Indeed, the ACSRT continues to operate with limited human and financial resources, in spite of the wide mandate entrusted to it and the expectations placed on the Centre. I urge Member States to provide the necessary support to the ACSRT, including by seconding, at their own expenses, the required experts.

84. In conclusion, I would like to underline the critical importance of cooperation and collaboration with the international partners. The terrorism threat is global, requiring therefore commitment at all levels, as well as enhanced international collaboration to defeat it. Renewed international action is needed to ensure that terrorist and violent extremist groups and entities do not receive directly or indirectly any form of financial and material support. The African continent should fully play its role in this respect. I express appreciation to all the partners extending financial and technical support to the AU, including the ACSRT, in the fight against terrorism. Their assistance has contributed in no small manner to the modest gains made so far.