

Securitising the Desert: An Analysis of Counterterrorism Operations Impacts in New Theatres, Gaps, Shortcomings and Recommendations for Change

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Growing extremism and insecurity in the Sahel has shifted global security interests towards the region, where international efforts to mitigate the propensity for weak states to collapse are the core focus for intervention.¹ This new class of interventionism, defined here as *soft counterterrorism*, where gaps in governance in hostile territories are often seen to serve as terrorist havens, is quickly shaping the agendas of foreign interventions in the region and elsewhere. Through mixed-methodological research, this paper conducts a cross-sectorial analysis of how counterterrorism and security sector reforms in the Sahel have failed to sustainably strengthen Sahelian states by centralising government resources, instead of efficiently allocating them to needs-based communities, in order to bolster these vulnerable groups against poverty and extremism. Simultaneously, many of these reforms, through attempts at strengthening borders and local militaries, have ostensibly created more vulnerability for marginalised populations, whose livelihoods are linked to the ability to freely move across the region without legal and political restraint.

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¹ Andrea Walther-Puri, 'Security Sector Assistance in Africa, but Where is the Reform?' in Jessica Piomba (ed), *The U.S. Military in Africa: Enhancing Security and Development?* (First Forum Press 2015).

Introduction

From the perspective of counterterrorism and security sector reform analysts, the bulk of missions in the Sahel have taken on two real agendas: the first was to develop a nuanced version of counterterrorism programming that overlaps with postcolonial security sector reforms in the region, which are often modelled on programmes conducted in the Middle East-North Africa region. The second was to overlay this with humanitarian aid, but not necessarily sufficient development programming to create lasting resilience in marginalised communities. However what has become apparent in this region is that replicating programmes has not sufficiently alleviated suffering, nor countered the prevalence of violent extremism; the critical gap in programming lies in the inherent limitation of these operations to fully acknowledge and understand the anthropological, sociological and historical underpinnings that lead certain people to resort to violent extremisms while others do not. Therefore a comprehensive analysis of this should include an examination of the intrinsic Sahelian practices of migration for livelihood opportunities and access to goods and resources.

Migration is not a new phenomenon, neither within nor from Africa. Three decades ago it was estimated that of the 383 million people living in Africa, nearly 35 million—or almost 10% of the population—were migratory (permanently or temporarily). Furthermore, pastoral and mercantile nomadism have long been observed to be the more secure means of obtaining a livelihood in Africa.² This paper examines the socio-dynamics of marginalised communities in the Sahel in the context of the prevalence of traditionally non-sedentary communities, movements of vulnerable communities across Sub-Saharan Africa, and the increasing securitisation of migration and ungoverned spaces globally. In this post-9/11 era, the programming of development assistance to eradicate poverty and inequality cannot occur without a modicum of security, so strategies that fall under soft counterterrorism may also be viewed as *strategic developmental defence*, or a securitisation of

² Sergio Ricca, *International Migration in Africa: Legal and Administrative Aspects* (International Labor Office, Geneva 1989) Chapter 1.

aid, in this context. Furthermore, the very nature of migration and the presence of irregular migrants in a state may be perceived as suggestive of state weakness and fragility due to the erosion of state borders, as in Libya, Niger, Algeria and Mali in particular. Thus, in practice, US-led aid programmes that focus on these ungoverned spaces and their shadow communities are often shelved under ‘security sector reforms’ (SSR).³ This paper focuses on the migration issue and juxtaposes it against perceptions of state legitimacy in order to understand the securitisation of the border zones.

Furthermore, development must be seen in the Sahel as an important element for reforming institutional security frameworks to combat terrorism and insurgencies in individual states as well. This is critical in this region since states are incredibly fragile and easily susceptible to threats by local insurgencies, political instability and environmental shifts.⁴ Africa’s primary security challenges can be largely attributed to the fact that very few states actually boast any measure of good governance, and that, furthermore, socioeconomic inequality is pervasive throughout the continent.⁵ What is unique about the Sahel, when compared with other unstable regions, is that non-state armed groups (NSAGs) that are affiliated with foreign terrorist organisations like Al-Qaeda and the Islamic State, are still in their nascent stages of leveraging their international networks; therefore the human security issues that are often root causes of violent extremism can still be minimised through resilient development programming. The situation in the region is constantly evolving, which makes it more difficult for simple counterterrorism operations to properly target terrorist groups and syndicates, and

³ Susy Ndaruhutse et al., *State-Building, Peace-Building and Service Delivery in Fragile and Conflict-Affected States: Literature Review* (GSDRC 2011) <<http://www.gsdr.org/docs/open/SD34.pdf>> accessed 29 February 2016.

