



Implementing the UN Global Counter-Terrorism Strategy in North Africa

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This report is the eighth component of a broader effort by the Center to enhance implementation of the United Nations Global Counter-Terrorism Strategy in different regions around the globe, which includes past projects on southern and eastern Africa as well as a recently completed assessment of West Africa. The goal of this effort is to stimulate enhanced and more effective regional counterterrorism cooperation and complement ongoing efforts to implement the Strategy around the world.

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Acronyms

ACSRT	African Centre on the Study and Research on Terrorism
AML/CTF	Anti-money laundering and counterterrorism financing
AQIM	Al-Qaida in the Islamic Maghreb
ARABJUST	Arab judicial cooperation network
AU	African Union
CTC	Counter-Terrorism Committee (UN Security Council)
CTED	Counter-Terrorism Executive Directorate (UN Security Council)
CTF	Counterterrorism financing
CTITF	Counter-Terrorism Implementation Task Force (UN Secretariat)
EU	European Union
EUROJUST	European judicial cooperation network
EUROPOL	European Police Office
FATF	Financial Action Task Force
FIU	Financial intelligence unit
FSRB	FATF-style regional body
GICM	Groupe Islamique Combattant Marocain (Moroccan Islamic Combatant Group)
GSPC	Groupe Salafiste pour la Prédication et le Combat (Salafist Group for Preaching and Combat)
ICAO	International Civil Aviation Organization
INTERPOL	International Criminal Police Organization
ISESCO	Islamic Educational, Scientific and Cultural Organization
LAS	League of Arab States
MENAFATF	Middle East and North Africa Financial Action Task Force
NEPAD	New Partnership for Africa's Development
OHCHR	Office of the High Commissioner for Human Rights
OIC	Organization of the Islamic Conference
POGAR	Programme on Governance in the Arab Region (UNDP)
TPB	Terrorism Prevention Branch (UNODC)
TSCTP	Trans-Sahara Counterterrorism Partnership
UN	United Nations
UNDP	UN Development Programme
UNESCO	UN Educational, Scientific and Cultural Organization
UNIFEM	UN Development Fund for Women
UNODC	UN Office on Drugs and Crime
UPR	Universal Periodic review
WCO	World Customs Organization

Executive Summary

The states of North Africa have each had to confront their own unique, in some cases defining, struggles against terrorism. Since 2001, however, the threat in the subregion has evolved from a network of nationally based organizations focused on the overthrow of local regimes to an increasingly regionalized and externally oriented network of organizations, connecting local grievances to global procurement, recruiting, and financing networks. Although North African regimes have developed robust counterterrorism capabilities, the cross-border cooperation essential to effectively countering these more recent, transnational threats remains minimal.

This report provides an overview of the evolving threat in North Africa and analyzes how states in the subregion working with external partners, including the United Nations, European Union (EU), and United States, can improve subregional counterterrorism-related cooperation. In particular, this report argues that because of its universal membership and distance from the politics of the region, the United Nations can play a unique role in catalyzing this cooperation.

This report is part of a larger project by the Center on Global Counterterrorism Cooperation to support implementation of the United Nations Global Counter-Terrorism Strategy and help stimulate more effective subregional counterterrorism cooperation in North Africa. It is based on a series of consultations with representatives from states in the subregion, the United Nations, and relevant regional and subregional organizations as well as nongovernmental experts. Those consultations included an initial meeting in The Hague and a second, larger meeting co-hosted by the Islamic Educational, Scientific and Cultural Organization (ISESCO) at its headquarters in Rabat, which also included counterterrorism focal points and other representatives from states in the subregion. The project builds on recommendations made at a November 2007 conference held by ISESCO, the United Nations, the Organization of the Islamic Conference, and the Tunisian government in Tunis on “Terrorism: Dimensions, Threats and Countermeasures.”

This report provides an overview of some of the issues relevant to the implementation of the Strategy in North Africa. For the purposes of the project, North Africa is defined as including Algeria, Egypt, Libya, Morocco, and Tunisia. As discussed in the report, however, the nature of the threat and the measures needed to combat it encompass a wider geographic area, including countries in the Sahel-Saharan band (including Mali, Mauritania, and Niger) and on the Mediterranean. There are also very significant differences between the terrorist threats confronted by, emanating from, and perceived within each of the five North African countries, complicating counterterrorism cooperation.

This report discusses the general and specific nature of the terrorist threats and vulnerabilities in and emanating from North Africa and their relation to broader transnational threats, such as drug trafficking and kidnapping. It describes how terrorist organizations in North Africa and the Sahel have evolved in the last five years primarily from threats to interests inside North Africa into threats to interests inside

and outside North Africa. The report suggests that the nature of these threats can only be understood by placing North African terrorism in the context of the historical development of governance in the subregion, including the subregion's colonial legacies and history of securitized relations with external powers and North African diaspora communities, the role of contemporary global salafist jihad, and the close relationship between Islamist militancy and clandestine economic networks in and emanating from the subregion.

Having discussed the nature of the terrorist threat in the subregion, in Part II the report considers existing national, regional, and international responses to these threats. The increasingly regionalized and externally oriented nature of the terrorist threats in North Africa and the Sahel make cross-border as well as interregional cooperation essential to effective counterterrorism. Yet as the report describes, until recently such cooperation within the region has been minimal. That is now beginning slowly to change. The report explores efforts by the United States, EU, and United Nations to help foster such cooperation and highlights areas where such efforts might be strengthened.

This report argues that counterterrorism cooperation in the region needs to move beyond a focus on military and law enforcement responses to a more holistic and prevention-based approach. The long-term threat posed by terrorism in North Africa stems from militants' ability to operate in territories, markets, and arenas of discourse in which the state has no moderating presence. Counterterrorism efforts in the subregion need to be embedded in a larger program to deal with weak territorial, political, and economic governance, taking away the opportunities that violent extremist groups currently enjoy to derive criminal profits from their participation in and fostering of the clandestine economy and to legitimize violence as a form of political expression.

Finally, Part III of the report argues that the Strategy provides the best available framework on which to construct such cooperation, given its universal support, its thematic comprehensiveness, and its flexibility. The Strategy, adopted unanimously in 2006 by all UN members, outlines a comprehensive approach to counterterrorism that includes both measures to prevent and combat terrorism as well as measures to address underlying social, economic, and political conditions conducive to the spread of terrorism. That section of the report outlines the four pillars of the Strategy and their relevance to North Africa and argues that the Strategy provides a framework for states; external partners; subregional, regional, and international organizations; civil society; and other relevant stakeholders to improve counterterrorism capacity and cooperation in the subregion.

This report concludes with a set of action-orientated recommendations and possible next steps for advancing implementation of the Strategy and improving counterterrorism cooperation in North Africa. Those recommendations focus in particular on the role that the United Nations and the Strategy can play in recalibrating counterterrorism efforts in North Africa and strengthening cooperation among states in the subregion and between the subregion and external partners including the EU, United Nations, and United States.

I. Threat and Vulnerabilities: Local, Regional, Global?

North Africa is a key site and source of transnational salafist terrorism. A sampling of recent terrorism-related developments in the subregion highlights the persistence and scope of the threat that affects each country in the subregion. These include a number of deadly suicide attacks in Algeria; the arrest of individuals in a violent Islamist cell in Morocco; the kidnapping of Austrian tourists in Tunisia; the discovery of substantial numbers of Libyan fighters and suicide bombers in Iraq; the killing by Algerian security forces of a leading al-Qaida member, Abu Harith Al Libya, during a clash with forces in the southern part of the country in May 2009; and the reported arrest by Egyptian security forces in May 2009 of seven suspected members of an al-Qaida-linked Palestinian group accused of carrying out a bombing attack on a Cairo bazaar. EUROPOL has argued that, between 2006 and 2008, significant numbers of those arrested in Europe for involvement in Islamist terrorism came from “North African countries, most notably Algeria, Morocco and Tunisia.”¹

Yet, it is crucial to disaggregate these different threats and the networks that have generated and that support these various terrorist conspiracies. The threats posed by terrorism across North Africa and their relationship to governmental responses differ in a number of important ways, often relating to the specific political, cultural, and historical context in which terrorist activity has emerged. At the same time, over the last 20 years there has been a slow intertwining of Islamist terrorist organizational networks across this subregion and increasingly an intertwining with related networks in Europe and the Middle East. This section briefly explains this historical trajectory. Although key questions remain about the nature of the threat of terrorism, it appears to be transforming from a local threat to a potentially global one.

Today’s Islamist terrorism must be understood in the context of the legacies of violence from North Africa’s recent history. Throughout the period of North Africa’s colonization, Islam played an important role as a source of common, “indigenous” identity for those seeking to resist colonial control. Yet, many of the regimes that succeeded colonial rule adopted a stridently secularist and nationalist tone, making Islam and Islamism an obvious avenue for dissent and mobilization.² This created a widening gap between traditional authority sources, especially religion, and some North African states. That gap was addressed only in a very limited manner through civic engagement and political debate³ and, in some states, led to increasing resort to violence as a form of dissent. The different historical legacies of colonialism across the subregion have also bequeathed different patterns of migration to and interaction with European countries, in some cases leading North African immigrants in Europe to a sense of double political, economic, and social exclusion from the public life of the country of their ancestors and from the public life of the country in which they live, creating grievances that terrorist recruiters have begun to tap.

Yet for the purposes of this discussion, the most important evolution of terrorist activities in the subregion has occurred during the period since 2001, particularly in the years since 2003, when the United States and its allies invaded Iraq. In the period between 2003 and 2005, many North African governments

seemed to have the upper hand in their efforts to control terrorist groups in the subregion. In Algeria, for example, the government persuaded large numbers of militants from the Armed Islamic Group and the Salafist Group for Preaching and Combat (known by its French acronym GSPC) to turn away from violence, in particular after the adoption of the Charter for Peace and National Reconciliation in 2005 and other government efforts that eroded public support for Islamist violence.⁴ This approach, however, also forced GSPC militants to search for new areas in which to operate, new organizational strategies, and new operational tactics.

The result has been a transformation of North African terrorist networks from a series of nationally focused pockets, supported by procurement networks in the Sahel and in Europe, into an increasingly transnationalized network, present not only in North Africa but also Europe and perhaps further afield.⁵ GSPC militants have been forced largely out of northeastern Algeria but, as a result, have developed deeper connections to existing North African migrant and militant networks in Europe;⁶ closer relationships with black marketers and smugglers in the Sahel; new strategic fronts in Mali and Mauritania; closer links with al-Qaida in Iraq and, through it, al-Qaida “Central” (Osama bin Laden and Ayman al Zawahiri); and a web presence that may be taking Al-Qaida in the Islamic Maghreb (AQIM) recruiting and inspiration far beyond traditional nationally based or even regionally based recruiting pipelines.

The GSPC’s reinvention in 2006–2007 as AQIM, which al Zawahiri described as a “blessed union,”⁷ is particularly important. Some argue it was an alliance forged out of convenience, or perhaps desperation, with the GSPC losing ground in Algeria and al-Qaida losing ground in Iraq. Even if that is so, the marriage has produced a more volatile and deadly outfit. AQIM has reaped significant benefits from forging close relations to al-Qaida in Iraq and al-Qaida Central. As its headline-grabbing bombing campaign during 2007 made clear—a series of attacks on Algerian and foreign targets culminating in the bombing of UN offices in Algiers in December of that year—AQIM has gained specific operational planning and tactical expertise from its interactions with other al-Qaida groups, including in the areas of ambushes using improvised explosive devices, coordinated suicide bombings, and bomb-making. Since 2007, it has also developed significant, sophisticated information operations capabilities, including the media arm al Andalus (harking back to the era of Islamic control of Andalusia), perhaps with al-Qaida’s guidance. In turn, in the period between 2005 and 2007, the GSPC/AQIM served as a crucial recruiting and training hub for al-Qaida in Iraq.⁸ Various reports put North Africans at 9 to 25 percent of the personnel operating for al-Qaida in Iraq during that period.⁹

Yet despite its new name and some evidence of increasing multinational recruiting, with Mauritians participating in operations in Algeria, for example, AQIM does not yet appear to have emerged as a pan-Maghreb terrorist monopoly or even a clear umbrella confederation. As the French al-Qaida expert Jean-Pierre Filiu puts it, “AQIM ... failed in its attempt to transform itself into a North Africa-wide organization. The Libyan Islamic Fighting Group merged directly into al Qaeda central rather than into AQIM, while the Moroccan and Tunisian networks kept operating on an independent basis.”¹⁰ At the same time, however, AQIM does appear to have deepened its activities in Europe. In the process, it has encountered logistical and support networks that are “tangled and composed of militants

ready to aid various other radical organizations.”¹¹ There is evidence from inside North Africa and from law enforcement operations in Europe that these support networks are increasingly serving multiple militant outfits, blurring the lines between AQIM and the Moroccan Islamic Combatant Group (known by its French acronym GICM) in particular, at least within Europe.¹² The result is a volatile, kaleidoscopic network that can quickly manifest new and unpredictable configurations, making the prevention of terrorism by these networks increasingly difficult.

