



UN GLOBAL COUNTER-TERRORISM STRATEGY AWARENESS RAISING IN AFRICA:

BUILDING AN AFRICAN CIVIL SOCIETY NETWORK TO SUPPORT THE IMPLEMENTATION OF THE UN GLOBAL COUNTER-TERRORISM STRATEGY

**MANDELA RHODES PLACE HOTEL
CAPE TOWN, SOUTH AFRICA**

24-25 JUNE 2009

CO-CHAIRS' SUMMARY

Session One: The UN Global Counter-Terrorism Strategy

The first session explored the significance of the UN Strategy for Africa and the extent to which CSOs are aware of it and see the threat posed by terrorism as a priority. It also looked at the experience of civil society in working with the United Nations, the African Union, and the Regional Economic Communities (RECs) to strengthen continental, sub-regional, and national responses to terrorism.

It was pointed out that the United Nations' contributions to counterterrorism did not begin in 2006 with the adoption of the Strategy, but rather include a series of 16 counterterrorism conventions dating back to the 1960s; a series of General Assembly resolutions condemning terrorism; targeted counterterrorism-related sanctions; as well as a series of UN Security Council resolutions adopted in the aftermath of 9/11, which imposed a range of counterterrorism obligations on all member states.

The Strategy, it was pointed out, does not so much impose new obligations as it bundles these preexisting UN commitments into a single, more comprehensive framework. What is new about the Strategy is that it broadened the ownership of the UN counterterrorism program as well as the scope and substance of what constitutes counterterrorism by including measures to address underlying conditions conducive to the spread of terrorism and measures to ensure respect for human rights and the rule of law as the fundamental basis for counterterrorism efforts.

The Strategy, it was noted, also contains specific language encouraging civil society to engage on its implementation, the first UN counterterrorism document to do so, and therefore provides a common framework for states and civil society to engage on the issue. Participants considered the contributions of civil society across the spectrum of issues covered in the Strategy as well as more broadly in raising awareness of the Strategy and promoting and monitoring its implementation.

Although civil society does have important contributions to make to Strategy implementation, particularly in addressing conditions conducive to the spread of terrorism and ensuring respect for human rights, the point was made that it is not necessary to place the "counterterrorism" label on

every related interaction of civil society on Strategy-related issues. The Strategy, it was argued, should not be viewed as an attempt to appropriate or securitize the work of civil society on development, good governance, and related issues, but rather a simple recognition that those activities contribute to addressing the root causes of terrorism. Civil society, it was suggested, should promote a message that reverses the counterterrorism and development debate and pitches counterterrorism efforts as part of broader development and capacity building efforts, not the other way around.

Of the Strategy's four pillars, it was noted that civil society has perhaps the most significant contributions to fleshing out the human rights pillar which is the vaguest and least operational of them. Some suggested that the human rights pillar was mere "window dressing" and that civil society needed to do more to operationalize its provisions and remind states of their obligations. In particular, civil society was urged to do more to lobby governments and intergovernmental bodies to ensure that the various terrorism sanctions regimes and black lists include necessary human rights protections and due process guarantees.

Although there was agreement that the Strategy better reflects African perspectives and priorities with regard to counterterrorism than previous UN instruments in this field, it was argued that these perspectives need to be better incorporated into the UN efforts to implement that framework. Participants emphasized the essential role of regional and subregional bodies and civil society in that regard. It was suggested that more coordination is necessary between the United Nations and African institutions and organizations and that the UN's Office of the Special Adviser on Africa (OSAA) could play a role in improving relations among the UN system, African institutions, and civil society on Strategy implementation. Specifically, it was recommended that OSAA work to bring these multiple stakeholders together to discuss Strategy implementation on the continent and consider jointly organizing with the UN Counter-Terrorism Implementation Task Force a conference in Africa on implementing the Strategy in the region.

Caution was voiced about the opportunity costs of continuing to invest limited donor funds in building the coercive capacities of states at the expense of longer-term efforts to promote development and build broader state capacity. Donors were urged to align their assistance efforts with the priorities laid out in the Strategy and do more to address underlying conditions conducive to the spread of terrorism. The Strategy, it was suggested, offers civil society a potent tool to remind states of their commitment to do so.

In emphasizing the important contributions of development tools at the regional level, it was suggested that Strategy-related considerations could be incorporated in the New Partnership for Africa's Development (NEPAD) and included in its African Peer Review Mechanism (APRM). CSOs, it was recommended, should play a bigger role in the peer review process and could develop and incorporate continental standards for Strategy implementation into the process.

Civil society, it was argued, needs to accept that terrorism is a real threat and should be countered robustly, but fairly. In appreciating the legitimacy of the threat and recognizing it is not a zero-sum game, it was suggested, that civil society could play a more constructive role working with states and inter-governmental bodies to tailor responses that ensure protection of human rights and address underlying conditions. Hope was expressed that the adoption of the Strategy and other recent political developments would help to make civil society less reflexively "counter" counterterrorism and provide an environment more conducive to constructive engagement on the issue.

Governments and inter-governmental bodies for their part were accused of frequently touting the role of civil society in rhetoric but being far less willing to actually engage with civil society in practice and develop the mechanisms and provide the information necessary to facilitate that engagement. For example, it was observed that many African states lack legislation guaranteeing freedom of information. Both governments and inter-governmental bodies such as the United Nations and its counterterrorism-related bodies were urged to make more information available to civil society on the threat and their response to enable civil society to engage more constructively and in a more informed manner on the issue.

Participants observed that the Strategy represents a convergence of international and African perspectives on terrorism and urged their civil society colleagues to consolidate the opportunity afforded by it to insert themselves into and shift the counterterrorism debate.