⁴ For the purposes of this research, the main countries of the Sahel and North Africa traversed by migrants are: Senegal, Algeria, Burkina Faso, Chad, Libya, Mali, Mauritania, Morocco, Niger, Nigeria and Tunisia. This list can be compared with that of UNOCHA’s ‘Sahel Humanitarian Response Plan 2014-2016’, which includes the following in their coverage of the Sahel region: Burkina Faso, northern Cameroon, Chad, Mali, Mauritania, Niger, northern Nigeria, Senegal and The Gambia. <<http://www.unocha.org/cap/appeals/sahel-humanitarian-response-plan-2014-2016>> accessed 19 February 2016.

⁵ Walter-Puri (n 1) Chapter 1.

similarly makes it easier for these groups to organise and recruit.⁶ For example, Boko Haram has been successfully recruiting from impoverished communities in the Diffa region in southeast Niger, where a community of paid mercenaries has existed for generations, willing to join the militia in return for stipends upwards of US\$3,000.⁷ As these groups further organise themselves they will become more complex and difficult to eradicate through basic counterterrorism measures.

US-led counterterrorism operations in the Sahel have, to date, manifested as border control initiatives and military support, with very little, if any, countering violent extremism (CVE) support in at-risk communities. Yet an overlooked element to this type of programming is that the institutional hardening of borders affects the flow of cross-border criminal networks, transient communities and forced migrants alike. State efforts to clamp down on smuggling mean that this longstanding activity has changed, as smugglers have become increasingly surreptitious and violent in their encounters with security forces.⁸ And while these security programmes are scaled up, many argue that the region lacks migrant and refugee protection mechanisms and practices other than the enforcement of Refugee Status Determination schemes put in place by the United Nations High Commission on Refugees (UNHCR);⁹ as vulnerable and economic migrants flee conflict, environmental devastation and institutional failures of the state, they lose protection under the 1951 Convention on Refugees at a certain point, limiting the ability of humanitarian organisations to provide them with assistance and

⁶ 'Mali: Group merges with Al-Qaeda' *New York Times* (4 December 2015) <<http://www.nytimes.com/2015/12/05/world/africa/mali-group-merges-with-al-qaeda.html>> accessed 23 March 2016.

⁷ Interview with Program Manager, Office of Assistance for Africa, Bureau for Populations, Refugees and Migration, US Department of State (Washington, DC 30 December 2015); Scott Menner, 'Boko Haram's Regional Cross Border Activities' (Combatting Terrorism Center at West Point 2014) <<https://www.ctc.usma.edu/posts/boko-harams-regional-cross-border-activities>> accessed 30 December 2015.

⁸ Querine Hanlon and Matthew M Herbert, *Border Security Challenges in the Grand Maghreb* (US Institute for Peace, Washington, DC 2015).

⁹ Jeff Crisp, 'Forced Displacement in Africa: Dimensions, Difficulties, and Policy Directions' (2010) 29(3) *Refugee Survey Quarterly* 1.

rendering them illegal immigrants in the states that they pass through.¹⁰ As Sharon Pickering has noted: ‘Refugees are not just a problem, but a policing problem. Terrorism is not a problem, but a counter-terrorism-policing problem. Increasingly the securitisation of borders explicitly and implicitly conflates these two ‘policing’ problems.’¹¹ And in a region like the Sahel, where borders are seen as arbitrary demarcations on the ground and the informal economy is prolific, securitisation of these borders increasingly stigmatises any form of illicit activity as terrorism and/or activities that financially support terrorism.¹²

Therein, both regular and irregular migration is now increasingly viewed through this anti-terrorism security lens and restrictive security measures promote the view of migrants, refugees and at risk marginalised communities, as potential threats to the national security of a state, rather than as indigent recipients of protection.¹³ Trans-regional organised crime and the smuggling of illicit goods (which includes South American cocaine en route to Europe and Nigerian methamphetamine across the Sahel¹⁴) is beginning to foster the perception that migrants are involved in criminal activities as well.¹⁵ The resulting security frameworks and border controls, which fall within counterterrorism programming,

¹⁰ Interview with Program Analyst in Office of Population and International Migration, Bureau for Population, Refugees and Migration, US Department of State (Washington, DC 6 January 2016).