This trend makes European analysts particularly nervous, given the well-established presence of North African militant cells in European cities.¹³ A number of law enforcement operations in Europe in recent years appear to have disrupted terrorist conspiracies involving North African citizens. The Madrid bombings in 2004 appear to have been organized through a heterogeneous network of militants with diverse ties to al-Qaida and the GSPC and GICM. In November 2005, Italian security services arrested three Algerian members of the GSPC planning suicide attacks in Italy. A French operation in December 2006 led to the detention of eight French citizens of Algerian heritage and the seizure of night-vision goggles, GPS systems, weapons-making machinery, cell phones, and more than \$30,000 in cash.¹⁴ A 2010 trial in Madrid alleges five Algerian nationals were planning to detonate a dirty bomb in a Madrid department store.¹⁵ Likewise, there is a clear pattern of AQIM targeting European citizens in North Africa, especially diplomats for bombings and tourists for kidnapping, although bartering them for ransom, rather than killing them, remains the norm, with the significant exceptions of the murder of a British tourist, Edwin Dyer, in May 2009 and Michel Germaneau, a French aid worker, in July 2010. The killing of Germaneau followed a Mauritanian attack on an AQIM camp, supported by the French military;¹⁶ and it led, in turn, to French prime minister François Fillon declaring that France is “at war” with al-Qaida.¹⁷

Equally troubling is the apparent rise in “self-starting” militant cells, inspired not by specific organizations such as AQIM or the GICM, but by all of them, and formed through minimal contact on the Internet with established recruiting networks inside Europe. The 2010 trial in Ireland of three Algerians, a Libyan, a Palestinian, a Croatian, and U.S. national Jamie Paulin Ramirez for a plot to kill Swedish artist Lars Vilks may be an example of such “decentralized” radicalization and operational planning and the importance of the Internet as a denationalized space in which aspiring terrorists can network and develop joint projects.

A similar agora-like space seems to have emerged in the Sahel. As AQIM was pushed out of northeastern Algeria into North African diaspora networks in Europe, it placed greater emphasis on its southern operations in the Sahel. In the last two years, AQIM appears to have begun to move beyond its narrowly Algerian historical routes, developing a more truly regional recruiting pool and training system distributed across the Sahel and beginning to develop new operational fronts around the Sahelian periphery. For example, in 2007 a training base was found in Libya,¹⁸ and there have been suggestions that AQIM may be looking to serve as a training base for operations for Nigerian terrorists. In 2007, Nigerian prosecutors alleged that five men arrested by Nigerian authorities had received two years’ worth of training with the GSPC in Algeria.¹⁹ In late 2009, AQIM reportedly sent messages of support to militant Islamist groups in northern Nigeria and possibly offered them operational and training support.²⁰ Yet,

Nigerian militants, like other militants with whom AQIM has allegedly forged tactical alliances in the Sahel, such as Touareg groups in Niger, have been focused more on local grievances to date than those geopolitical issues highlighted in AQIM's increasingly globalized rhetoric.

AQIM has had dramatic success in Mauritania. It has attempted to assassinate Mauritanian leaders, attacked the Israeli embassy in Mauritania, and murdered four French tourists in the country. It may now see the Mauritanian hinterland as a staging base for attacks throughout the broader region. The growth of AQIM in Mauritania, as well as the emergence of a local franchise, the Mauritanian Group for the Teaching of Jihad, may have been facilitated by the increasing influence of salafist ideology in Mauritanian society, in part under the influence of missionaries from the Arabian Peninsula.²¹ Mali also recently has become a site of terrorist operations, with the murder by AQIM of Dyer in May 2009, subsequent military clashes between Malian and AQIM forces, and the assassination of a Malian military leader in Timbuktu in June 2009. This appears to have significantly complicated AQIM relations with local Touareg leaders, who may be under increasing pressure from Mali's government not to cooperate with AQIM.²² Yet at the same time, Tablighi proselytization among the Touareg may have laid the groundwork for AQIM to convince Touareg leaders to align their own on-again, off-again insurgency with AQIM grievances.²³ (Of course, al-Qaida and its affiliates have used this pattern with great effect elsewhere, for example in Indonesia, Iraq, Pakistan, and Somalia.) It is notable that an Algerian recently charged in Ireland with leading a conspiracy to assassinate Vilks appeared in court in traditional Touareg costume, perhaps in an attempt to co-opt Touareg identity politics to the cause of al-Qaida.

Yet, the true nature of this AQIM-Touareg alliance may be more mercenary than such a "political" reading suggests. Algerian Islamist groups have long been closely involved in the *trabandiste* black and grey market economies of the Sahel and northeastern Algeria and have long worked through clandestine networks into Europe.²⁴ As one analyst has said, "Cooperation between these tribes in the Sahel and the Algerian jihadists is based on mutual interest in generating revenue and avoiding interference from state security services."²⁵ Although there have been numerous allegations, especially by Western analysts, that AQIM is engaged in "smuggling (mostly cigarettes, drugs, arms, and vehicles), money laundering, extortion, kidnapping, and racketeering across the neighboring borders of Mauritania, Niger, Libya, Chad, and Mali,"²⁶ a closer look at the available open-source information suggests that AQIM cells in the Sahel, particularly the cell led by Mokhtar Ben Mokhtar, appear to be providing racketeers' protection to smugglers, rather than exerting monopolistic control over territory or even engaging in smuggling themselves.²⁷ The most dramatic evidence of AQIM involvement in black market trade came from a U.S. Drug Enforcement Agency sting announced in December 2009, which seemed to point to the involvement in the drug trade not only of al-Qaida, but also possibly the Revolutionary Armed Forces of Colombia.²⁸ One of the indicted described smuggling routes through Algeria/Morocco and Algeria/Libya and alleged previous participation in the movement of hashish, smuggled humans, and weapons through the Sahel. Still, the sums generated by such AQIM "protection" for smugglers are likely to be very substantial indeed. A convoy stopped in Mauritania in February 2010 was carrying five tons of cocaine, with 20 people being recently charged with supporting terrorism in relation to these arrests.²⁹ Recent intelligence suggests the fee for transport of narcotics through West and North African shores would be

around \$2,000 per kilogram. The crash of a Boeing 727 in eastern Mali in October 2009, which is reported to have been carrying a large amount of cocaine, perhaps 10 tons, from Latin America, has also rung alarm bells.³⁰

Nor is drug trafficking the only source of illicit revenue for AQIM in the Sahel; kidnapping and ransom now provide significant funding as well.³¹ AQIM cells in the Sahel or local groups who sell the abductees to AQIM have kidnapped British, Canadian, French, German, Italian, Spanish, and Swiss nationals in the last few years, with AQIM usually earning \$2–3 million in ransom for the release of each abductee.³²

The magnitude of the threat posed by AQIM in the Sahel should not be overstated. Too much remains uncertain, notably in relation to the integration of AQIM and other terrorist groups into the transnational threat vectors that now run across West Africa and the Sahel, carrying drugs, cigarettes, and people toward Europe and increasingly toward East Africa and the Arabian Gulf. There is a marked absence of reliable, independent assessments, especially from inside the subregion, of these threat vectors and their likely impact in coming years. Moreover, some Western assessments of the AQIM threat have been overblown. There may be sound reasons to think that elements in the subregion might have encouraged the most negative view possible of the threat to ensure increased assistance from the United States and other external partners.³³ Yet at the same time, it cannot be denied that active, deadly terrorist networks are operating in and from the subregion, which may pose a serious threat to life and property in the subregion and beyond.

The danger posed by AQIM's presence in the Sahel is that it will provide significant revenues and uncontrolled training and planning space for the group, not that it will control the Sahel itself. As U.S. counterterrorism coordinator Daniel Benjamin recently said, "AQIM represents less of a threat to stability in its region than do al-Qa'ida in the Federally Administered Territories in Pakistan or al-Qa'ida in the Arabian Peninsula in Yemen. The group cannot seriously threaten governments or regional stability, nor is it poised to gain significant support among the region's population. AQIM cannot drive a wedge between the U.S. and its partners; it also cannot ignite an ethnic-based civil war as al-Qa'ida in Iraq nearly did."³⁴

North Africa is not about to turn into a "new Afghanistan," as some Western analysts have suggested, where "the vast, thinly governed stretches of mountain and desert, could become an Afghanistan-like terrorist hinterland within easy striking distance of Europe."³⁵ As one analyst noted, "[T]heories positing a grand process of unification into a single and centralized Salafist movement remain untested and unconvincing."³⁶ Filiu cautioned in October 2009 against seeing global rhetoric as synonymous with global capabilities:

The gap is therefore growing between AQIM's global rhetoric and its terror record. During the January 2009 Israeli offensive on Gaza, [AQIM leader Abd al-Malik] Drukdal echoed bin Laden's calls for global revenge against America and the West, but no operation was staged. Similarly, after the July 2009 repression of the Muslim riots in Chinese Xinjiang, AQIM pledged to retaliate against the growing Chinese community in Algeria, but no

one followed suit. Drukdal's recent denunciation of France as the "mother of all evils" has not triggered direct violence, and it took an extremely anti-French speech by Zawahiri, on August 5, 2009, to finally prompt AQIM into action with a suicide attack three days later against the French Embassy in Nouakchott, which was foiled.³⁷

Even if North Africa is not, in truth, a staging ground for attacks on other regions, in reality the transnationalization of the terrorist threat in North Africa makes it inherently less well understood and thus more unpredictable and more difficult for any single government to manage. As one analyst has noted, "[I]t is to a large extent precisely the cooperation between militant Islamists across borders that turns the AQIM into a threat today."³⁸ The increasing intertwining of AQIM networks with those of al-Qaida proper, the GICM, and the Mauritanian Group for Preaching and Jihad³⁹ makes it inherently more difficult to predict who is working with whom and intending to strike where. As Lianne Kennedy-Boudali has argued, if there is increasing overlap of membership among these networks, then

[w]hile group affiliation may be becoming less important, ideological compatibility is becoming standardized. This significantly complicates counterterrorism analysis and planning, as analysts have a harder time deciphering an individual or group's motivation once the nationalist orientation of the groups is reduced.... If it is true that North African terrorist groups are overlapping to such an extent that they are losing their national orientation, then it will become much more difficult to deter or predict future attacks.⁴⁰

The terrorist threat in the subregion has evolved from a network of nationally based organizations focused on the overthrow of local regimes to a "router" in a larger global salafist jihad network, connecting local grievances to global procurement, recruiting, and financing networks. As Kennedy-Boudali said, "The GSPC ... faced an existential crisis, and its response [was] to recast itself as a specialized branch of the global jihad."⁴¹ This reformation process has "fundamentally recast the Maghrebi jihad by altering both the character of [the] Algerian movement and the structure of the regional jihad at large."⁴² In doing so, AQIM may be becoming more like al-Qaida Central, not only sponsoring and participating in on-the-ground military campaigns alongside local insurgents, as in Mali and Mauritania, but also using web-based media operations and networking to sponsor raids against "far enemies." The war chest it may be amassing from drug trafficking and kidnap and ransom revenues may put it in a strong position to move in this venture-capitalist direction.

It is the volatility and denationalized nature of this approach that leads counterterrorism experts, such as Mike Smith, a senior UN counterterrorism official with extensive on-the-ground experience in the subregion, to describe North Africa as "the world's most troubling security hotspot."⁴³ What it also makes clear is that unilateral solutions will be inadequate. As Filiu argues,

Algeria and the other targeted states have a long record of fighting similar jihadi networks, but they cannot confront transnational movements without international cooperation. To address this threat, regional security organizations can enhance much-needed bilateral

exchanges among law enforcement and intelligence agencies. Additionally, the countries implementing the UN global strategy against terrorism should focus considerable attention on North Africa and the Sahel, where the threat is on the rise, but not yet out of control.⁴⁴

Such cooperation, however, cannot be limited to military and intelligence cooperation. The long-term threat posed by terrorism in North Africa stems from militants' ability to operate in territories, markets, and arenas of discourse in which the state has no moderating presence. Counterterrorism efforts in the subregion need to be embedded in a larger program to deal with weak territorial, political, and economic governance, taking away the opportunities these groups currently enjoy to derive criminal profits from their participation in and fostering of that clandestine economy and to legitimize violence as a form of political expression. As David Gutelius recently said,

In summary, the threat of instability in the Sahel is real, but the source of that threat is more directly linked to economic desperation, criminality, and differential access to political and economic control rather than Al-Qaida or Salafist ideology. AQIM and its allies still pose a real threat. But we tend to give the group more credit than it deserves.... [C]ounterterrorism efforts should provide a well-planned, integrated programmatic focus on those larger regional challenges and hold itself and its partners accountable for outcomes. The stakes related to the growing criminality in the region that feeds violence and erodes societal institutions are high and growing – not just for African governments, but for the U.S. and Europe as well. We ignore these at our collective peril.⁴⁵

This suggests the need for a broad-based strategy to strengthen security, development, governance, and human rights across the subregion in ways that counter conditions conducive to the spread of terrorism while enjoying the support of governments and civil society across the subregion and beyond. As discussed later in this report, the Strategy provides such a framework, and the United Nations may enjoy a unique legitimacy and reach to assist states and civil society in developing plans for implementing that framework across the subregion.

II. National, Subregional, Regional, and International Counterterrorism Strategies for North Africa

Effective efforts to deal with the terrorist threat in North Africa will require policies and programming at the national, subregional, regional, and international levels to strengthen the relationship between states and society and reduce the opportunities that militant Islamists enjoy for organization, financing, and mobilization outside legitimate politics and economics. Such efforts confront a number of crucial obstacles. This section provides a brief overview of these obstacles; examines some of the existing national, subregional, regional, and international strategies in more detail; and highlights some areas where cooperation could be improved.