Session Two: Measures to Address Conditions Conducive to the Spread of Terrorism

This session explored the work being undertaken by African CSOs in different fields and how it might contribute to addressing some of the conditions conducive to the spread of terrorism identified in the UN Strategy. It also sought to identify ways in which CSOs might further be able to contribute in this area.

A number of conditions conducive to the spread of terrorism in Africa were mentioned. These include 1) “democratic perversion”; 2) all forms of discrimination; and 3) prolonged unresolved conflicts that have degenerated into violent adversarial confrontation.

It was noted that “democratic perversion” lies at the root of many of the violent conflicts that have translated into terrorism in Africa. Further, the basic problem of the lack of good governance in Africa, as well as political exclusiveness and socio-economic marginalization can all be traced to this phenomenon. It was mentioned that the idea that Africa is democratizing is only partially true, with the majority of African states merely attempting what could, at best, be regarded as “electoral democracy” or the conduct of a multi-party election so as to give the impression that the leaders fulfill the democratic principle of being elected.

Discrimination, including that based on ethnicity, gender, religion, and ideology, flourishes in an environment where the rule of law and democratic governance are lacking. Victims of such discrimination, participants noted, increasingly resort to violent tactics, which border on terrorism, when peaceful means of redress are not open to them.

Participants also stressed how prolonged unresolved conflicts have provided a breeding ground for terrorism across the continent. Terrorism in Africa, it was argued, should be viewed as a product of conflict escalation.

A number of suggestions for addressing these conditions were put forward. For example, greater efforts are needed to enhance Africa’s democratic practice to ensure broad public participation in the affairs of state and a utilitarian approach to public resource management. It was also suggested that more attention should be given to putting in place effective conflict management mechanisms at the national level. Such mechanisms, it was mentioned, should include conflict prevention/peace promotion and consolidation; conflict control/abatement; and conflict resolution. In this context, it was noted that African leaders have tried to improve competence in conflict management, especially at the AU and sub-regional levels by putting in place the

necessary structures and tools to manage conflicts. However, resource constraints have significantly limited the impact of these mechanisms.

In addition to increasing resource flows to allow these continental and subregional mechanisms to work, the point was made that Africa must do more at the level of the state to ensure peaceful mechanisms are in place for the timely and decisive response to internal conflict situations to prevent the frequent resort to violence and terrorism in redressing grievances.

Although recognizing the well-documented weaknesses of CSOs across the continent, participants enumerated a number of ways in which they, if well-organized, can contribute to counterterrorism efforts in Africa. These include: 1) advocating in support of good governance and adherence to the rule of law and human rights obligations; 2) providing education, especially in the areas of training workshops to wean youth out of cultism and the frequent resort to violence and engaging them in peaceful advocacy activities to promote democratic governance and people-oriented public resource utilization and management; 3) conducting research on the state of the African response to terrorism in terms of translating the counterterrorism measures agreed upon at global and continental levels into actions in their respective societies; and 4) supporting interventions in conflict management/training to help spread a bargaining culture in their respective societies.

On a continent where women are generally excluded from the negotiating tables and discussions of terrorism and counterterrorism, participants considered what role, if any, women's organizations play in addressing conditions conducive to the spread of terrorism in Africa. The point was made that African women are often marginalized, with patriarchal African governments frequently ignoring the human rights of women. Partly as a result, it was noted that women in Africa are consumed with dealing with the "terrorists" in their bed, house, governments, and political parties. Given this backdrop, one participant said that the African women's movement is more interested in fighting what was described as "patriarchal terrorism," which is one of the main aspects of state terrorism, than it is in fighting global terrorism. This is particularly so when supporting the latter might contribute to reinforcing patriarchal national governments.

Looking beyond terrorism and counterterrorism, the point was made that the women from the Mano River Union had to impose themselves on their governments in order to have their voices heard and make a difference, i.e., to help put a stop to the wars that had been plaguing Guinea, Liberia, and Sierra Leone.

It was also noted that women's groups are contributing to addressing conditions conducive to the spread of global terrorism, albeit indirectly, as a result of their work in strengthening the rule of law, promoting good governance, advocating for education reforms, engaging with marginalized communities, and promoting peace.

On a broader level, it was noted that many African governments have difficulty working with CSOs, especially those concerned with good governance and human rights, because these are the very organizations which are focused on trying to counter the oppressive behaviors and tendencies of governments. Some participants cited this fact as among the reasons why countering terrorism is one area where civil society and governments are least likely to be able to cooperate.

Participants turned their attention to the important work being done by CSOs in marginalized

communities in different part of Africa and how this is contributing to addressing the social, economic, and political marginalization that can lead to terrorism and other forms of violent extremism. For example, it was noted how the Consortium for the Empowerment and Development of Marginalized Communities (CEDMAC) operates in marginalized areas in Kenya, often along the borders, which are poorly developed, have limited infrastructure, and are cut off from the central government. CEDMAC's work focuses on civic education, good governance, and democracy advocacy, as it seeks to empower these communities to engage with the national authorities using non-violent means. In this context, participants discussed the challenges CSOs face in working with marginalized groups, some of whom governments might be prone to label as "terrorists" given the tendency of some governments on the continent to apply this label to political opponents or dissidents. Yet, the point was made that civil society engagement in those communities most prone to politically-motivated violence (e.g., those with limited connection to the central government), including through democracy promotion and good governance programs, is a critical component of preventing terrorism.

Participants also considered the importance of finding ways to empower CSOs to become more engaged in the discourse on terrorism and counterterrorism on the continent. The view was expressed that framing the issue in the more palatable context of rule of law promotion might help some CSOs overcome their reluctance to engage. It was also emphasized that given the severity of the threat in many parts of Africa, CSOs should not only adopt an adversarial role towards the state as governments seek to enact and implement counterterrorism measures. In addition to speaking out against government attempts to use counterterrorism measures to target political opponents or human rights violations committed in the name of countering terrorism, CSOs should be supporting and promoting government adoption of appropriate counterterrorism measures.