¹¹ Sharon Pickering, ‘Border Terror: Policing, Forced Migration and Terrorism’ (2004) 16(3) *Global Change, Peace and Security* 211, 211.

¹² United Nations Office on Drugs and Crime, ‘Transnational Organized Crime in West Africa: A Threat Assessment’ (UNODC 2013) <http://www.unodc.org/documents/data-and-analysis/tocta/West_Africa_TOCTA_2013_EN.pdf> accessed 20 April 2015.

¹³ Nizar Messari and Johannes van der Klaauw, ‘Counter-Terrorism Measures and Refugee Protection in North Africa’ (2010) 29(4) *Refugee Survey Quarterly* 83.

¹⁴ Interview with Director, Terrorism Prevention Branch, UN Office on Drugs and Crime (Senegal 2 July 2015).

¹⁵ Wolfram Lacher, ‘Organized Crime and Conflict in the Sahel-Sahara Region’ (Carnegie Endowment for International Peace, New York 2012) <<http://carnegieendowment.org/2012/09/13/organized-crime-and-conflict-in-sahel-sahara-region#>> accessed 29 February 2016.

therefore inescapably create more liability for a group of people who are already incredibly vulnerable.¹⁶

Counterterrorism operations in the Sahel have so far demonstrated little success in mitigating the human security problems that lead to systemic marginalisation and resource insecurity, which are root causes of violent extremism.¹⁷ Conclusively, irregular migrants create instability for states, especially weak ones, so states in the Sahel (with pressure from Europe and the US) are enforcing these security measures to stop migrants, including criminals, from crossing borders.¹⁸

This paper looks at the phenomenon of migration in the Sahel as collocated with security concerns in the region, and drawing on an analysis of how security sector reform through counterterrorism programming impacts this human experience (in this context, migration includes both forced and economic migrants). It then provides an analysis of these security programmes and proposes a set of recommendations for how programming can be modified to incorporate the needs of migrants as well as the state, based on research into stakeholder expertise on the subject. Interviews were conducted with a range of key informant individuals, including community leaders, experts and staff working on humanitarian issues in NGOs; the International Committee of the Red Cross; the United Nations and other international organisations; individuals working for the governments of the United States, France, Spain and the European Union; and academic and political experts. The research included fifty-five qualitative interviews with key informants, conducted in London; Washington, DC; Boston;

¹⁶ Hanlon and Herbert (n 8).

¹⁷ Douglas S Massey et al., *Worlds in Motion: Understanding International Migration at the End of the Millennium* (Clarendon Press 1998) Chapter 1. While it is often suggested that food insecurity and climatic shifts are directly linked to increased political violence, research has suggested that there is no direct correlation. Halvard Buhaug, Peace Research Institute Oslo, 'Food Insecurity and Political Violence in Sub-Saharan Africa (and the MENA Region)' (Presentation at EWACC 'Building Bridges', Nicosia, Cyprus 10 December 2012).

¹⁸ Alan Bryden and Boubacar N'Diaye, 'Mapping Security Sector Governance in Francophone West Africa' in Bryden and N'Diaye (eds) *Security Sector Governance in Francophone West Africa: Realities and Opportunities* (LIT Verlag 2011).

Bamako, Mali; and Dakar, Thiès, Kédougou and Tambacounda, Senegal.

1. The Impacts of Migration on Regional Stability

Migration in the Sahel is not new. Pastoralism, seasonal migration, southward movement due to loss of grazing, agricultural lands or water access, and rural-urban migration have long been integral parts of livelihoods in the region. The history and culture of this region is linked to the inherent needs of people to migrate, which served as the core basis for the conception of the Economic Community of West African States (ECOWAS). Interregional migration of Sahelians is upwards of 70% (including daily labourers), and only 10% of the population is completely sedentary (2% of Sahelians immigrate outside of the Sahel).¹⁹ Although, at present, there are no official international tools that allocate humanitarian assistance to migrants who are not refugees under the 1951 Refugee Convention, many migrants (especially those fleeing conflict who have chosen to leave refuge provided by a second state or the international community) are incredibly vulnerable and in need of humanitarian aid. Therefore, in the context of humanitarian and development programming, migration ought to be repositioned as a human security concern, and not just an economic one, and must be a primary consideration during the design and implementation of border and security sector reforms. In this context, migration is defined broadly to include all persons who make the decision to relocate, based on a hierarchy of decisional values (including those who flee due to persecution and conflict, and those who move for opportunity and a change of scenery).²⁰