Obstacles to Effective Counterterrorism at the National and Subregional Levels

At the national level, the geography and demography of most North African states has limited the penetration of state power into the hinterland, particularly away from the northern coastal strip of the Maghreb into the arid southern regions of the Sahel. In many cases, the legacy of colonialism and the struggle for independence has been a distended military-security-intelligence apparatus and an underinvestment in community policing, social services, and the independent legal and judicial professions. Ruling regimes in North Africa have favored short-term political stability, security, and regime maintenance at the expense of more progressive political reforms and the development of the institutions necessary to promote greater democratic governance, respect for human rights, and the rule of law.⁴⁶ According to Rex Byrnen of McGill University, many authoritarian leaders in the subregion “have proven adept at using the ‘global war on terror’ as an excuse for democratic inaction or domestic repression. In particular they have sought to tar more moderate Islamists (who, nonetheless, may be highly critical of U.S. policy) with the brush of radical, Islamist movements. They have also held out the value of their own intelligence and counterterrorism cooperation. In doing so, they have managed to considerably deflect external pressures for democratic reform.”⁴⁷

Although the enhanced responses of security services in North Africa to the very real terrorist threat has led to the capture or killing of many suspected terrorists, at times these responses also have shown a lack of respect for human rights and the rule of law. Concerns have been reported to the United Nations about human rights being negatively impacted by counterterrorism measures being applied too broadly by some states in the subregion. For example, the declaration of states of emergency and the adoption of antiterrorism laws were described in the UN Development Programme’s (UNDP) 2009 Arab Human Development report as applying “a wide and unspecific definition of ‘terrorism’ ... [that has] given government security agencies sweeping powers which, although effective in some contexts, can form a threat to basic freedoms in others.”⁴⁸ In some instances, counterterrorism measures have been used to justify state repression of political opposition and civil society groups.⁴⁹

Rather than reducing terrorist and other politically motivated violence in a country, widespread arrests and detentions and the use of torture under the guise of counterterrorism has contributed in some instances to the violent radicalization of detainees, the targeting and marginalization of vulnerable communities, and a further fraying of the trust between the state and its citizens, which is critical to an effective long-term counterterrorism strategy.⁵⁰ According to Anneli Botha of the Institute for Security Studies, going forward “the challenge for countries in North Africa is not to use threats of terrorism and religious extremism as a pretext to crack down on peaceful dissent or to limit political development in an attempt to stay in power. If states continue to limit democracy, to postpone reforms or to engage in the politics of self-enrichment, the potential growth of extremist movements, permeated with a jihadist worldview, is likely to increase.”⁵¹

If given the space to operate, civil society has potentially important contributions to make to counterterrorism and to strengthening social resilience to violent extremists through activism, education, research, oversight, and raising awareness of the threat. Civil society groups can play a moderating role

and act as assistance and service providers, even as they help to ensure that counterterrorism measures respect human rights and the rule of law. Adequately resourced and connected to foreign counterparts, civil society also can help to foster intraregional discussion of the impacts of terrorism on human lives, communities, tourism, economies, and governance and draw attention to the human toll of terrorism. Rather than using counterterrorism as a pretense for restricting the space afforded civil society, states should empower civil society as partners in countering violent extremism.

Security cooperation in the subregion has traditionally been very weak until recently. This weakness stems in part from a history of competitive colonialism, superpower competition, and preference for dealing with external partners through bilateral relationships rather than subregional institutions.⁵² Subregional cooperation on counterterrorism and other issues has been complicated by lingering tensions surrounding the dispute between Algeria and Morocco over the future of the Western Sahara, which led to the closing of the border between the two countries in 1994. Also, there is a noticeable tendency among ruling regimes to guard control over security issues, fearful that, according to Cherif Dris of Ben Kheda University in Algiers, any regional multilateralism “would jeopardize their domestic integrity and national development process.”⁵³ This apparent lack of trust has been among the roadblocks to deeper economic and other integration among countries in North Africa, which many experts believe would help to promote economic growth and improve stability and security in the subregion.⁵⁴

Subregional integration could fuel development and reduce the appeal of political violence as a solution to lingering socioeconomic grievances, as it has, for example, in southeastern Europe. The authoritarian pattern of government across the subregion, however, has left little room for cross-border networking and mobilization by the private sector and civil society. The danger is that counterterrorism cooperation will reinforce some of these insular tendencies rather than encourage efforts by North African governments to broaden civic participation and the economic base. North Africa faces a particular challenge as a result of its significant “youth bulge,” with a rising number of North African youth experiencing social, economic, and/or political alienation or marginalization and with youth unemployment rapidly rising even for those with university degrees, all leading to disenchantment with mainstream politics and social activity creating conditions conducive to terrorism.⁵⁵ According to Chatham House’s Claire Spencer, the “failure of most democratization processes [in the subregion] to represent fundamental changes in access to either political or economic resources has resulted in the effective shrinking of the state and the exclusion of the majority of the population from engagement with it.... As a result the appeal of extra-systemic options and alternatives [of which terrorism is one] is increasing.”⁵⁶

National Strategies

Combating and preventing terrorism is clearly a top priority for the governments of North Africa and has been so for some time. Because of the serious ongoing terrorist threat to the subregion, all the countries of North Africa have adopted legislative and other counterterrorism measures, which have led to the killing or arrest and imprisonment of thousands of suspected terrorists. National security or intelligence services have acted as the primary counterterrorism actors in the subregion, while often underfunded, -mandated,

and -resourced police and gendarmeries have played more of a supporting role. To their credit, countries in the subregion have recognized the need for an enhanced criminal justice response to terrorism, in addition to security and intelligence, and the corresponding need to strengthen police, judicial, and other law enforcement capacities. In this regard, the establishment of specialized judicial clusters with expanded territorial jurisdiction for handling terrorism cases in Algeria deserves mention.⁵⁷

In addition to short-term measures aimed at addressing the immediate threat, North African governments have increasingly recognized the need to develop and implement medium and long-term strategies aimed at addressing some of the underlying conditions conducive to the violent radicalization of individuals from vulnerable communities. For example, Tunisia's efforts to improve socioeconomic conditions in the country through economic development and education programs have been cited by some as "a success story in countering terrorism through socio-economic development."⁵⁸

Algeria, Egypt, and Libya have developed counter-radicalization and disengagement programs for violent extremists, with some notable results.⁵⁹ For example, although the Mubarak government has arrested and often killed large numbers of Islamist extremists, it has simultaneously engaged in "a behind-the-scenes campaign to convince both the leadership as well as the rank and file of Egypt's key Islamic groups of the religious prohibition against the use of violence targeting civilians and the state."⁶⁰ This has included the production of publications by former militants aimed at countering extremist ideology. Perhaps most notable was a polemic by Sayyid Imam al-Sharif, who was a major figure in the Egyptian Islamic Jihad group in the 1980s and 1990s, which called for a halt to violent jihad and refuted many of the justifications and tactics employed by al-Qaida and similar groups as contrary to Islamic law. This book was then made required reading for imprisoned members of Egyptian Islamic Jihad, as part of intensive seminars on religion based on Sayyid Imam's interpretations of Islam.⁶¹

Morocco's comprehensive counterterrorism strategy, in addition to emphasizing vigilant security measures, has included a number of programs aimed at promoting religious tolerance and combating the appeal of violent interpretations of Islam, particularly through "social work"-style programs that draw on the religious legitimacy of the Moroccan regime. These programs include the renovation of thousands of mosques, the training of tens of thousands of imams, and what the U.S. Department of State has described as a "pioneering experiment"⁶² of training and using women as spiritual guides (*murshidas*) in prisons, schools, and hospitals.⁶³ King Mohammed VI also launched a five-year, \$1.2 billion program in 2005 aimed at generating employment, combating poverty, and improving infrastructure, with a particular focus on rural areas. In addition, Morocco's computerized national civil registry, which is supposed to be operational by 2011, will lead to the registration of more than one million Moroccans who are not currently registered in the national records and are thus unable to access education, be officially employed, or vote.⁶⁴ Such measures are all significant in minimizing the socioeconomic and political marginalization that can, in time, lead to violent radicalization.

States in the subregion also have taken steps to stop the payment of ransoms, which, as noted earlier, have become an increasing source of funding for AQIM and other terrorist and criminal groups operating in the subregion. Algeria, in particular, has led efforts within the African Union (AU) and the

United Nations to condemn the practice and urge countries to criminalize the payment of ransoms. In July 2009, AU heads of state adopted a resolution that “vigorously condemns the payment of ransoms to terrorist groups to secure the freedom of hostages ... (and) asks the international community to criminalize the payment of ransoms to terrorist groups.”⁶⁵ AU heads of states repeated that call at their 2010 summit in Addis Ababa.⁶⁶ Although the UN Security Council has specified in Resolution 1904 that the UN’s Al-Qaida/Taliban sanctions regime prohibits the payment of ransom to designated individuals and entities,⁶⁷ a proposal for separate UN General Assembly action on the issue has not gained traction.

Subregional and Regional Strategies and Cooperation

As discussed below, North African authorities have actively cooperated with the United States and other extraregional actors in the post-9/11 fight against terrorism, including by providing information on citizens who had traveled to Afghanistan and Iraq and collaborating in foiling terrorist plots. Yet, long-standing rivalries, distrust, and mutual suspicions among states in the subregion have impeded counterterrorism cooperation or the development of a subregional strategy to address the threat. In an environment where cross-border terrorist activity is increasing and becoming more deadly, this reluctance reinforces the depth of the mistrust and preferences for bilateral security cooperation in a field dominated in North Africa by the military, security, and intelligence services.

There are some promising signs of improved cooperation, even if that may yet prove difficult to sustain. In February 2010, AQIM demanded the release of four AQIM militants held in Mali in exchange for the release of a French hostage. The detained militants hailed from Algeria (two), Burkina Faso, and Mauritania. Authorities in Algiers and Nouakchott wished to try their nationals on terrorism-related charges, but, under significant French pressure, Mali released all four. Algeria and Mauritania temporarily recalled their ambassadors from Bamako in retaliation for the decision. Even more recently, a March meeting among seven North African states in Algiers, called specifically to discuss a coordinated response to AQIM, showed both promise and the obstacles to effective cooperation.⁶⁸ The meeting was significant for laying the groundwork for improved border and interstate legal cooperation among Algeria, Burkina Faso, Chad, Libya, Mali, Mauritania, and Niger. This followed an earlier agreement among Algeria, Libya, and Mali to pool military and intelligence resources to combat cross-border terrorism in the Sahel-Saharan strip.⁶⁹ After the 16 March 2010 meeting, Algerian foreign minister Mourad Medelci stated,

Establishing cross-border co-operation between our countries will be effective and multi-faceted.... [The Sahara and Sahel regional countries] are fully aware that security and peace are prerequisites for development and that terrorism and its alliances with organised crime pose a real and tangible threat to peace and stability.... We must move firmly towards tangible measures by activating the mechanisms of bilateral, regional and international co-operation, which must be improved and adapted if necessary.⁷⁰

But the meeting was also significant for the absence of Morocco, with the Moroccan Foreign Ministry deploring its “exclusion” from the meeting. When Mali was chosen as the venue for a follow-up summit, Mauritania strenuously objected, underscoring the limits of trust between the subregion’s regimes.⁷¹

At present, Algeria and Tunisia appear to be the only countries in the subregion with an institutionalized counterterrorism partnership, including border monitoring arrangements.

Such tensions point to the importance of external actors as facilitators of such subregional cooperation. For the last several years, the United States and others have been trying to encourage more counterterrorism cooperation among countries in the subregion through joint training and operational activities, but continuing tensions between Algeria and Morocco have hampered these efforts.⁷² Nevertheless, there has been some technical cooperation among the intelligence services and other relevant experts in the subregion. This includes the participation by the heads and deputy heads of intelligence and security services in North Africa in subregional meetings organized by the Al-Qaida/Taliban Sanctions Committee's Analytical Support and Sanctions Monitoring Team, expert meetings under the auspices of the League of Arab States (LAS) Council of Arab Ministers of Justice and Interior, and promising technical cooperation in other related technical areas such as customs cooperation.⁷³

African Union

At the subregional level, with progress largely stymied within the Arab Maghreb Union, the most realistic institutional home for an effort to deepen broad-based counterterrorism cooperation among North African countries might lie with the AU, in particular its African Centre on the Study and Research on Terrorism (ACSRT), and the LAS. Morocco's absence from the AU, however, poses a significant limitation on the ability of the ACSRT and other AU institutions to contribute to building the much needed trust among counterterrorism practitioners and to enhancing the sharing of counterterrorism experiences, best practices, and other information across all of North Africa.

Algeria, motivated by the devastating consequences of the terrorism and religious extremism that it confronted during the 1990s, spearheaded efforts within the AU (then the Organization of African Unity) to adopt a continental framework to address the threat, starting with the 1999 convention on the prevention and combating of terrorism. Since then, Algeria has remained perhaps the leading champion of the AU role in the field, serving as host of the organization's principle counterterrorism mechanism, the ACSRT. The ACSRT's mandate is to support national efforts to implement the AU counterterrorism framework, including by improving counterterrorism information sharing (e.g., sharing best practices and other national experiences) and cooperation and coordination among its members, Africa's regional economic communities, and the United Nations, with a view to raising awareness of terrorist threats across Africa and helping African states gain access to needed capacity-building assistance.

At the core of the ACSRT's work has been the establishment of a network of national and regional economic community focal points coordinated centrally through Algiers. Forty-four of 53 AU member states have appointed ACSRT focal points. Seven of eight regional focal points have been appointed. Those focal points communicate through a secure information system with Algiers on the state of the threat, national responses, and capacity needs. With financial support from the United States, European governments, and Algeria, the ACSRT also has organized a number of training and other capacity-building activities for African officials related to enhancing capacity and cooperation on different thematic

issues (e.g., the capacity of the judiciary, critical infrastructure protection, force protection, combating the financing of terrorism, and terrorist use of the Internet).⁷⁴ Some of these workshops have focused specifically on North Africa or North and West Africa.