It is critical for CSOs working on issues of governance, democracy, poverty reduction, and with marginalized communities not to shy away from discussions of terrorism and counterterrorism, but to engage proactively thereby denying governments a monopoly over the debate. This engagement, it was noted, is essential for ensuring that the "softer" and less-militaristic approach to counterterrorism reflected in the Strategy takes root on the continent itself. In order to be able to contribute to the debates effectively, however, the point was made that CSOs need to increase their understanding and awareness of the threat and what is needed to address it effectively. In addition, participants emphasized that too many governments across Africa fail to provide CSOs with the space and information needed to allow them to contribute meaningfully to efforts to prevent and combat terrorism. Thus, the United Nations and other actors interested in promoting effective responses to terrorism on the continent should highlight the need for all governments to give CSOs the space and information necessary to allow them to contribute to addressing the threat.

In addition, to maximize the contributions of CSOs, participants emphasized the need for there to be more information sharing, collaboration, and cooperation among them, including across the different subregions of Africa. With respect to their role in Strategy implementation, the point was made that few CSOs are actually aware of this UN framework or the wide range of UN counterterrorism activities. Thus, the United Nations, African states, and those few CSOs who are familiar with the Strategy need to make it a priority to raise awareness of the Strategy and the role of the UN in fighting terrorism.

Sessions Three and Four: Measures to Prevent and Combat Terrorism and Building States' Capacity to Combat and Prevent Terrorism

This combined session addressed the role of civil society in working with governments to develop and implement measures to prevent and combat terrorism as well as the challenges these measures sometimes pose for civil society. CSOs, for example, can make important contributions to the development of counterterrorism legislation and the reform of security services, but state-implemented counterterrorism measures can also pose serious challenges for civil society groups, which have sometimes been targeted by legislation or hampered by restrictions imposed in the name of combating terrorism. The session also addressed the related work being done by African CSOs to help build the counterterrorism and related capacities of states in areas such as combating trafficking in drugs, firearms, and persons, countering small arms/light weapons (SALW) proliferation, conflict prevention and resolution, peace-building, and good governance.

Civil society was described as having important roles to play in ensuring buy-in and sustainability for measures to prevent terrorism and build state capacity. While African CSOs have long contributed to efforts to combat the illicit trade in SALWs and other counterterrorism related issues, it was pointed out that African CSOs have only recently begun taking a lead role working with states to improve preventive counterterrorism measures and building state capacity.

Participants reflected on how civil society has worked to build the capacity of states to deal with issues such as human rights, Security Sector Reform (SSR), SALWs, transnational crime, human trafficking, and conflict prevention. For example, the work of the Kofi Annan International Peacekeeping Training Centre in helping to build the capacity of states in West Africa to deal with SALW proliferation and conflict prevention was highlighted as well as that of a number of Nigerian CSOs working on these issues. With regard to conflict prevention, it was pointed out that the January 2008 Conflict Prevention Framework adopted by the Economic Community Of West African States (ECOWAS) recognizes the important role that civil society plays in conflict prevention and provides guidelines and entry points for civil society and other actors to engage in prevention initiatives in the subregion. Participants also heard about the efforts of CSOs such as the Women Trafficking and Child Labour Eradication Foundation that are working to address human trafficking in West Africa; the efforts of CSOs in Nigeria and elsewhere working to fight corruption and promote good governance; and how CSOs have worked with ECOWAS and its member states to try and address the issue of SALWs. Civil society was instrumental, for example, in pushing for an ECOWAS convention on SALWs, which was signed by ECOWAS Heads of State and Government on 14 June 2006.

A number of challenges to expanding the role of civil society in improving measures to prevent terrorism and building state capacity were identified, including: ethnic and religious divisions among groups; vulnerability to exploitation by governments; lack of transparency and poor management; lack of cooperation and coordination; lack of trust between civil society and governments; and lack of capacity on the part of civil society. It was suggested that more needs to be done to build trust between civil society and states to enable them to play a more active role in building capacity. In supporting the capacity of civil society itself, the efforts of donors such as the Open Society Institute and its support of the West Africa Civil Society Forum were applauded. States were urged to similarly support the capacity of civil society to engage on counterterrorism-related issues.

There was discussion of how all this relevant capacity-building work can be brought into the discourse on Strategy implementation without labeling it as counterterrorism. It was observed that although government and civil society are largely working towards the same ends, they approach these issues very differently and use very different language. It was noted that “counterterrorism,”

as a result of past excesses, has gotten a bad name. It was pointed out, however, that the work of civil society need not be relabeled as counterterrorism for them to engage on the issue. It was even suggested that perhaps it no longer made sense to talk about counterterrorism as “counterterrorism” but instead to reduce it to its component parts, e.g. border security, good governance, etc. Alternatively, it was suggested that it might serve civil society’s interests to recognize that counterterrorism is a priority and to use that label and the Strategy to insert itself and its priorities into the counterterrorism discourse. In this way, it was argued, civil society could “make counterterrorism work for its priorities.”

In considering the contributions of civil society to preventive counterterrorism efforts, some lessons were offered from Algeria, where civil society was credited with contributions to community policing and in “delegitimizing the extremist project.” It was noted that ordinary citizens formed volunteer corps as part of Algeria’s counterterrorism efforts, helping to gather intelligence and serving an early warning function. Civil society, in particular Muslim clerics and Islamic organizations, also contributed actively by rejecting extremist rhetoric and working to correct distortions of Islam. It was emphasized that such groups not only worked to correct distortions of Islam and denounce terrorism but also actively helped (with the media, government, and social institutions) to create a counter-narrative, which rejects violence and the killing of innocents. Civil society and political parties, in Algeria, it was noted, were also active in supporting Algeria’s national reconciliation efforts which have helped to defuse underlying tensions.