¹⁹ Livia Styp-Rekowska, 'Support for Free Movement of Persons and Migration in West Africa: Immigration and Border Management Baseline Assessment' (*International Organization for Migration*, Abuja 2014) <<http://rodakar.iom.int/oimsenegal/sites/default/files/reports/FMM%20-%20Immigration%20and%20BM.pdf>> accessed 23 March 2016.

²⁰ Abeje Berhanu, *The Rural-Urban Nexus in Migration and Livelihoods Diversification: A Case Study of East Esté Wereda and Bahir Dar Town, Amhara Region* (Organization for Social Science Research in Eastern and Southern Africa 2012) Chapter 2.

Aside from regular migration, since the mid-1970s, forced and voluntary displacement of vulnerable populations, regional instability and environmental crises have provoked three types of irregular mobility through the Sahel: Firstly, there are economic migrants seeking alternative livelihood opportunities in Europe, the Maghreb and West Africa. This includes sub-Saharan and nomadic traders from the deserts (such as the Fulanis, Toubous and Tuaregs, whose traditional livelihoods of transhumance were impacted by the desiccation of the desert), who began mass-migrating towards construction and oil sites in Libya and Algeria in the aftermath of decolonisation.²¹ Secondly, there are returned migrants who have been deported or evacuated from other countries and who are returning to their countries of origin or of their own choosing with the intention to migrate again. And thirdly, there are people who are forcibly displaced, including refugees, asylum seekers and internally displaced persons (IDPs). The latter group has increased in recent years as a result of conflict, environmental shifts and globalisation. The first wave of movement was initially welcomed in North Africa due to their Arab ties; the Fulani, Hausa and Tuareg peoples had established relationships with their Arab neighbours dating back to the days of the silk trade.²² However, the second and third waves have been historically at risk of racist oppression within host communities, often being stigmatised and differentiated as 'Black' Africans.²³ Gaddafi's Pan-African campaign in the 2000s, pushed for a federation of African states, and ultimately helped to change this standard a bit; however, racial divides persisted and since 2011 the region has seen increased sectarian and ethnic tensions in states throughout the Sahel and North Africa.²⁴

²¹ UN Environment Programme, 'Livelihood Security: Climate Change, Migration and Conflict in the Sahel' (Geneva 2011) <http://postconflict.unep.ch/publications/UNEP_Sahel_EN.pdf> accessed 20 April 2015.

²² Interview with Acting Director for Sabha, Libya, Danish Demining Group (telephone call, 28 June 2015).

²³ Interview with Migrant Assistance Specialist for West Africa, International Organization for Migration (Dakar, 30 June 2015).

²⁴ UNHCR, '2009 Global Trends: Refugees, Asylum-Seekers, Returnees, Internally Displaced and Stateless Persons' (Geneva 2009) <<http://www.unhcr.org/4c11f0be9.html>> accessed 20 April 2015.

The presence of non-state actors (forced migrants, labourers, nomadic merchants and criminal organisations alike) moving freely through the ungoverned spaces of the Sahel creates intelligence gaps for security operators. Moreover, the intelligence community is currently grappling to fully understand the Sahel and to differentiate the ‘bad guys’ from the ‘not-bad guys’.²⁵ Armed groups have long held a significant presence in the region, but following the North Atlantic Treaty Organization’s (NATO) 2011 intervention in Libya and the collapse of the Gaddafi regime, the region became a political vacuum where non-state armed groups have thrived.

Additionally, the sizeable volume of weapons that flooded the black markets following Gaddafi’s death have further compounded the anarchic situation and stimulated a surge in violence. This was most notably seen by the Tuareg intervention in the Mali crisis in 2012: the Tuaregs had controlled the arms cadres of the Gaddafi regime, and in the aftermath of the Libyan civil war the leading warrior tribes took control of the arsenals and sold them to insurgents and cartels in the region.²⁶ This availability of weapons has emboldened terrorist groups in the region to attack western targets and to splinter from their principal missions and leadership (as seen with Ansar-Dine’s and al-Murabitoun’s radical split from Al-Qaeda in the Islamic Maghreb).²⁷ Trade in illicit goods and contraband has also increased significantly, with a growing trade in narcotics generating large amounts of revenue for these criminal organisations and further facilitating the spread of regional instability and state insecurity.²⁸ These ungoverned spaces are like black holes for security operators, and unaccounted-for migrants throughout the region further muddle the situation, confounding counterterrorism programmes.