In addition to the growing focal point network, the ACSRT is seeking to develop a confidential database that would include information submitted by the focal points on terrorist threats and trends, as well as names of terrorists and terrorist groups and sources of funding across the continent. This information would be analyzed and cross-checked by ACSRT staff to determine whether it merits inclusion in the database.⁷⁵ The ACSRT also is developing a databank of African experts on terrorism so that AU members can more readily draw on expertise and experiences from other countries. Both databases are expected to be operational in 2010.

The ACSRT has augmented its activities in the past two years, partly as a result of increased donor support, but it continues to suffer from a lack of human and financial resources, which limits its ability to make practical contributions to fulfilling its wide-ranging mandate. Although it has now succeeded in organizing a number of continental and subregional training seminars, it has had difficulty working with the national and subregional focal points in a sustained manner, and it remains to be seen whether it will be able to stimulate the practical expert-to-expert cooperation that is critical to building trust among countries in North Africa and elsewhere on the continent.

Although designated as the focal point for counterterrorism activity within the AU, there are a number of other parts of the organization in addition to the ACSRT that could play a significant role in addressing conditions conducive to the spread of terrorism and in furthering human rights and counterterrorism. These include the AU Peace and Security Council, the Early Warning System, the Panel of the Wise, the newly established African Court on Human and Peoples' Rights, and the New Partnership for Africa's Development (NEPAD) and its African Peer Review Mechanism. The Pan-African Parliament also could play a significant role in strengthening parliamentary oversight of legislation on terrorism issues. These African institutions are involved in related efforts to reduce poverty and marginalization, improve governance, strengthen the rule of law, and combat corruption, which are critical to effective long-term counterterrorism efforts and (as discussed below) ensuring that the Strategy is implemented in an integrated manner. Further thought should be given to efficient ways in which they could be brought into the AU counterterrorism discussions.

League of Arab States

Egypt has been among the driving forces behind the development of the LAS counterterrorism framework, which includes a 1997 strategy to combat terrorism and a 1998 convention.⁷⁶ In addition to this framework, the LAS has established a number of mechanisms under the LAS Council of Arab Ministers of Justice and Interior aimed at overseeing the implementation of the convention and improving coordination among Arab states in this field, including the Arab expert group on combating terrorism and the Arab Bureau of Criminal Police.⁷⁷ The LAS also has formed a team of counterterrorism experts to follow-up on and implement the Strategy.⁷⁸ Under the auspices of the council, the LAS organizes an annual conference on

countering terrorism, which brings together ministers and experts from its member states to discuss ways to improve cooperation among them and national responses to terrorism, as well as “anti-terrorism panels.” At its 11th such conference, the council hosted the sixth meeting of the Arab Anti-Terrorism Panel on 27–28 June 2008, where participants called on Arab states to implement the Strategy and noted the emphasis the Strategy placed on capacity building and technical assistance.⁷⁹ This meeting marked the third time in which LAS experts discussed Strategy implementation issues since its adoption in September 2006 and focused on the importance of addressing the economic and social conditions in the Arab world that fuel crime and terrorism and the role that social institutions can play in addressing those issues.⁸⁰

Given the breadth of the LAS’s own counterterrorism framework; the LAS’s political support for the Strategy and statements encouraging deeper cooperation with the relevant UN counterterrorism entities; its regular meetings at the level of ministers and experts to discuss discrete, often technical aspects of counterterrorism-related issues; and the technical capacity within its secretariat, the LAS would seem to be well equipped to play a significant role in furthering Strategy implementation among its members and to serve as an interface between its members and the United Nations. To date, however, it appears that the LAS contributions in the field have been largely normative.

Despite the LAS counterterrorism framework and mechanisms geared toward generating greater cooperation between Arab countries and the numerous gatherings of counterterrorism officials from LAS countries, the operational modalities for facilitating judicial cooperation in terrorism cases among LAS countries do not yet exist. Most of the discussions and cooperation the LAS has fostered are political rather than technical and operational in nature. Many LAS pledges and commitments for enhanced cooperation on counterterrorism-related matters have not been translated into cooperative action on the ground. These regimes’ tendency to “jealously guard” security management and their mutual suspicion,⁸¹ which generates a preference for more discrete bilateral cooperation in counterterrorism matters, have limited the ability of the LAS to serve as a forum for stimulating critical information sharing and other forms of cooperation among countries in North Africa and the rest of the Arab world.

Middle East and North Africa Financial Action Task Force

Although it has often proven challenging for the countries of North Africa to engage in sustained cooperation on security and other issues, there has been some progress in the area of anti–money laundering and counterterrorism financing (AML/CTF).

International AML/CTF standards are laid out in the Financial Action Task Force’s (FATF) Forty Recommendations on Money Laundering and Nine Special Recommendations on Terrorist Financing.⁸² Although none of the countries of North Africa belong to the organization itself,⁸³ the application of FATF standards was expanded to the subregion in 2004 with the formation of the Middle East and North Africa Financial Action Task Force (MENAFATF),⁸⁴ a so-called FATF-style regional body (FSRB), which aspires to be to the region essentially “what FATF is to the world.”⁸⁵ MENAFATF helps place in a regional context FATF’s global AML/CFT standards and helps to assist its members with implementation of those measures. With support from its Bahrain-based permanent secretariat, it conducts mutual

evaluations in cooperation with FATF and other AML/CTF–related organizations, such as the World Bank and International Monetary Fund, to help identify vulnerabilities among its members; compiles typology reports on different issues of concern; and supports the establishment of financial intelligence units (FIUs) within its member states. Among other issues of particular relevance to the subregion, MENAFATF’s typology reports and best practices have focused on the regulation of *hawala* networks,⁸⁶ the charitable sector,⁸⁷ and cross-border transfers.⁸⁸ MENAFATF has been praised for the relative frankness of its mutual evaluations in a subregion where the issue of CTF is extremely sensitive and countries historically have been reluctant to criticize one another.⁸⁹

Despite those efforts, capacities to implement FATF standards remain low across much of North Africa. For example, Egypt is the only country in the subregion with a functional FIU.⁹⁰ There is also a danger that heavy-handed regulation of formal financial transactions in the subregion will push significant economic activity into the subregion’s well-established clandestine economy.⁹¹

Unlike on many other counterterrorism-related issues in the subregion, the countries of North Africa have a potentially effective mechanism for cooperation on CTF. MENAFATF possesses important characteristics that contribute to its effectiveness: adequate human and financial resources, links with global standard-setting bodies and bilateral and multilateral donors, capacity-building programs, and implementation assessments. In a subregion where such formal cooperative arrangements are so noticeably lacking, consideration should be given as to whether this approach could be replicated on other counterterrorism-related issues of common concern across North Africa and what more could be made of the relatively successful approach developed within MENAFATF.

Islamic Educational, Scientific and Cultural Organization

Another regional body that merits attention in the context of efforts to address conditions conducive to the spread of terrorism in North Africa is the Islamic Educational, Scientific and Cultural Organization (ISESCO). Based in Rabat, ISESCO has a broad mandate related to improving cooperation on education, culture, and communication in the Islamic world and could play a potentially significant role in countering the appeal and combating conditions conducive to the spread of terrorism in North Africa. ISESCO has assumed a lead role “in promoting tolerance and understanding among civilizations, cultures, peoples and religions.”⁹² It is an active partner organization in the Alliance of Civilizations, an international effort to counter extremism by promoting international, intercultural, and interreligious dialogue and cooperation. ISESCO seeks to promote such dialogue through various initiatives, such as intercultural youth programs, linguistic training programs for students in Morocco and Tunisia and elsewhere in North Africa, and efforts to identify prominent personalities in the Muslim world to promote quality education and intercultural and interfaith dialogue.⁹³ Also of relevance to addressing conditions conducive to the spread of terrorism is much of ISESCO’s ongoing work to enhance the capacities of education systems across North Africa to integrate human rights education; internationally shared values; mutual understanding; conflict prevention and critical thinking, including curriculum standards; teacher training; and the approval of school textbooks.⁹⁴

Building on the broader contributions of its ongoing work, as discussed below, the Strategy could provide ISESCO an entry point for more direct engagement on counterterrorism. ISESCO has already participated in some of the consultations of a now-disbanded UN working group on addressing radicalization and extremism that lead to terrorism and organized a November 2007 conference in Tunisia entitled “Terrorism: Dimensions, Threats and Counter-Measures” in cooperation with the United Nations and the Organization of the Islamic Conference (OIC). Going forward, the Strategy may provide ISESCO with a framework for the development of additional and more concrete initiatives related to Strategy implementation. For example, ISESCO could potentially serve as a forum for the sharing of best practices and experiences in the rehabilitation of violent extremists across North Africa and contribute to the development of a common lexicon for discussing issues of terrorism and violent extremism that is sensitive to and avoids the perception that terrorism is being associated with a particular religion.⁹⁵

European Union and European member states

Although reluctant to deepen counterterrorism cooperation among partners in the subregion or develop a mechanism to stimulate such cooperation, North African governments have been more willing to engage with external actors, in particular the European Union, European member states, and the United States. Much of this cooperation has taken place at the bilateral level (e.g., between France and Spain and countries in North Africa, principally Algeria and Morocco, largely as a result of the historical links between those respective countries).⁹⁶

Attention to the threat posed by terrorism in and from North Africa and the Sahel is clearly growing in Europe. Following the 16 March 2010 meeting of foreign ministers from Saharan and Sahel countries in Algiers (discussed above), the first EU high representative for foreign affairs and security policy, Lady Catherine Ashton, issued a statement emphasizing that “regional and international cooperation will be decisive in tackling the terrorist threat in this key region. The European Union fully supports the ongoing efforts regarding security and development in particular.”⁹⁷

The legacy of European colonialism in the subregion, however, deeply shapes North African attitudes to such security cooperation. There is a significant risk of North African populations, in the subregion and in Europe, growing to resent the “securitization” of relations between the regions, particularly in the area of population movements.⁹⁸ For these reasons, counterterrorism has long been a sensitive issue in the Euro-Mediterranean Partnership, formerly known as the Barcelona Process, which was launched in 1995 with a view to deepening cooperation between countries in Europe and their neighbors in North Africa and the Middle East. The 2005 Euro-Mediterranean Code of Conduct reflected a willingness among the countries involved to adopt a new approach and underlined the common understanding that all countries in the EU and along the southern and eastern Mediterranean consider al-Qaida and its affiliates in the subregion a serious threat.⁹⁹ In addition to condemning terrorism, all Euro-Med Partnership countries agreed to cooperate with each other in accordance with the UN counterterrorism framework, to work to reduce vulnerabilities to and protect their citizens from terrorist attacks, and to provide for the exchange of useful experiences on how to minimize the consequences of attacks and provide aid to victims.

According to Fernando Reinares of the Real Elcano Institute in Madrid, this political instrument is an important tool “to increase and improve cooperation on internal security issues within a partnership that brings together European countries and their next door neighbors on the North African coast and the Middle East.”¹⁰⁰ It has provided a basis for building on existing bilateral and multilateral mechanisms for facilitating counterterrorism cooperation and, if it were revived, might provide a foundation for establishing new ones.¹⁰¹

Although the strong preference for bilateral cooperation between countries in North Africa and Europe remains, the adoption of the code of conduct has led to the development of a number of projects at the multilateral level aimed at strengthening counterterrorism cooperation between the EU and its partners along the southern and eastern Mediterranean, as well as enhancing the cooperation within North Africa and the Middle East. For example, a series of Euro-Med Partnership technical workshops were organized with the support of the European Commission and the UN Office on Drugs and Crime (UNODC) aimed at enhancing cooperation on international criminal matters related to counterterrorism. The most recent one, held in 2008, concluded with a number of recommendations calling for, among other things (1) building the capacities of national criminal justice officials to pursue legal cooperation in terrorism cases; (2) sharing experiences and expertise cross-regionally; (3) strengthening national-level cooperation among key counterterrorism actors; (4) creating a platform for judicial cooperation among Euro-Med Partnership countries similar to the European judicial cooperation network (EUROJUST); (5) intensifying counterterrorism cooperation between Euro-Med Partnership countries and the United Nations and regional organizations; (6) enhancing cooperation on counterterrorism issues between the LAS and relevant European institutions; (7) ensuring regular meetings of Euro-Med Partnership counterterrorism focal points and regional training workshops; and, perhaps of most relevance to this report, (8) implementing the Strategy.¹⁰²

Efforts to follow-up on these recommendations are currently on hold, with the transition from the Euro-Med Partnership to the Union of the Mediterranean (both of which include Israel) being delayed as a result of the fallout over the 2008–2009 conflict in Gaza. Once they do proceed, however, efforts could be made to organize a workshop that allows for the sharing of national experiences among partner countries on the development and coordination of holistic national-level responses to terrorism in line with the approach enshrined in the Strategy. This should be inclusive, extending participation to nontraditional counterterrorism actors, such as ministries of education, health, social services, and religious affairs.