It was suggested that greater efforts are needed to engage the press in building awareness of the Strategy. It was pointed out that civil society and the media can play critical roles in helping African states increase awareness of the threat and the impact of an attack on local communities, and in deepening public support for government action to address it and for the UN Strategy. It was recommended that civil society do more to proactively engage with the media to raise awareness about the Strategy and related issues.

A variety of ISS counterterrorism and related capacity-building projects, in particular the Intergovernmental Authority on Development’s (IGAD’s) Capacity Building Programme Against Terrorism (ICPAT) and the International Crime in Africa Programme (ICAP), were discussed and the lessons they offer shared among the participants. ICAP, it was described, grew out of IGAD interest in improving implementation of the AU counterterrorism instruments and initial threat and capacity assessments conducted in conjunction with the ISS. The program ultimately developed into a unique partnership between the ISS, a civil society organization, which staffs and administers the program and IGAD, which oversees it. It was emphasized that the partnership took root over a long period of time, through an inclusive, bottom-up process, based on the needs of the subregion and depends for its success on the political commitment from and ownership of the program by IGAD member states.

The ISS’s more recent International Crime in Africa Programme is designed to strengthen the criminal justice capacity of African countries to investigate, prosecute, and adjudicate terrorism cases. Through a combination of research, technical assistance, and training activities, ICAP provides a broad range of counterterrorism related support to a number of African countries and is currently engaged with the Southern African Development Community (SADC) and Southern African Police Chiefs Cooperation Organization (SARPCCO) through formal agreements to support their counterterrorism work. Among other things, the ISS recently partnered with SARPCCO to produce a comprehensive counterterrorism training manual for law enforcement officers and maintains a network/platform (web-based calendar) of researchers, scholars and

practitioners involved in counterterrorism in Africa (the African Research Network on Terrorism and Counterterrorism (ARNTACT)). As with ICPAT, it was pointed out that ICAP and its formalized partnership with SADC and SARPCCO grew out of a need identified by the member states and through gradual engagement by the ISS.

While the ISS has been successful in forging partnerships with governments and intergovernmental bodies, the challenges it faces in trying to carry out its work were highlighted. These include government suspicion of civil society; the need for patience in building trust with governments; the difficulty getting buy-in and ownership from governments; and limited capacity on the part of some government agencies.

As civil society begins taking on a more substantial role in providing counterterrorism assistance, it was suggested that CSOs need to ensure those efforts are coordinated. This coordination, it was pointed out, need not take place under the rubric of counterterrorism, but could be incorporated within existing rule of law, SSR, and other coordinating mechanisms. In considering how to improve cooperation among CSOs on counterterrorism-related issues, the point was made that CSOs have very little incentive to cooperate. Donors, it was suggested, should use funding to incentivize CSOs to cooperate and coordinate their activities.

In light of the range of relevant activities discussed, participants observed that “civil society” includes a wide spectrum of actors from advocacy-oriented groups that may define themselves in opposition to government, to more mainstream policy think tanks, such as the ISS, that often work in close cooperation with governments and inter-governmental organizations. Participants stressed that both kinds of CSOs, and the full range in between, have roles to play in promoting implementation of different elements of the Strategy. Governments, it was noted, are the actors that implement policy. Civil society can work to influence government either through advocacy, by working with government from the inside, or a combination of both. The role that CSOs play is determined by a number of factors including the issues they work on, their human and financial resources, and how they see their role.

Despite the diversity of activity that was discussed, it was noted that geographically, much of it seems to be taking place in certain West African countries, South Africa, Kenya, and a few other places, with far less activity elsewhere on the continent. It was recommended that governments and intergovernmental bodies such as the United Nations and the African Union do more to promote the role of civil society generally and to ensure civil society is provided the space necessary to operate.

Session Five: Ensuring Respect for Human Rights and the Rule of Law as the Fundamental Basis for the Fight against Terrorism

This session looked at how the work being done by CSOs to monitor state implementation of the UN, AU, and national counterterrorism frameworks, track human rights abuses committed in the context of countering terrorism, and raise public awareness and understanding of human rights issues as part of an effective campaign against terrorism. Discussion focused in particular on the cases of South Africa, Kenya, and Egypt.

Human rights, it was noted, comprises one quarter of the UN Strategy which is unprecedented for a UN document on counterterrorism. Nevertheless, as pointed out earlier, because of the way the document was negotiated, the language is rather vague and not particularly operational. The result

is that the human right elements of the Strategy are open to vastly different interpretations and it is almost impossible to monitor implementation or hold states to account.

Discussion focused first on the experiences of South Africa, which it was noted has signed most of the relevant international conventions on human rights and counterterrorism. Terrorism, it was acknowledged, is not perceived to be a major threat in South Africa, but the country nevertheless remains vigilant. Terrorism was described as primarily a law enforcement issue in South Africa. It was noted that law enforcement agencies in parts of Africa face a number of challenges that affect their capacity to ensure respect for human rights, including human and financial limitations, corruption, and public distrust. These same deficiencies, it was pointed out, also undermine their ability to effectively carry out community policing activities and collect information necessary for terrorism investigations. Concern was expressed over the use of administrative deportation procedures in South Africa, and other African states, in the place of formal extradition procedures and over increasing xenophobia, a phenomenon seen by some as linked to terrorism. Civil society, it was suggested, could play a more active role in lobbying the South African government to develop a plan of action to address the issue.

South Africa, it was pointed out, has a highly developed civil society sector and a number of prominent groups working on human rights issues. The work of the Human Rights Institute of South Africa, which conducts training on human rights issues, encourages ratification and implementation of relevant human rights conventions, and works with African regional and subregional organizations, was highlighted.