In addition to cooperation in the Euro-Med Partnership context, countries in North Africa have attracted heightened interest from the EU itself, as EU member states have increasingly addressed global terrorism linked to al-Qaida together at the EU level rather than solely bilaterally. Thus, for example, the EU Committee on Counterterrorism, as part of its effort to implement the 2004 EU Plan of Action on Terrorism, has identified Algeria, Morocco, and Tunisia¹⁰³ as among the seven countries that are to receive capacity-building assistance (often not given the “counterterrorism” label, but involving the training of judges, magistrates, and police forces and strengthening of border management capabilities) aimed at

helping countries implement Security Council Resolution 1373. Although work is already underway with Algeria and Morocco, according to the EU counterterrorism coordinator, it has met with “mixed success.”¹⁰⁴

A potentially important development in the EU ability to play a more effective role in combating terrorism in North Africa and elsewhere outside of Europe is the inclusion of the “first global counterterrorism measures developed by the [European] Commission together with experts from EU member states in the 2009–2011 Indicative Programme for the Instrument of Stability.”¹⁰⁵ Although not including North Africa as such, the program includes the Sahel region as among the key priorities. Given the prominent role that the UN Security Council’s Counter-Terrorism Executive Directorate (CTED) will play in helping the EU identify priority needs under this program,¹⁰⁶ it appears that Security Council Resolution 1373 will continue to be the focus of EU efforts to support counterterrorism capacity-building in third countries, even with the existence of the broader, more politically palatable Strategy. (This may change if CTED is given a broader, Strategy-related prevention mandate by the Security Council when its mandate is renewed later this year.) As a result of the resolution’s narrow focus on law enforcement and other security issues, this likely means that the EU will continue to emphasize enhancing the capacities of security and law enforcement officials and institutions in its third-country counterterrorism capacity-building initiatives, although EU external relations commissioner Benita Ferrero-Waldner emphasized in 2009 that “Commission development programmes must pay close attention to security issues linked with terrorism, organized crime and trafficking.”¹⁰⁷

Given the broader-based political support that the Strategy enjoys in North Africa and much of the developing world and the holistic approach to counterterrorism it advocates, the EU and other donors should consider using it, and not solely Resolution 1373, as the normative framework within which to engage countries in North Africa. Using the Strategy, in which the protection of human rights and the promotion of the rule of law are critical components, rather than Resolution 1373, which puts these concepts more in the background, will likely have another added benefit. It might mitigate the likelihood that, in its eagerness to build counterterrorism capacities in and cooperation with North Africa, donors end up unintentionally reinforcing the capacities of sometimes repressive security and law enforcement services, which could end up further alienating vulnerable local communities.¹⁰⁸

In 2009, Ferrero-Waldner emphasized the importance of a comprehensive approach to addressing security challenges, one that “tackle[s] the underlying causes of the problem, using the full range of instruments in our ‘toolbox’ in an intelligent and sophisticated way to address every aspect of the problem.... This comprehensive approach is the key to success, together with ensuring a multilateral response, in which the United Nations must play a strong role.”¹⁰⁹ Making greater use of the Strategy and finding ways for the EU to address all elements of the Strategy in its interactions with third countries and to cooperate with a broader set of UN actors than CTED also might facilitate efforts to put such an approach into practice.

United States

Although the EU, and France in particular, have historically been the subregion's main external partners, since 2001 the United States has dramatically increased its engagement with the states of the Maghreb and Sahel and its provision of counterterrorism and other related assistance.¹¹⁰ Although some have questioned the motives and methods of U.S. engagement, particularly insofar as it bestows legitimacy on and bolsters the coercive capacity of authoritarian regimes,¹¹¹ U.S. engagement has clearly helped to facilitate horizontal security cooperation among the states of North Africa.

Although Egypt, which receives some \$1.3 billion annually in military assistance from the United States,¹¹² and the Maghreb states of Morocco and Tunisia have long been strong U.S. allies, U.S. assistance to those states as well as to the broader subregion has substantially increased since 2001. For example, military and economic assistance to Algeria, which had been suspended after the cancellation of the 1992 elections, was restored after 2001 and has grown from \$121,000 in 2001 to \$2.89 million in 2008 (direct support for Algeria's military in terms of hardware remains rather limited).¹¹³ All of the countries across the subregion, including Libya, have benefited from narrow counterterrorism capacity-building assistance through the State Department's antiterrorism assistance, terrorism interdiction, and related programs.¹¹⁴ The United States also provides support to governments and civil society groups in the subregion through the Broader Middle East and North Africa Initiative of the Group of Eight, the Middle East Partnership Initiative, and the Millennium Challenge Account, which focus more broadly on promoting development, education, democracy, good governance, and civil society and contribute to addressing underlying conditions conducive to the spread of terrorism in the subregion.¹¹⁵

In addition to increasing assistance and strengthening bilateral ties with individual Maghreb countries, the United States has sought to improve counterterrorism cooperation among those states. The primary vehicle for that has been the Trans-Sahara Counterterrorism Partnership (TSCTP), which grew out of the more narrowly focused Pan-Sahel Initiative and now includes Algeria, Morocco, and Tunisia. The goals of the TSCTP include "strengthening regional counterterrorism capabilities; enhancing and institutionalizing cooperation among the region's security forces; promoting democratic governance; discrediting terrorist ideology; and reinforcing bilateral military ties with the United States."¹¹⁶ The TSCTP is a multiagency initiative led by the State Department that includes a "combination of military-to-military security assistance and development programs that aim to reduce support for violent extremism."¹¹⁷ For example, as part of the TSCTP, the State Department "has hosted educational programs intended to marginalize violent extremists; [the U.S. Agency for International Development] supported efforts to improve education and health; and [the Department of Defense] has provided counterterrorism training in marksmanship and border patrol to the militaries of partner countries."¹¹⁸ Notably under the auspices of the TSCTP, the United States has succeeded "in gathering around the same table a large number of officials from countries [including Algeria and Morocco] whose strategic and defence interests are incongruous, and to convince them to coordinate their antiterrorist operations."¹¹⁹

The TSCTP is innovative in that it combines hard and soft approaches to the threat and seeks to foster cooperation across the broader region. It demonstrates the constructive role that the United States and other external partners, such as the EU and United Nations, could play in promoting much-needed subregional cooperation. Yet, the TSCTP has been criticized for emphasizing military capacity-building and not paying enough attention to police capacity-building.¹²⁰ Some also have argued that its support of authoritarian regimes and joint military exercises with regional partners have served to stoke anti-Americanism and cynicism regarding U.S. motives and contributed to growing radicalization and separatist violence across northwest Africa.¹²¹ The United States has additionally been criticized for not sufficiently coordinating its efforts in North Africa with other external partners who may have much deeper and longer-standing relationships with the countries in the subregion.¹²²

Moving forward, the Strategy may offer an alternative and more palatable framework for the United States and other external partners to provide counterterrorism-related assistance—a way to remove the “made in America” label—and a framework within which to coordinate their efforts better to build capacity and improve cooperation in the subregion.

As the EU and other external actors continue to engage with countries in North Africa on counterterrorism, careful attention should be paid to ensure that this engagement cuts across all four pillars of the Strategy in a coherent and mutually reinforcing manner. Likewise, efforts should be made to stimulate more horizontal cooperation, i.e., between and among countries in the subregion, in all aspects of the Strategy. Successfully dealing with the threats to and emanating out of North Africa requires not just enhancing the capacity of individual countries, but building the trust and mechanisms that can facilitate the sharing of information and experiences among officials in the subregion.

The Role of the United Nations and the UN Global Counter-Terrorism Strategy

The Strategy provides a shared and broad-based normative framework that can allow a variety of parties to overcome existing obstacles to effective cooperation, while also developing counterterrorism cooperation in the subregion into a more prevention-oriented system and not simply a mechanism for bolstering the subregion’s security apparatus. For the Strategy to have a sustained impact in North Africa, however, states and other relevant stakeholders in the subregion must “utilize this [historic] tool and translate it into action.”¹²³

Adopted unanimously by the UN General Assembly in September 2006, the Strategy marked the first time that all UN member states agreed on a common strategic framework for addressing the terrorist threat.¹²⁴ Although it rests largely on a synthesis of preexisting UN counterterrorism-related resolutions, norms, and measures adopted by the Security Council, General Assembly, and other UN bodies, the Strategy pulls them together into a single, coherent, and universally adopted framework.¹²⁵ As such, it broadened political support for UN counterterrorism efforts by reflecting the consensus of the entire UN membership rather than just the Security Council, which had in previous years come to dominate many actors’ understanding of UN counterterrorism efforts.¹²⁶

A central reason for that broadening of political support is that the global framework includes not only an emphasis on law enforcement and other security measures in combating terrorism, but also measures to address real and perceived grievances and underlying social, economic, and political conditions that can contribute to the emergence and spread of terrorism. The Strategy's four-pillar agenda consists of measures to address conditions conducive to the spread of terrorism, measures to prevent and combat terrorism, capacity building, and ensuring a human rights– and rule of law–based approach to countering the threat. It thus places counterterrorism in the context of a broad effort to foster states' own capacity to ensure the security of their populations. This may be of significant utility in helping to structure and coordinate the relations of the subregion with external donors and assistance providers, not least to ensure that a broad spectrum of counterterrorism assistance and capacity-building is provided and not confined to a narrow focus on military and security assistance.

The Strategy reinforces the notion that although states have primary responsibility to protect their citizens from terrorism and other security threats, an effective long-term counterterrorism plan requires a multi-stakeholder approach. The Strategy highlights the role that the UN system and regional and subregional bodies, as well as civil society, can play in working with states to implement the framework. Moreover, it recognizes the linkages between terrorism and other illicit activities, such as organized crime, corruption, and illicit trafficking in drugs and small arms and light weapons, and the need for comprehensive approaches to addressing these related security challenges. It proposes an inclusive approach to countering terrorism and its underlying causes at the national level, advocating “joined-up” or “whole-of-government” approaches, treating terrorism not just as a “security” issue, but as intimately intertwined with development challenges. Also, the Strategy provides a common framework for states, the United Nations, regional and subregional bodies, and civil society to coordinate their efforts better, creating a basis of legitimacy for cooperative action against terrorism over the long term.

The Strategy is particularly significant at a political level for the countries of North Africa, which have been among the most vocal critics within the Group of 77¹²⁷ of the Security Council's enhanced post-9/11 counterterrorism role. By imposing general counterterrorism obligations on all UN member states, the Group of 77 saw the council as usurping the norm-setting role that has traditionally belonged to the more representative General Assembly. Excluded from the decision-making process and from participation in the monitoring mechanisms created by the council, many states have not felt any real ownership of the counterterrorism commitments imposed by the council and the counterterrorism initiatives launched under its authority. In addition, North African countries and other Group of 77 members argued that the council response to the threat largely ignored terrorism's so-called root causes, or what the Strategy refers to as “conditions conducive to the spread of terrorism,” which representatives of these countries have claimed to be of paramount importance in tackling terrorism.

The Strategy and the shift away from the discourse of a “global war on terror” offer the opportunity to revitalize discussion of terrorism and counterterrorism in North Africa, moving beyond an exclusive focus on the military and other security-related aspects of the response and beginning to understand how international cooperation in and beyond the subregion can address the links among security, development, and the rule of law. As suggested below, the Strategy may provide the framework for deeper intraregional

dialogue and cooperation on terrorism in the subregion, offering a frame of reference and cooperation that sidesteps existing subregional tensions.

There is a danger that cooperation in Strategy implementation will respond to the dictates of processes in New York rather than the needs on the ground in the subregion. This danger is amplified by the varied nature of terrorist and related transnational threats throughout this subregion; the risk is that cooperation will emerge not as a result of organic cooperation between the states of the subregion in an attempt to deal with common problems, but in response to incentives from New York dealing with “New York problems.” To avoid such a “skewing,” Strategy implementation in the subregion will require contributions from a wide range of stakeholders, starting with member states, but also including the UN system, relevant regional and subregional bodies, and civil society. It also might require a more sustained UN counterterrorism presence on the ground to ensure effective communication with the states and stakeholders of the subregion. The final section of this report discusses at greater length what such sustained implementation may involve.

With the vulnerabilities and capacity shortcomings in North African countries, numerous parts of the UN system have an important role to play in promoting and supporting efforts to implement the Strategy in the subregion. These include traditional counterterrorism bodies, such as the UN Security Council’s Counter-Terrorism Committee (CTC) and its CTED and UNODC’s Terrorism Prevention Branch (TPB), as well as entities not traditionally associated with counterterrorism, such as UNDP, the Office of the UN High Commissioner for Human Rights (OHCHR), and the UN Educational, Scientific and Cultural Organization (UNESCO). These and other UN actors are members of the Counter-Terrorism Implementation Task Force (CTITF), which is charged with working to catalyze system-wide support among around 30 UN entities and INTERPOL, to support member-state Strategy implementation. In addition, some UN actors that are not members of the CTITF may have a role to play in promoting Strategy implementation in North Africa as part of an effort to deal with the social, economic, and political marginalization that is so acute in some parts of the subregion, particularly among the rising number of unemployed youth. These include the UN Children’s Fund, the UN Population Fund, and the UN Development Fund for Women (UNIFEM).

Coordinated and sustained engagement by the different parts of the UN system will be needed at the level of headquarters and on the ground to help ensure not only that states seek to implement the Strategy in an integrated manner, but that the United Nations itself is maximizing its comparative advantages. This will require more strategic thinking by the United Nations about how best to engage with the subregion on Strategy-related issues. For example, which of the many tools in the Strategy tool kit should be used in North Africa to promote implementation? Which aspects of the Strategy deserve priority attention in the subregion? Which UN actors should take the lead on the ground? To succeed, these efforts will require stronger engagement between the United Nations and North Africa and within the subregion itself on countering terrorism. More generally, the United Nations should seek to ensure that it interacts with the subregion in a manner that complements the efforts of other external partners, including the EU and the United States, as well as those of the AU and LAS.

The limitations of the existing subregional and regional counterterrorism mechanisms, which involve some or all North African countries, point to the importance of the United Nations and its role in promoting counterterrorism cooperation and capacity-building activities in the subregion. As in other parts of the world, such as South Asia, where political tensions among countries have inhibited the development of meaningful regional counterterrorism mechanisms, the United Nations “may be a more politically palatable adviser on [national and regional counterterrorism] efforts than a neighbor or a country further afield, simply because ... the United Nations is seen as an objective and politically neutral player.”¹²⁸ The United Nations should treat the relative lack of cooperation in North Africa as an opportunity for it to help stimulate more cooperation and a coordinated subregional response to terrorism, using the holistic Strategy as an entry point.

This report focuses on the work of four entities that are among the most relevant to furthering Strategy implementation in North Africa: the Security Council’s CTC/CTED, UNODC’s TPB, UNDP, and OHCHR.

Counter-Terrorism Committee and Counter-Terrorism Executive Directorate

The Security Council’s CTC, with the support of its CTED, has a global mandate to monitor the implementation of Security Council Resolution 1373, which imposed a series of law enforcement and other security-related counterterrorism obligations on all states. The council expanded this mandate in the aftermath of the July 2005 London bombings via Resolution 1624 to include the monitoring of national efforts to implement measures, inter alia, to combat incitement to terrorism. Most of CTED’s focus is therefore on issues relevant to the implementation of the second and third pillars of the Strategy.

An increasingly significant component of CTED’s work involves facilitating the delivery of counterterrorism technical assistance. CTED has developed a number of tools over the years to allow it to engage in a more sustained dialogue with states that seeks to capture the realities on the ground and each country’s needs better. These tools include the preliminary implementation assessments that CTED has prepared for every UN member state, which offer a comprehensive overview of national efforts to implement Resolutions 1373 and 1624. CTED also has put together a directory of best practices related to the different provisions of the resolutions, incorporated the needs of countries in North Africa into its Technical Assistance Matrix, and updated the Directory of Assistance, which contains information on available technical assistance. In addition, CTED has produced a *Technical Guide to the Implementation of Resolution 1373*, which sets out the requirements and steps for implementing the provisions of the resolution and which may be a potentially useful tool for national officials as they seek to adopt further measures to implement these Security Council mandates, many of which are now reflected in the Strategy. Further, in 2008 and 2009, CTED prepared a global survey of efforts to implement Resolution 1373. These surveys provide an assessment of implementation by regions and subregions and draw conclusions about progress in the implementation of the resolution in key thematic areas, allowing the identification of gaps and vulnerabilities, either in particular regions or across the board.

Perhaps most significantly, CTED's New York-based staff has conducted 55 country visits of different shapes and sizes, during which CTED leads a group of UN system entities, frequently joined by relevant regional or subregional bodies and sectoral agencies, to meet with a range of government officials and technical experts to discuss national counterterrorism efforts. Such visits allow CTED to gain a better understanding of the realities on the ground and work with the country concerned to identify the priority areas where work needs to be done and where technical assistance is needed. With respect to North Africa, CTED has undertaken week-long assessment missions to all countries in the subregion, including most recently Tunisia. Among other things, CTED has used the opportunity of the visits (as it has done in other regions) to highlight the importance of having a mechanism in place at the national level that brings together and helps coordinate the work of a range of government agencies involved in counterterrorism strategy and implementation, beyond simply security and intelligence services. These visits appear to have had a significant impact: a CTED visit to Morocco in 2005 helped lead to the adoption of an AML law, the establishment of a counterterrorism coordination unit within the Ministry of the Interior, enhanced cooperation between customs and border officials, and development of an FIU. Likewise, following up on a CTED recommendation, Algeria connected its border posts to INTERPOL's I-24/7 network.

Given the sensitivities in the subregion when it comes to matters of terrorism and counterterrorism, among the challenges facing CTED as it continues to engage with countries in North Africa are ensuring that legislative and other measures taken to implement Resolution 1373 are consistent with international human rights law and are not being used to target political opponents and getting countries to agree to a list of capacity needs that reflect an objective assessment of the situation.

Although ACSRT experts have participated in some CTED visits in North Africa, neither the LAS nor MENAFATF have done so. Although CTED has developed increasingly strong ties with many regional and subregional bodies, including a number of FSRBs around the world, it has not succeeded in doing so with MENAFATF or the LAS, largely due to the those bodies' limited capacities.

The participation of relevant regional and subregional bodies in CTED visits whenever possible is important for a number of reasons. First, it injects some local ownership, flavor, and context into visits from a New York-based entity seeking to monitor implementation of Security Council-imposed requirements that were developed with limited input from the country concerned. Second, by increasing the familiarity of regional and subregional organizations with the counterterrorism needs and priorities of their member states, it enhances their capacity to work with them on implementation issues long after the conclusion of the CTED visit, should there be an interest in doing so. This strengthening of regional and subregional capacities, the importance of which is highlighted in the Strategy, is critical to effective follow-up. Based on CTED experience, sustained engagement with regional and subregional bodies is often a prerequisite to effective CTED engagement with countries.

In addition to the lack of a clear subregional institutional partner in North Africa, one of the difficulties that CTED and other UN counterterrorism mechanisms have in trying to engage with some North African states is the fact that English and French are the official languages of the UN Secretariat.

CTED's dialogue with capitals is generally conducted in one of these languages rather than Arabic. Although this might not impede interactions with officials from foreign ministries, it can significantly complicate interactions with the technical ministries where Arabic is the exclusive working language. Deepening CTED and broader UN engagement with many Arab countries may require ensuring that dialogue and information exchange can take place in Arabic rather than via interpretation. It also may require ensuring that the best practices, codes, and standards relevant to the implementation of Resolution 1373 contained on the CTED Web site are translated into Arabic. Current UN Secretariat policy is not to translate such documents into UN languages other than English and French, which limits their accessibility to technical experts in North Africa.

CTED's ability to engage in the subregion is further complicated by the fact that it operates under Chapter VII of the UN Charter. Although mandated to conduct technical assessments of counterterrorism capacities and needs, the Security Council framework under which site visits take place reinforces not only the law enforcement and other security aspects of the UN counterterrorism framework, but also the political nature of the visit. It can frequently lead to increased involvement by foreign ministries. This can add an extra layer of bureaucracy for CTED to navigate before reaching the more technical ministries, which bear the lion's share of responsibility for developing and implementing national counterterrorism measures. The inclusion of functional and sectoral organizations such as INTERPOL, the World Customs Organization (WCO), and the International Civil Aviation Organization (ICAO) in CTED country visits can help to overcome some of these barriers by encouraging the host government to ensure corresponding technical representation from its side. In some cases, however, governments remain reluctant to foster the UN and other organizations engaging on too broad a range of issues, given the potentially coercive nature of a Chapter VII mandate.

In the future, greater attention could be given to conducting UN counterterrorism country visits under the umbrella of the Strategy, with CTED continuing to take the lead but as part of a broader-based interaction with the CTITF as a whole. This might allow for more holistic UN engagement with North Africa on counterterrorism issues and could help lower the political temperature of visits and thus enhance the technical focus. Doing so might create more space for the nontraditional UN counterterrorism actors, such as UNDP, UNESCO, and UNIFEM, to engage in what are often delicate issues for those bodies, which are concerned about compromising ongoing programs in the field by associating themselves too closely with the work of UN counterterrorism bodies.¹²⁹ In addition, since the LAS has voiced its strong political support for the General Assembly's Strategy and is a formal "observer" in the General Assembly, the LAS and its member states might be more inclined to have the LAS secretariat participate in these visits if they were conducted under the framework of the Strategy.

UN Office on Drugs and Crime's Terrorism Prevention Branch

Although a number of different parts of the United Nations are relevant to the facilitation and direct provision of counterterrorism-related assistance,¹³⁰ UNODC in Vienna is perhaps the leading direct provider of counterterrorism-specific assistance in the UN system. According to the former UNODC Executive

Director, it is “the only UN body empowered and equipped to provide capacity building [assistance] on the ground to assist Member States to prevent terrorism.”¹³¹

Since the launch of its Global Project on Strengthening the Legal Regime against Terrorism in January 2003, UNODC, through its TPB, has delivered various forms of counterterrorism-related assistance aimed at helping countries join and implement the global instruments against terrorism. This assistance has included legislative drafting aid and the training of criminal justice professionals. Drawing on its Vienna-based staff, its network of local consultants, and UNODC regional representatives based in Cairo, TPB has provided all of the countries in North Africa with technical assistance either bilaterally or in regional or subregional settings. As a result, it has provided dozens of national criminal justice officials from countries in North Africa with “specialized training on the legal regime against terrorism, especially the legal aspects and obligations arising from the universal legal instruments against terrorism and related Security Council resolutions and the mechanisms of international cooperation in criminal matters (extradition and mutual legal assistance).”¹³² Perhaps partly as a result of this training, Morocco and Tunisia have adopted counterterrorism legislation.¹³³

Although its bilateral training activities are important, TPB’s regional and subregional initiatives, including as part of the Euro-Med Partnership, are particularly useful as they bring together criminal justice officials from across North Africa and allow for the cross-border networking, exchange of information, and building of trust that is essential to effectively combat terrorism in North Africa but that has proven difficult to develop. Most recently, TPB has played an instrumental role in the development and drafting of legal instruments (e.g., extradition and mutual legal assistance treaties) to facilitate cooperation in countering terrorism among African members of the Organisation Internationale de la Francophonie, where it worked closely with justice ministers to elaborate a draft convention on extradition and mutual legal assistance. This instrument was adopted by the ministers in May 2008.¹³⁴ Once implemented, these instruments should facilitate greater international legal cooperation in terrorism cases among the parties to the instrument. Unfortunately, the prospects for enhancing such cooperation among all countries in North Africa are limited given that Algeria is not a member of this organization. TPB also is working with countries in the broader region on compiling a compendium of bilateral, regional, and international instruments on mutual legal assistance.

In a subregion where UN and other human rights experts have documented significant human rights abuses committed in the name of counterterrorism (e.g., the Arab Organization on Human Rights includes three North African states among those it identifies as restricting the freedom of their citizens by extrajudicial detention), it is important to ensure that all such training activities in the subregion include significant components devoted to the need for criminal justice officials to respect human rights norms and promote the rule of law as they seek to implement the various UN and regional counterterrorism instruments.¹³⁵

UNODC expertise extends to other terrorist-related crimes, such as organized crime, terrorist financing, money laundering, and drugs and human trafficking. More attention needs to be given to

ensuring that TPB counterterrorism capacity-building activity is effectively integrated with efforts by other UN entities, including UNDP, the Department of Peacekeeping Operations, the UN Office for West Africa, and even CTED, to build the capacities of security sectors and criminal justice systems to address a number of interrelated security challenges. This is particularly important in North Africa and the Sahel where the absorption capacities of national institutions to receive technical assistance may be limited.

With greater resources, UNODC could further develop its work in North Africa to address those countries in the subregion that still lack the necessary legal framework to allow for cross-border cooperation in terrorism cases. Such an effort could be part of a broader, strategic UN approach to enhancing national criminal justice capacities. Such an approach should provide “in-depth and substantive training to the right officials, practitioners, and policy makers,” include a “steady dissemination of useful and accessible training tools and handbooks, backstopped by effective follow-up and reinforced by ongoing support services,”¹³⁶ and promote the development and implementation of a holistic response to addressing the terrorist and other related security threats.

UN Development Programme

As noted in the 2009 Arab Human Development Report and discussed above, “[T]he multitude of threats which cut across different aspects of human development in the region [highlight] the need for an integrated approach to advancing development, security, good governance and human rights.”¹³⁷ One of the main achievements of the Strategy is the link it makes “between the traditional development agenda: poverty reduction, social development, rule of law programmes and the fight against terrorism.”¹³⁸ Although not mentioned explicitly in the Strategy and lacking an explicit counterterrorism mandate, UNDP has a critical role to play in promoting implementation of those elements of the Strategy.

UNDP’s work in North Africa covers the full range of the program’s core priorities of poverty reduction, democratic governance, crisis prevention and recovery, and the environment as well as HIV/AIDS, gender equality, and human rights. Although most UNDP work is broadly relevant to Strategy implementation and addressing causes conducive to the spread of terrorism, given the deficiencies in governance across the subregion, perhaps the most directly relevant are UNDP efforts to promote good governance and the rule of law, particularly in the security sector and criminal justice systems. As the 2009 report notes, “Establishing the rule of law and good governance in the Arab countries remains a precondition for the foundation of the legitimate state and the protection of human security.”¹³⁹ The Strategy encourages the UN system to “scale up the cooperation and assistance it is already conducting in the fields of rule of law, human rights and good governance, to support sustained economic and social development.”¹⁴⁰

Promoting good governance is a main priority for UNDP, which works with the countries of North Africa to strengthen national criminal justice systems, build parliamentary processes, promote human rights and the decentralization of government functions, and build government capacity. Of particular relevance is UNDP’s Programme on Governance in the Arab Region (POGAR), which was

launched in early 2000 and focuses on improving the rule of law, transparency and accountability, and participation in governments in the region. For example, POGAR has engaged in initiatives to support Arab parliaments; modernize public prosecution offices, including in Egypt and Morocco; support independent public media; and promote democracy and electoral reform.¹⁴¹ In addition to direct support to countries in the subregion, UNDP also provides support to the AU's African Governance and Public Administration Programme and has supported the creation of an Arab Public Prosecutors' Network, as well as ARABJUST, modeled on EUROJUST.

Despite the relevance of UNDP work to implementation of the rule of law and other elements of the Strategy in North Africa and the fact that it is a member of the CTITF, UNDP generally has been reluctant at a policy level and at the practical level to associate its work or coordinate its efforts with UN or other counterterrorism actors. The challenge is to dispel the notion that engaging fully with traditional UN counterterrorism actors and the CTITF will interfere with the work UNDP is doing within its core mandates and that engagement will unduly politicize its work with partner countries.