The active role of human rights CSOs in Kenya was also discussed. Kenya, it was emphasized, is in many ways much more vulnerable to terrorism than South Africa, and has both a history of being victimized by international terrorism and a wealth of potential targets. Much like South Africa, it was noted that Kenya has an active civil society sector with many groups working on human rights issues. Despite the vibrancy of civil society in Kenya and evidence of the threat of terrorism, it was pointed out that in Kenya and many other parts of Africa, few civil society groups are willing to engage on issues of human rights and counterterrorism. The perception is that terrorism is targeted against Westerners, not Africans, even though Africans bear the brunt of its effects. It was argued, that the perceptions that counterterrorism is a priority imposed from the outside, relies too much on coercive measures, and unfairly targets Muslims, has contributed to a hostility among civil society in Kenya (and elsewhere in Africa) to engage on the issue.

In Kenya, civil society, in particular Muslim groups such as the Muslims Human Rights Forum, have led successful efforts to oppose counterterrorism, and more recently anti-money laundering, legislation, which they claim target Muslims, give the government overly broad powers, and increase the potential for human rights abuses. Kenyan CSOs have also been instrumental in drawing attention to extrajudicial activity such as arbitrary detention and rendition of individuals captured along the Somali border.

Concern was expressed, however, that civil society and human rights groups in Kenya (and elsewhere) were reflectively opposed to anything associated with counterterrorism and seemed unlikely to accept legislation even if it was modified to address their concerns. It was argued that in the absence of such legislation the government may continue to rely on extrajudicial measures. Civil society and human rights organizations, it was suggested, may be able to accomplish more by constructively engaging with government and legislators to construct a balanced counterterrorism law that ensures necessary human rights provisions.

It was recommended that civil society needs a better understanding of terrorism and counterterrorism issues to enable it to engage more constructively on the issue. It was also suggested that civil society, and human rights groups in particular, should move beyond simply opposing government action to working proactively and where appropriate in partnership with governments and intergovernmental bodies on counterterrorism and human rights. Related to that, it was recommended that civil society and governments need to work to build trust and overcome the mutual suspicion which characterizes relations between them in so many African countries.

In Egypt, the threat of terrorism is more acute and the effects of the government response on human rights and civil society far more severe than in sub-Saharan Africa. Twenty-five years of “emergency rule,” justified by arguments that an exceptional threat justifies exceptional measures, were said to have cost civil society and human rights in Egypt dearly. Among the effects have been: unchecked executive power; arbitrary search and seizures; the targeting of human right defenders and political opponents; the creation of national security courts; and shrinking space for civil society.

Even in this atmosphere, civil society, in particular human rights groups, were said to have continued to work to monitor and assess counterterrorism measures, publicize government abuses, and work with international and regional human rights organs to put pressure on the government. An example was cited where the Egyptian Initiative for Personal Rights had taken the case of an accused terrorist to the African Court on Human and Peoples’ Rights which had issued a stay on the suspect’s execution while it investigates the matter.

Among the lessons learned from the experience in Egypt that were cited were that “exceptional measures” do not work and that existing law enforcement and criminal justice systems are in most cases capable of dealing with terrorism. Where law enforcement and judicial systems are lacking, efforts should focus on building the capacity of those systems rather than circumventing them or creating parallel structures which further undermine those existing systems and expertise. It was noted that although the UN Security Council called on states to implement counterterrorism legislation in the aftermath of 9/11, in hindsight perhaps it should have focused instead on bolstering the existing criminal justice capacity of states more broadly, as this has allowed room for adopting “exceptional” responses. It was further observed that emergency powers have corroded the ability of the police and judiciary to effectively investigate and prosecute terrorism cases within the rule of law and led to a culture of impunity within the security services that has undermined the public trust.

It was suggested that the international community needs to confront the apparent tension between its desire for stability in states such as Egypt and its proclaimed commitment to human rights. Despite the rhetoric that human rights and counterterrorism are mutually reinforcing, it was argued that human rights are too often subordinated in the pursuit of counterterrorism objectives to the detriment of both.

Counterterrorism efforts, it was noted, must be guided by three core principles: legality, necessity, and proportionality. It was noted that while limitations can be imposed on some human rights under extreme circumstances, certain human rights such as the right to be free of torture, are deemed so important as to be nonderogable.

Some of the negative human rights implications of rushed or overly broad counterterrorism legislation were noted, including the silencing of dissent; overly broad or imprecise definitions of terrorist groups and acts that have been used to clamp down on civil society and political

opposition; and the silencing of the media and freedom of expression. A number of other human rights challenges were also discussed, including balancing freedom of expression with the desire to curb incitement to violence, balancing the need to conduct surveillance with the right to privacy; and agreeing on a universally accepted definition of terrorism, something which has proved elusive for the international community.

Participants were alerted to a number of UN resources on human rights and counterterrorism including a Office of the High Commissioner for Human Rights (OHCHR) “factsheet” on the issue; the reports and statements of the various special mandate holders, in particular the Special Rapporteur related to human rights and counterterrorism; and the urgent response mechanism of the Special Rapporteur on the situation of Human Rights Defenders which raises individual cases of human rights violations with states concerned. Despite these useful resources, it was noted that OHCHR only has one person in Geneva dedicated fulltime to human rights and counterterrorism issues.

Session Six: Facilitating More Interaction between Civil Society and Intergovernmental Bodies on the Implementation of the UN Strategy and Other Counterterrorism Measures.

Among other things, this session explored how the United Nations, in particular its Task Force Secretariat, can proactively engage with CSOs on the continent in the context of efforts to promote the implementation of the UN Strategy.

Before addressing these issues, however, participants noted the diversity of actors and groups that constitute civil society in Africa, commenting that this includes community-based organizations (CBOs), transnational CSOs, CSO networks (i.e., a series of national organizations linked together in a subregional or continental network); and international nongovernmental organizations (NGOs) based outside but with a presence on the continent (e.g., Human Rights Watch and the International Crisis Group). The point was made that as one looks at ways to deepen civil society contributions to the implementation of the UN Strategy on the continent one must keep in mind the complexity of both the civil society terrain in Africa and the relationship between civil society and governments and intergovernmental bodies across the continent.