Efforts are needed to reassure UNDP and other development actors that the goal is not to transform development work into counterterrorism, but rather to bring counterterrorism into development work. With resident representatives in every country in North Africa, more engagement from UNDP could greatly improve the capacity of the UN system to promote Strategy implementation. UNDP representatives are generally also the UN resident coordinators responsible for promoting coherence among the different parts of the UN system operating in a particular country and could potentially help to coordinate in-country technical assistance programs and serve as focal points for in-country implementation efforts. At a minimum, resident representatives and coordinators might help to streamline communication between various counterterrorism-related entities on the ground and the counterterrorism-related bodies in New York, for example by serving as a designated reporting body to liaise with the CTITF office in New York.

For the most part, the UN and North African stakeholders that have been involved to date in the counterterrorism discourse have been limited to those working in the fields of security, law enforcement, border management, or countering the financing of terrorism. To operationalize a shift toward a more preventive approach, stakeholders involved in issues related to efforts to reduce poverty and marginalization, improve governance, strengthen the rule of law, and combat corruption, such as the World Bank, UNDP, UNESCO, and NEPAD and its African Peer Review Mechanism, need to be brought into the discussions. The Strategy has opened up the space to engage in a discussion of counterterrorism that goes beyond narrow law enforcement and other security-related issues. The challenges include finding a way to bring these non-security-related stakeholders to the table and to begin the discussion.

Office of the UN High Commissioner for Human Rights

OHCHR is one of the more active nontraditional counterterrorism actors on the CTITF. Through the CTITF and on its own, OHCHR has increasingly sought to provide member states and UN bodies with

guidance on human rights and counterterrorism by, among other things, devising a fact sheet on counterterrorism and human rights,¹⁴² working to convene regional meetings on human rights and counterterrorism, providing capacity-building assistance in the form of human rights trainings and legislative drafting assistance, and issuing and updating its *Digest of Jurisprudence of the United Nations and Regional Organizations on the Protection of Human Rights while Countering Terrorism*.¹⁴³ As part of the CTITF working group on protecting human rights while countering terrorism, OHCHR will be releasing a series of reference guides on such relevant issues as stopping and searching and security infrastructure, which will be presented to member states in the fall of 2010.¹⁴⁴

As mentioned earlier, serious concerns have been reported about human rights being negatively impacted by counterterrorism measures being applied too broadly by some states in the subregion. The United Nations can play a constructive role in working with states to ensure their counterterrorism efforts comply with their human rights obligations. In addition to availing themselves to the resources above, states in the subregion should cooperate with the Universal Periodic Review (UPR), UN treaty bodies, and the special rapporteurs and independent experts of the Human Rights Council, in particular the Special Rapporteur for the promotion and protection of human rights and fundamental freedoms while countering terrorism.

III. Possible Next Steps and Recommendations

Since its adoption, much of the Strategy implementation work has focused on the United Nations itself, under the leadership of the CTITF.¹⁴⁵ The recent appointment of the first full-time chair of the CTITF and plans to strengthen its small support office may eventually help it play a more significant role in supporting the efforts of states and regional and subregional bodies to implement the Strategy in North Africa and beyond. Among the priorities of the CTITF and North African governments will need to be promoting awareness of the Strategy and encouraging engagement on its implementation from the wide range of stakeholders mentioned above, moving the discussions beyond the corridors of foreign ministries in North Africa and diplomatic circles in New York and Vienna and out and down to the field and the operational level. Stimulating in-depth knowledge of the Strategy and sustaining the political momentum generated by its adoption are essential elements for ensuring its long-term relevance. This final section and the following recommendations explore ways in which the Strategy and engagement with UN bodies may provide added value in the effort to build effective subregional and international cooperation to deal with the threat of terrorism in North Africa.

The first significant area of comparative advantage offered by working through the Strategy framework is the geographic reach of the UN framework. The universal support for the Strategy means that UN bodies, relying on the Strategy, have a unique convening power, allowing the United Nations to bring together the states of the subregion and beyond to work on a wide variety of counterterrorism-

related projects and issues. This may help to overcome existing obstacles to cooperation within the subregion and suspicions that arise in cooperation between different actors and some external partners.

Second, the comprehensive thematic reach of the Strategy and the UN bodies involved in the CTITF means that the UN framework offers a platform for developing a more holistic approach to counterterrorism. Local, subregional, regional, and international partners would all stand to benefit from using the Strategy as a template for more holistic “whole of government” approaches to countering terrorism. At the national and regional level, engagement across all pillars of the Strategy, with stakeholders with expertise in all of these areas, will help states to address violent extremism and terrorism in a manner that addresses development, human rights, and security together. This approach could help provide an alternative to the perceived “militarization” or “securitization” of relations in the name of counterterrorism.

These comparative advantages could be exploited in a number of ways. One option would be to use the Strategy to develop a comprehensive, coordinated subregional approach to these issues, for example a subregional plan of action developed through the Euro-Med Partnership, a collaboration between the LAS and the Economic Community of West African States, or through an ad hoc grouping of states. This could be achieved through the organization of a major conference convening traditional and nontraditional counterterrorism actors, from within government and civil society, to draw attention to the Strategy and create high-level political cover for a significant increase in subregional counterterrorism cooperation. The CTITF and its support office also might use such a conference to help identify subregional priorities for Strategy implementation.

Another, although not mutually exclusive option would be to pick up and reference the Strategy in narrower, issue-based or problem-oriented cooperation. The advantages of this kind of approach might lie in the flexibility of participation and the ability to build trust through collaboration on narrow technical issues, avoiding larger political sensitivities. As the sensitivities around the 16 March 2010 Algiers meeting on collaboration against AQIM shows, there may be a role for the United Nations to help convene North African states and provide a neutral space for their collaboration in narrower functional areas of cooperation.

One area that seems particularly ripe for increased collaboration in the subregion is police training and capacity building on cross-border cooperation. The Al-Qaida/Taliban Sanctions Committee’s Analytical Support and Sanctions Monitoring Team has already convened several meetings of intelligence chiefs in the subregion, and this, together with existing efforts supported by the EU and the United States, might provide the basis for building a program of joint training for law enforcement officials in the subregion to strengthen cross-border ties and begin to build trust in cooperation on counterterrorism issues. Such a program could lay the groundwork for the activation of a Euro-Med Partnership–based, or Union of the Mediterranean–based, justice collaboration network, like EUROJUST and ARABJUST and the establishment of an INTERPOL subregional bureau in the region.

Another area ripe for problem-oriented collaboration is the creation of a mechanism for subregional religious discussion, exploring issues such as the role of religious bodies in countering the appeal of terrorism,

deradicalization, amnesties, and activities in prisons and on the Internet, sharing experiences from around the subregion and perhaps beyond.

Finally, counterterrorism cooperation in and on North Africa is currently seriously hampered by weak information-sharing and analysis, even based on open source information. This is particularly noticeable in the highly speculative and, in some cases, alarmist reporting on the connections between AQIM and drug trafficking in the Sahel. This highlights the pressing need for a thorough, independent analysis of the transnational threat vectors passing through West Africa, the Sahel, and North Africa conducted by one or more independent research organizations based in and beyond the region. Without adequate information-sharing and analysis, counterterrorism cooperation in the subregion risks remaining inefficient, inaccurate, and potentially ineffective.

The following recommendations were developed through consultations with representatives from North African states, relevant regional and subregional bodies, civil society, and other relevant stakeholders, although they ultimately represent the views only of the Center. They outline steps that states in the subregion and their partners could take to build trust and begin to deepen formal patterns of multilateral cooperation on counterterrorism in the subregion, including specific steps the United Nations could take to help facilitate that process. They are detailed below in three groups: those dealing with the Strategy as a whole; those stemming from Pillars I and IV of the Strategy (focusing on conditions conducive to the spread of terrorism, human rights, and rule of law); and those dealing with Pillars II and III of the Strategy (combating terrorism and building the capacity of states in the subregion to do the same).

Recommendations Relating to the Strategy as a Whole: Toward In-depth Knowledge and a Coordinated Process for Active Implementation

The United Nations and member states need to engage in a sustained manner across all four pillars of the Strategy to ensure that North African states develop an in-depth knowledge of the Strategy and to develop a coordinated process for its effective and active implementation. All UN member states, including the countries of North Africa, have had a hand in developing and adopting the Strategy; they all similarly should have a role in its implementation, taking ownership of it in their own domestic policy contexts and using it as a framework for cooperation.

A comprehensive approach to Strategy implementation requires improved coordination and cooperation not only among the states of the subregion, but also among regional, subregional, and international organizations and bilateral and multilateral partners and civil society, across all four pillars of the Strategy. The United Nations itself has an important role to play in making this happen, not only by plugging gaps and bolstering state capacity but, crucially, as an impartial and honest broker facilitating the development of multi-stakeholder solutions.

Recommendation 1: Convene a Subregional Stakeholder Conference

The CTITF, working with relevant multilateral organizations in the subregion such as the LAS, Arab Maghreb Union, ACSRT, OIC, and ISESCO as well as North African states, should promote further discussion of a comprehensive counterterrorism agenda for North Africa. This discussion could be achieved through the convening of a subregional stakeholder conference to discuss further Strategy implementation, with a view to the development of a subregional action plan and the mobilization of specific resources for the execution of that plan.

Although confidence-building measures are necessary to ensure buy-in from all the countries in the subregion, the United Nations, because of its political distance from the subregion, neutrality, and universality, is well placed to help facilitate such a meeting. Such regional and subregional meetings have been used to great success to promote implementation of Resolution 1540, which aims to prevent weapons of mass destruction proliferation. In a broader context, donor pledging conferences in postconflict, postdisaster, and development contexts have proven efficient means in recent years of mobilizing and coordinating extensive resources for targeted assistance packages. Such a subregional stakeholder conference would allow states in the region, donors, and other stakeholders to think more strategically about their counterterrorism programs and capacity-building efforts and would facilitate coordination. It could provide a platform for developing plans for Strategy implementation and the development of new cooperative institutions.

Recommendation 2: Develop a Subregional Action Plan

Such a subregional stakeholder conference could be used by North African states, regional and subregional organizations, and their partners from outside the subregion to develop a comprehensive action plan for the subregion, although such a plan could be developed outside the context of such a conference. Such an action plan would provide for specific, clear, and tailored efforts to deal with terrorism, creating timely and achievable goals that would allow the measurement of collective progress. Such a plan would likely help mobilize resources for subregional capacity-building by providing a demonstration of commitment to tackling the complex issues around terrorism and encouraging states in the subregion to request specific forms of technical assistance.

Recommendation 3: Develop National Action Plans

Although a subregional action plan may help facilitate cross-border cooperation on these issues, many of the activities required for effective counterterrorism will continue to be taken primarily at the national level. North African states should develop whole-of-government counterterrorism plans and coordination mechanisms, such as whole-of-government task forces or interministerial committees, where appropriate, including the participation of the focal points that states have nominated to liaise with the ACSRT on counterterrorism issues. Where necessary, states should be prepared to seek technical assistance from the United Nations and other external partners to establish these arrangements. Further, as noted in

Recommendations 11 and 18 below regarding civil society participation, whole-of-government approaches should allow for regular interaction with nongovernment entities, who can provide valuable information on threat assessments and input regarding the effects that national counterterrorism measures can have on civil society's ability to help support Strategy implementation.

Recommendations Relating to Pillars I and IV of the Strategy: Fostering a Culture of Peace

National counterterrorism strategies and any eventual subregional action plan need to balance the coercive capacities on which Pillars II and III focus with the preventive efforts encompassed by Pillars I and IV of the Strategy. To that end, there are a number of specific steps that North African states, relevant regional and subregional bodies, and their external partners could take to strengthen the subregion's capacity to deal with conditions conducive to the spread of terrorism and to ensure respect for human rights in the fight against terrorism.

Recommendation 4: Redouble Conflict Prevention Efforts and Confidence-Building Measures to Counter Conditions Conducive to the Spread of Terrorism and Obstacles to Deeper Subregional Cooperation

The prospects of effective counterterrorism cooperation in North Africa are greatly limited by ongoing political and armed conflicts in the subregion. Although it is the responsibility of states in the subregion to resolve their disputes peacefully, the United Nations, as a neutral, impartial, and honest broker, can play a potentially significant role in facilitating the peaceful resolution of disputes. Efforts by the UN Security Council and other organs, as well as the Secretary-General, to resolve these conflicts have the potential to make a major contribution to combating conditions conducive to the spread of terrorism in the region. More could be done in this regard, particularly by developing counterterrorism conflict resolution and stabilization strategies for specific parts of the broader region, including Mauritania, Niger, and the Western Sahara. The dynamics of conflict in, around, and over the Western Sahara must be addressed as a central part of any comprehensive counterterrorism strategy for the subregion. This dispute is a central obstacle to deepening counterterrorism cooperation in the subregion. Confidence-building measures on the Sahara issue between Algeria and Morocco might provide the basis for broader cooperation between these two key states on a range of security and counterterrorism-related issues.

Recommendation 5: Actively Promote a Moderate Counternarrative to Extremist Violence in and Beyond the Subregion

As discussed in section II, North African states have developed notable expertise and resources for promoting moderate counternarratives refuting the specific claims and general principles of violent extremists in the subregion. These include counternarrative materials, such as authoritative religious treatises contesting the specific doctrinal interpretations of noted extremist intellectual authorities, as well as methods of engagement, such as outreach through clerics and specially trained female religious leaders and on the Internet. Yet, most of these materials and methods remain little known outside the states in

which they were developed. CTED, under the mandate granted to it by Resolution 1624, and the CTITF could actively encourage states in the subregion to work together to share these methods and materials. This could take the form of a compilation of materials available online or a training program delivered in partnership with an organization such as ISESCO.