Participants then considered the different levels at which CSOs can engage with intergovernmental organizations on issues of terrorism and counterterrorism. These include the United Nations, African Union, and RECs. With respect to the latter two, however, it was remarked that the traditional tendency of African intergovernmental bodies either to marginalize civil society completely or only offer it space to engage in a parallel setting has limited the extent of meaningful interactions between African civil society groups and these bodies, particularly on issues that are as politically sensitive to their member states as terrorism and counterterrorism are.

It was emphasized that the transformation of the Organization for African Unity to the African Union has increased the opportunities for civil society to engage at the continental level, even if still on the margins of the formal intergovernmental processes. Participants highlighted a number of AU institutions, which deserve attention, including the Economic, Social and Cultural Council, the Pan African Parliament, NEPAD, and the APRM.

Of particular relevance to civil society and the UN Strategy is the APRM, which was launched in 2003 as part of NEPAD. It was noted that the APRM is an instrument through which African states ensure mutual oversight on political, economic, and corporate governance. The APRM process entails, inter alia, a real dialogue between African governments and all the key

components of their respective national civil societies. These consultative arrangements, participants emphasized, offer a convenient opportunity for civil society, particularly those CSOs which have been so far reluctant or unwilling to engage on issues of terrorism and counterterrorism to make their voices heard on these issues.

Although the African Union and some of the continent's RECs are increasingly encouraging civil society to participate actively in efforts aimed at promoting peace, security, and stability, a lack of political, financial, and human capital has meant that these mechanisms still only exist largely on paper. Nevertheless, participants commented that they represent established frameworks for civil society contributions to conflict prevention and resolution and other peace and security questions. Rather than establishing "counterterrorism"-specific frameworks for CSO engagement with the African Union and RECs, some suggested that this engagement should take place within these existing, broader, and likely more politically palatable ones. Attention should be focused on trying to operationalize them.

Discussion in this session also focused on the range of contributions that CSOs can make to the implementation of the UN Strategy in Africa as well as to the development and implementation of effective national counterterrorism approaches. These include: 1) conducting research and analysis, which could be used to inform the work of the United Nations, African Union, RECs, and national governments; 2) raising awareness of the importance of human rights-based approaches to counterterrorism, including as enshrined in the UN Strategy and of enhancing criminal justice frameworks in order to combat and prevent terrorism effectively; 3) providing capacity-building training and other forms of assistance (e.g., the drafting of training manuals) to a range of actors, including governments, the African Union, the RECs, and, in order to ensure responsible media coverage of terrorism and the governments' response to it, journalists; 4) raising awareness of the seriousness of the threat and mobilizing public support for responsible government measures to address it; and 5) reaching out to vulnerable communities that intergovernmental and government bodies have trouble reaching.

Participants noted that as a result of a number of factors, including the adoption of the UN Strategy in 2006, the election of President Obama in 2008, and the shift away from the "global war on terror" rhetoric, the space for civil society participation in the counterterrorism discourse is expanding. CSOs, it was emphasized, need to take advantage of this window of opportunity and intervene.

With regard to engagement between the United Nations and civil society (in Africa or elsewhere) on issues of counterterrorism, it was noted that there has historically been little appetite among the traditional UN counterterrorism actors to reach out to civil society and this has remained the case since the Strategy was adopted in September 2006. For example, the point was made that neither the Security Council's Counter-Terrorism Committee's (CTC) and its Executive Directorate (CTED) nor its Al-Qaida/Taliban Sanctions Committee and Monitoring Team have engaged with local civil society groups in Africa, in part because of the general reluctance of some Council members (and even UN staff) to involve non-state actors in what they perceive as state-focused activities.

It was also noted, however, that the UN Task Force Secretariat is committed to reaching out to civil society in Africa and elsewhere and recognizes that "to build a global movement, a global campaign against terrorism... this can only work in fundamental partnership with civil society." It was mentioned that a lack of human and financial resources within the Task Force secretariat,

rather than lack of will, have so far not allowed the Task Force to engage with civil society as much as it would have liked.

Participants commented that the Task Force Secretariat is in the process of being institutionalized as a permanent unit within the UN Department of Political Affairs and now has a full-time director for the first time and a larger staff. As a result, one could expect to see greater efforts to raise awareness of the Strategy among and otherwise engage with CSOs in Africa and beyond in a more meaningful way, although the Task Force has yet to decide precisely on how such engagement should come about. In this regard, participants offered a number of suggestions. These include the establishment of a CSO advisory board that would provide guidance to the Task Force's eight thematic working groups; the nomination of a CSO focal point within the Task Force to facilitate UN-CSO interactions related to the implementation of the UN Strategy; and the involvement of CSOs in some or all of the eight Task Force thematic working groups.

It was stressed that United Nations should recognize that engaging CSOs on Strategy implementation issues must not be exclusively a means of benefiting the United Nations on a narrow set of issues, but should be part of an effort to promote the role of civil society more broadly and geared towards creating the space to allow CSOs on the ground to engage national governments and regional organizations in a more serious and coherent way.

In addition to calling for the United Nations to find ways to share more information with CSOs regarding its counterterrorism activities and otherwise enhance the transparency of its work in this area, participants highlighted the challenge of engaging with CSOs which rarely speak with a single voice. To facilitate effective UN-CSO engagement, therefore, participants emphasized the importance of greater CSO collaboration, cooperation, and networking in this area. Rather than creating new networks on a continent that is replete with underfund ones, the participants stressed that initial efforts should be placed on trying to incorporate UN Strategy-related issues into existing ones. However, the point was also made that by linking into existing thematic networks one runs the risk of undermining the holistic nature of the Strategy, which calls for issues to be addressed in an integrated fashion. Thus, one should not discount the need for a single network (whether existing or new), which can bring together the diversity of CSOs working on each of the four pillars in the UN Strategy.

Participants took note of the recent interest shown by the UN OSAA in trying to ensure a stronger voice for Africa, including African civil society, in the UN's counterterrorism activities. It was noted that in addition to strengthening its involvement with the Task Force and developing a database of African CSOs and experts working on counterterrorism issues, OSAA hopes to facilitate efforts by the African Union's Centre on the Study and Research on Terrorism (ACSRT) to work with civil society groups on the continent. The point was made, however, that efforts to deepen civil society involvement in counterterrorism on the continent could more usefully focus on the RECs, which may be more receptive to civil society participation in and contributions to their work than the ACSRT, which has traditionally limited its focus to government and intergovernmental actors.

In general, there was broad support for identifying opportunities to enhance engagement between CSOs and intergovernmental bodies involved in counterterrorism on the continent. However, participants stressed the need to frame the issue in the context of rule of law promotion and criminal justice reform, concepts that are likely to be more palatable to and generate interest from African CSOs. In addition, they emphasized the importance of understanding the complexity of

the environment in which CSOs are being encouraged to intervene and to suggest interventions that are sensitive to that political landscape.

Session Seven: Stimulating the Development of Civil Society Networks to Support UN Strategy Implementation

Among other things, this session explored the different ways in which to stimulate greater cooperation and coordination among CSOs in Africa interested in contributing to UN Strategy implementation efforts. In addition, the sessions examined the benefits of establishing civil society networks and/or focal points on Strategy implementation and possible modalities for doing so. The session also addressed the opportunities for integrating counterterrorism issues into existing networks working on peace and security issues on the continent.

Before contemplating the development of any such network, the point was made that more efforts are needed to raise awareness of the Strategy among CSOs in Africa. Currently, too few know about it, let alone its potential significance. For example, the Strategy has helped to generate support for a more holistic and inclusive approach to countering terrorism and one that prioritizes human rights and democratic governance. The point was made that in East Africa counterterrorism is viewed by many as an externally imposed agenda, over which there is insufficient local ownership. Because of the linkages it draws with conflict prevention and the promotion of the rule of law and its call for an inclusive, multi-stakeholder response to the terrorist threat, however, the Strategy provides opportunities to build this ownership.

Given the breadth of the issues covered by the Strategy, participants suggested that a mapping of the activities of CSOs across the continent in areas covered by the Strategy, e.g., conflict prevention, the rule of law, and combating transnational crime, is needed. After completing this exercise it might prove easier to identify which CSOs in each subregion are most likely to be interested in supporting efforts to implement the UN Strategy, and more broadly, to engage in the counterterrorism discourse. To complement this mapping exercise, participants suggested the creation of a database containing information about civil society experts in areas covered by the UN Strategy.

In addition, there was a call for more resources to allow African CSOs to organize and participate in meetings concerning the UN Strategy, which could lead to the development of CSO programs aimed at furthering its implementation. The point was also made that many CSOs lack the expertise needed to engage in discussions of the UN Strategy and thus training in this area would be helpful as well.

Participants noted how the Strategy provides CSOs with a “safe” entry point into a discussion that has too often been monopolized by the state. It was pointed out that CSOs wishing to engage in this discussion should seek to inject something qualitatively new to the debate in Africa, with a view to contributing ideas to make counterterrorism efforts on the continent more effective.

It was pointed out that CSOs and the development community generally have not engaged sufficiently in the public debate over counterterrorism strategy and the proper approach to overcoming violent extremism in Africa. Participants noted that it was important for CSOs to add their voices to the debate and advocate for the holistic approach to countering terrorism embodied in the UN Strategy.

Participants highlighted how certain counterterrorism measures and more general governmental distrust of CSOs have had an adverse impact on CSOs. In many African countries, for example, legislative and regulatory measures have made it more difficult for civil society actors to operate freely and effectively. It was highlighted how this negative impact has been particularly noticeable in conflict zones and among groups that challenge government policies through their work in peacebuilding, democratization, and human rights.

Participants suggested that CSOs join together in an international network to express a coherent message and engage in a common set of activities to address the challenge posed by repressive counterterrorism measures. A two-pronged effort was proposed. First CSOs should agree on a set of principles and policy recommendations for ending negative counterterrorism practices while supporting those that are effective. Second, they should organize an advocacy campaign and communications effort to persuade policymakers and the public on the need to adopt appropriate counterterrorism measures. Both efforts should be framed as part of a broader international effort to reorient counterterrorism policy away from a war paradigm and toward a more holistic approach that addresses the social, economic, and political roots of extremism. By compiling examples of positive and negative development practice, the view was expressed that CSOs can establish a basis for constructive engagement with states and donor agencies. It was further emphasized that by seeking to contribute ideas for more effective counterterrorism measures, rather than simply critiquing existing ones, governments are more likely to view CSOs as constructive counterterrorism partners rather than adversaries. This, it was suggested, might help convince governments of the need to provide CSOs with the space they need to operate.

Participants also emphasized how CSOs working on governance and other development issues in Africa are well placed to contribute to Strategy implementation. Some have extensive field experience in zones of conflict and their mission of reducing poverty and overcoming social exclusion are what is needed to ameliorate conditions conducive to the spread of terrorism. Others have important knowledge from working with partners in many of the most desperate and marginalized communities in Africa, on the specific local conditions that fuel extremism. In addition, by emphasizing government transparency and accountability, CSOs can help reduce public suspicion and mistrust of government that can breed discontent and an extremist mentality. They are also helping to reduce the threat posed by the proliferation of small arms and light weapons on the continent, including by providing alternatives for former fighters. The point was made that this diversity of civil society experience and wisdom in addressing some of terrorism's root causes needs to be communicated more widely to policymakers and public. In general, participants recognized that these CSOs are performing work that is essential to the challenge of countering terrorism, although it is not and should not be labeled as such.