Recommendation 6: Establish a Subregional Lessons-Learned Process on Counter-radicalization, Rehabilitation, and Reintegration

A number of North African states have considerable experience with programs, some quite large in scale, designed to rehabilitate and reintegrate violent extremists. There is much to be gained by their sharing these experiences and developing lessons learned and common resource materials and by supporting each other's efforts. Such a process ought to be designed not only for consumption within the subregion, but also for informing and assisting the work of other partners outside the subregion. These lessons learned could be developed through the creation of an official-level, ad hoc multicountry working group to engage in study tours, evaluations, and peer review. Such a working group could include officials and nongovernmental experts who have been involved with or studied such programs. It might be useful to consider whether the United Nations, ISESCO, or an international nongovernmental organization could facilitate such an effort by serving as an impartial chair and secretariat to the process.

Recommendation 7: Encourage Intra- and Interfaith Dialogue

North African states and regional and subregional organizations, including ISESCO, should continue to support social, intrafaith, and interfaith dialogue with a view to supporting values of tolerance, moderation, and nonviolence. These actors should consider creating a subregional forum for such dialogue and funding extensive outreach by that forum to communities in and around the subregion. At the same time, international actors such as the Alliance of Civilizations, the Euro-Med Partnership, and UNESCO should encourage engagement by the subregion with existing interfaith dialogue mechanisms.

Recommendation 8: Support Exchange and Training Programs for Religious Authorities Within the Subregion

North African states should work individually and cooperatively and with organizations such as ISESCO and civil society to encourage the training of religious authorities to help foster increased understanding of and tolerance for difference, to build confidence, and to foster resort to dialogue rather than violence as the basis of dispute resolution. ISESCO and its partners could play a valuable role in providing a framework for such activities and in reporting on them to the CTITF and other relevant bodies in New York.

Recommendation 9: Foster a More Nuanced Differentiation in International Discourse Between Religion and Terrorism

North African states and their international partners could do more to effectively distinguish between religion and terrorism in international discourse. Specifically they could promote the development of a “counter-lexicon” to provide a more credible characterization of extremist threats in the subregion that does not treat religion and terrorism as synonymous and to avoid using religious terminology when describing terrorists or terrorist groups that implies a link between their violence and any religion.

Recommendation 10: Encourage Expedient Clarification of International Law and Policy on Ransom Payments

The payment of ransoms to criminal organizations with terrorist connections to secure the release of kidnapped individuals has become an increasing source of funding for AQIM and other terrorist and criminal groups in the subregion. Such payments are contrary to the spirit of existing international norms and represent questionable policy, given the material support such payments provide to these organizations and the resulting moral hazard. The absence of certainty around the legality of such payments contributes to a climate of suspicion and mistrust. Despite efforts to clarify the legal situation around such payments, including through the AU, UN General Assembly, and UN Security Council Resolution 1904, serious questions appear to remain. States should seek expedient clarification of international law and policy on ransom payments, for example by tasking the International Law Commission with clarifying the situation or seeking an advisory opinion from the International Court of Justice.

Recommendation 11: Empower Civil Society

Civil society has important contributions to make to counterterrorism in awareness raising, activism, education, research, and oversight and as potential assistance and service providers, as well as having a critical role in ensuring that counterterrorism measures respect human rights and the rule of law. Rather than using counterterrorism as a pretense for restricting the space afforded civil society, North African states should empower civil society as partners in their efforts to counter violent extremism across the subregion, for example by engaging civil society groups in threat assessments (Recommendation 18); through cross-border educational, cultural, and religious exchanges (Recommendations 7 and 8); and in rehabilitation and reintegration efforts (Recommendation 6). UN bodies have a key role to play here, especially the CTITF, through active outreach to and support for civil society organizations across the subregion. Civil society organizations will be key partners in Strategy implementation, not only by providing capacity to carry out activities themselves, but also by providing checks and balances in Strategy implementation.

Recommendation 12: Humanize the Victims of Terrorism

North African states, external donors, regional and subregional organizations, and the United Nations should do more to help articulate the moral and material claims of victims of terrorism and to

harness the considerable moral authority victims enjoy in campaigns to prevent and counter terrorism. This might be facilitated by the establishment of a Northern African Association of Victims of Terrorism or through states facilitating the work of the Global Survivors Network in the subregion. The UN Secretary-General and the CTITF should do more to foster intraregional discussion of the impacts of terrorism on human lives, communities, tourism, economies, and governance. These efforts are more successful if they are led and implemented by civil society groups that are able to give a voice to victims without representing official positions or political interests.

Recommendation 13: Further Strengthen the Subregion's Engagement With International Human Rights Institutions to Ensure the Strongest Possible Respect for Human Rights in Counterterrorism Efforts

States in the subregion should cooperate with the UN Human Rights Council's UPR, submit timely reports to the UPR and UN treaty bodies, cooperate with the Human Rights Council's special procedure mandate holders, and implement the recommendations made by the Human Rights Council. OHCHR assistance should be made available to those countries that require help in the preparation of such reports and submissions. States in the subregion should send a standing invitation to visit to all relevant special rapporteurs and independent experts of the Human Rights Council, in particular to the Special Rapporteur for the promotion and protection of human rights and fundamental freedoms while countering terrorism and any successor mandate established by the Human Rights Council.

Recommendation 14: Reform Prisons, Detention, and Interrogation Arrangements to Eliminate Conditions Conducive to Terrorism

The use of torture and cruel, inhuman, and degrading treatment and degrading and dehumanizing conditions of detention can contribute to furthering violent radicalization. North African states should work with each other and relevant multilateral organizations to reform prison, detention, and interrogation arrangements across the subregion to ensure such conditions conducive to the spread of terrorism are not present. Transparency and effective engagement with international oversight bodies, such as the Committee of the UN Convention against Torture, are particularly important.

Recommendations Relating to Pillars II and III of the Strategy: Strengthening North African Institutional Capacity to Combat Terrorism Through Improved Cooperation

Recommendation 15: Closer Integration of Efforts by UN, Other Multilateral, and Bilateral External Partners to Strengthen the Subregion's Institutional Counterterrorism Capacity

The Strategy should be used as the framework for closer integration of efforts by a range of partner states and organizations to strengthen the institutional counterterrorism capacities of North African states. Foreign donors, including the EU and United States, should look to the Strategy as a normative basis for their own engagement and as a framework for more effectively coordinated support to the subregion. Such coordination could be achieved through a subregional stakeholder conference like that

proposed in Recommendation 1, but it also should be pursued regardless of the holding of any such conference. Wherever possible, more should be made of the possibilities of integrating existing support arrangements for the subregion through the inclusion of relevant UN actors. Where the United Nations is already represented, for example in the Euro-Med Partnership, thought should be given to harnessing these arrangements for Strategy promotion and implementation.

Recommendation 16: Create a UN Counterterrorism Presence in the Subregion

Effective Strategy implementation in North Africa will require sustained, long-term engagement involving a continuous, on-the-ground presence to take responsibility for UN engagement with the subregion on these issues. Such a presence need not be established through the creation of positions requiring new resources, but instead could be created through the “double-hatting” of existing UN bodies on the ground in the subregion, given “lead agency” responsibilities in a manner similar to the “Delivering as One” system now being implemented by the United Nations in the development, environment, and other spheres. This double-hatted agency or officer should be drawn from the members of the CTITF and would take responsibility for coordinating CTITF member bodies’ counterterrorism activities in the subregion, liaising with the CTITF office in New York, and facilitating engagement with stakeholders inside and outside the subregion. It likely would increase the visibility, in-depth knowledge, and effective implementation of the Strategy in the subregion greatly and would reduce duplication in capacity-building efforts by UN and other partners. It also would help ensure that counterterrorism efforts not only focus on security-related efforts but address conditions conducive to the spread of terrorism by bringing to bear the multisectoral expertise and resources of the UN system as a whole.

Recommendation 17: Strengthen the Role of and Connections Between the Subregion’s Counterterrorism Focal Points

Most of the subregion’s states have already established national counterterrorism focal points, either to facilitate interagency cooperation at the national level or to facilitate international cooperation. Many of these focal points have been established within the context of the AU’s ACSRT. Yet, the connections between these focal points and the resources many of them can access at the national level are frequently thin. Strengthening the role of these focal points within the domestic policy context and the connections between them might prove to be a particularly effective approach to strengthening subregional counterterrorism capacity and cooperation. Such support might take the form of engagement by donors and the United Nations with the subregion’s focal points to discuss existing arrangements at the national level and their assistance needs and to facilitate, perhaps through the ACSRT and relevant UN partners, the development of targeted assistance packages.

Recommendation 18: Develop a Subregional Threat Analysis Process

Efforts to deter and dismantle terrorist threats in the subregion call for a more nuanced assessment of the vectors through which these terrorist organizations are emerging, developing, sustaining themselves, mounting operations, and promoting their messages. Much existing analysis of terrorist organizations

operating in the subregion is nationally focused. There are significant cultural, political, financial, and logistical obstacles, absent state cooperation, to developing a more accurate understanding of any transnational connections that may exist. By most accounts, the operations of terrorist organizations in the Sahel and their interaction with local criminal, religious, armed, and simply social groups are poorly understood.

States should cooperate, perhaps under the auspices of a neutral broker such as the United Nations, on an objective subregional threat assessment process, as a basis for evidence-based policy development and technical assistance. To avoid concerns about the politicization of any process that might be needed to develop such a threat assessment process, it may be worth considering the inclusion of civil society and other nongovernmental actors from across the subregion and beyond, the use of a methodology requiring corroboration of confidential information with open-source analysis, or a protocol for developing the subregional assessment that involves states first developing their own national threat assessments and then combining these through a collaborative committee process involving representatives from those states and from other affected stakeholders, similar to processes used to generate shared threat assessments in other areas such as climate change, natural disaster, and money laundering.

Recommendation 19: Broaden and Deepen Cross-Border Technical Cooperation, on the Basis of a Subregional Stocktaking Exercise

Although states in North Africa continue to find cooperation at the political level on counterterrorism issues challenging, the states in the subregion already cooperate frequently on a range of technical issues, often with considerable success. This cooperation sometimes occurs in the context of engagement with external sectoral bodies providing assistance on issues such as AML (FATF), customs and border control (the WCO), and civil aviation cooperation (ICAO). Such cooperation should be continued and, where possible, extended to areas such as maritime border control, the development of national FIUs, and police training.

One way to facilitate such cooperation might be for external donors to fund a subregional stocktaking exercise to identify the technical law enforcement issues on which states have found it easier to cooperate and to identify the dynamics that facilitated such cooperation. Such a stocktaking exercise would provide the basis for a more evidence-based, results-oriented approach to capacity building in the subregion and could be a crucial input for the kind of subregional stakeholder conference proposed in Recommendation 1 and the subregional and national action plans proposed in Recommendations 2 and 3. This kind of approach also would help alter perceptions in the subregion that counterterrorism cooperation with external actors may be too heavily focused on military cooperation.

Recommendation 20: Work Toward Institutionalized Subregional Law Enforcement Collaboration, Drawing on Experiences From Other Regions

Arab states, including the North African states, have previously expressed interest in developing an institutionalized, regional law enforcement capacity, perhaps along the lines of EUROJUST, the European investigative and prosecutorial cooperation mechanism. To try immediately for such an ambitious objective may be overreaching. Instead, a number of relevant models might be of utility as North African states and their partners work toward a regionalized law enforcement cooperation mechanism: the development of the European Justice and Home Affairs *acquis* and institutions through a process of long-term trust-building and cooperation; the development of regional police chiefs committees elsewhere in Africa, such as the Southern African Region Police Chiefs Cooperation Organization and the West African Police Chiefs Committee; the Jakarta Center for Law Enforcement Cooperation; and the Intergovernmental Authority on Development's Capacity Building Program Against Terrorism. CTED and the CTITF, states in North Africa, and foreign partners should consider whether it may be feasible to develop such an institutionalized mechanism for law enforcement collaboration in the subregion. A similar process under way at present in South Asia, led by CTED, working in close cooperation with the Center on Global Counterterrorism Cooperation and numerous state partners, might offer a useful model.

Recommendation 21: Create an INTERPOL Subregional Office for North Africa

North Africa is the only subregion in Africa not serviced by an INTERPOL subregional office. This absence hampers cooperation by law enforcement agencies and weakens the subregion's counterterrorism capacities. The LAS Council of Arab Ministers of Justice and Interior should take the lead in encouraging North African states actively to work to establish such an office. That office could be collocated with any eventual subregional law enforcement center.

NOTES

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¹²⁶ The UN General Assembly had been the main forum for the development of a variety of international legal instruments designed to facilitate cooperation against terrorism, and the UN Office on Drugs and Crime (UNODC) had long assisted states in this fight through its Terrorism Prevention Branch (TPB). Following 9/11, Security Council actions such as the creation of extensive counterterrorism regimes in Resolutions 1373 and 1540 had overshadowed some of these efforts.

¹²⁷ According to its Web site, “The Group of 77 is the largest intergovernmental organization of developing states in the United Nations, which provides the means for the countries of the South to articulate and promote their collective economic interests and enhance their joint negotiating capacity on all major international economic issues within the United Nations system, and promote South-South cooperation for development.” See <http://www.g77.org/doc/>. Notwithstanding this nominal economic and developmental focus, the Group of 77 plays a key role as an informal political bloc and coordinating mechanism within the UN system.

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