The contributions of community-based organizations to promoting peace and security on the continent were highlighted. Women's CBOs received particular attention. For example, it was noted how the Mano River Women Peace Network (MARWOPNET) was instrumental at both the local and subregional levels in bringing an end to violent conflicts in Sierra Leone, Guinea, and Liberia, and is presently focused on capacity-building training in these countries in order to maintain and sustain the hard fought peace. The point was made that much like peacebuilding, countering terrorism should be "everyone's business" and not just be left to governments.

A number of steps that could be taken to further involve CSOs in efforts to implement the UN Strategy and in other counter terrorism activities on the continent were identified. These include 1) ensuring wide-spread dissemination of more information on terrorism to all CSO constituencies, even at the grassroots level; 2) strengthening the technical, expert, and other

capacities of CSOs to better equip them for engaging on counterterrorism-related issues; 3) recognizing the leading role that women's CSOs play in conflict resolution and peacebuilding activities as a means of countering terrorism; and 4) raising awareness among and sensitizing CBOs of the broader contributions they can make in the context of promoting peace and security beyond simply serving as a "watchdog" over government activities.

Participants reflected on the contributions being made by different African civil society networks involved in peace and security issues and considered how these efforts are also relevant to the implementation of the UN Strategy and countering terrorism more broadly.

For example, the work of the African Security Sector Network (ASSN) was highlighted. The ASSN, it was noted, is a multidisciplinary network that includes academics, think tanks, CSOs, security practitioners, and members of parliament. Its main objective is to bridge the gap between these stakeholders while harnessing their collective expertise and enabling the sharing of experiences between different traditions of security organization and practice (Anglophone, Francophone, and Lusophone). Its two operational foci are to: 1) empower CSOs across the continent by providing them with the necessary technical and political skills to engage national security sectors with a view to developing subregional coalitions for change; and 2) collaborating with national governments, the African Union, and RECs to build policy and institutional capacity to address security issues within a democratic and accountable framework.

The work of the West Africa Network for Peacebuilding (WANEP) was also considered. WANEP is a coordinating mechanism for the increasing number of CSOs – more than 450 as of today – involved in peacebuilding activities (e.g., conflict prevention, early warning and response, capacity building, conflict intervention, and non-violence education) in West Africa. It has its subregional headquarters in Ghana and national network secretariats in 12 countries in West Africa. Participants noted that it has been partnering with ECOWAS in the "Capacity Building Programme for Conflict Prevention and Good Governance for ECOWAS and Civil Society Organizations in West Africa" since 2002 and is currently focused on operationalizing the ECOWAS Early Warning System (ECOWARN), which was enhanced by the 2008 ECOWAS Conflict Prevention Framework.

In addition to the placement of a WANEP liaison officer in ECOWARN, the point was made that WANEP members work closely with governments, with a view to complementing their efforts. As a symbol of this partnership, each ECOWAS member state has a WANEP focal point working within the government.

Although WANEP does not deal with terrorism directly, participants noted that it does address the structural and proximate causes of violent conflicts as a result of its peacebuilding focus. In addition, the point was made that the ECOWAS indicators for ECOWARN cover terrorism. However, participants also remarked that terrorism is a controversial issue in West Africa and discussions around it remain the preserve of governments, with the space for CSO engagement here limited. This highlights the importance of packaging terrorism issues with other human security threats facing West Africa (e.g., conflict prevention and peacebuilding) that resonate more with the public and where CSOs are given more space to intervene and engage with governments.

In addition to WANEP, participants noted some of the other existing networks and other CSO platforms in West Africa working on peace and security issues, such as the West African Network on Security and Governance and the West African Civil Society Forum. It was

highlighted that more attention should be given to 1) improving the cooperation among these networks and the CSOs involved; 2) enhancing the capacities of the networks and CSOs; and 3) outlining a division of labor among the different networks working on often overlapping issues.

Participants agreed that it would be useful to bring together CSOs across the continent with an interest in becoming involved in the implementation of the UN Strategy. In addition to discussing whether existing CSO networks working on peace and security issues should be used or whether new ones should be created, participants reflected on what CSOs would want from such a network. In this regard, participants highlighted a number of needs. For example, a network should be able to facilitate the sharing of UN Strategy information, experiences, and good practices between the United Nations and African CSOs and among the CSOs themselves. It should also allow CSOs in one part of Africa to connect with those in other parts of the continent working on similar UN Strategy issues.

Many shared the view that the focus should be on building on existing networks and platforms rather than creating anything new, with a view to avoiding duplication and unnecessary competition among CSOs for limited funding. Thus, it was suggested that the capacities and mandates of the existing networks could be enhanced to include counterterrorism and/or the UN Strategy. For example, it was proposed that African CSOs interested in becoming more involved in the implementation of the UN Strategy join the African Resource Network on Terrorism and Counter Terrorism (ARNTACT), the ISS administered network of researchers, academics, analysts, and institutions. Among other things, that network has developed a web-based calendar and a quarterly newsletter to improve coordination and cooperation among its participants.

It was also suggested that the Center on Global Counterterrorism Cooperation, with its presence in New York, serve as a hub for CSO engagement with the Task Force, by helping to connect relevant CSO networks in Africa and elsewhere with the Task Force in New York. In addition, the Center was encouraged to transform its useful 2008 report, *Civil Society and the UN Global Counter-Terrorism Strategy: Opportunities and Challenges*, into a more user-friendly guide or handbook for those CSOs interested in becoming more involved in UN Strategy issues (and counterterrorism issues more broadly) in their regions.