²⁵ Interview with Specialist in African Affairs, Congressional Research Services (Washington, DC 8 August 2015).

²⁶ UNHCR (n 24).

²⁷ US Bureau of counterterrorism, Department of State, ‘Country Reports on Terrorism 2013: Africa Overview’ (2014) <<http://www.state.gov/j/ct/rls/crt/2013/224820.htm>> accessed 20 April 2015.

²⁸ Francesco Strazzari and Simone Tholens, ‘Tesco for Terrorists Reconsidered: Arms and Conflict Dynamics in Libya and in the Sahara-Sahel Region’ (2014) 20(3) *European Journal on Criminal Policy and Research* 343.

1.1 Criminalisation of Irregular Entry and Other Border Offences

Cross-border transnational crime and criminal activities with relation to irregular entry and border offences is not a new concept, although it has been perceived as spreading exponentially in recent years due to increased freedom in the movement of people, goods and services with the rapid development of globalisation. However, the need to impose extraterritorial jurisdiction in the border zones (or now referred to as ‘frontiers’) in order to inhibit illicit activity reveals that ‘international borders are not zones of exclusion or exception for human rights obligations’.²⁹ Because law enforcement’s primary concern is the identification of criminal behaviour, law enforcement officers are not concerned with sympathising with refugees and/or impoverished economic migrants, who may have little alternative but to engage with the growing informal economy and who may subsequently be criminalised as all informal economic gains associated with smuggling and trafficking are criminalised under international law and the domestic laws of most states.³⁰

The UN Convention on Transnational Organized Crime (UNTOC, or the Palermo Protocol) is the main international instrument in the fight against transnational organised crime: it contains the mandate of the UN Office on Drugs and Crime and determines its extraterritorial authority to legislate against trafficking and smuggling in persons, goods and criminal activity in cooperation with member states and regional policing agencies.³¹ Currently, most countries have ratified the Palermo Protocol, and have enacted domestic legislation to criminalise human trafficking,

²⁹ OHCHR, ‘Recommended Principles and Guidelines on Human Rights at International Borders’ (Conference Room Paper, A/69/150, Geneva 23 July 2014) para 1.

³⁰ Polly Pallister-Wilkins, ‘The Humanitarian Politics of European Border Policing: Frontex and Border Police in Evros’ (2015) 9(1) *International Political Sociology* 53.

³¹ UNODC, ‘United Nations Convention against Transnational Organized Crime and the Protocols thereto’ (Palermo 2000) <<https://www.unodc.org/unodc/treaties/CTOC/>> accessed 29 February 2016.

most recently including Niger.³² Niger is the first West African country to implement the requisite national law to combat the smuggling and trafficking of persons, in accordance with the UNTOC; however, given limited state capacity to enforce the legislation, the national legislation is unlikely to gain much traction in combating human smuggling and trafficking.³³ The protocol specifically encourages member states to amend their criminal laws to target false travel documentation and illicit use of freight and ships for the smuggling of persons, and further to cooperate with regards to the socioeconomic factors that encourage smuggling.³⁴

1.2 The Trafficking and Smuggling Industry

In the Sahel, broadly speaking, business is about livelihoods; therefore the booming industry in smuggling and trafficking is not about the bad guys versus the good guys, but rather about basic livelihood needs.³⁵ Furthermore, engaging in illicit activity in order to obtain some semblance of a livelihood while undertaking a migrant journey has been observed as a common occurrence: many migrants at some point during their journey find themselves ‘stuck’, not being able to afford to pay for the next leg of their journey. According to UNODC, some common ways of dealing with this is by partaking in the smuggling of other migrants, operating vehicles for migrants across the deserts, and trafficking in drugs, sex and other illicit goods.³⁶

³² US Department of State, ‘Trafficking in Persons Report’ (2011) <<http://www.state.gov/g/tip/rls/tiprpt/2011/166772.html>> accessed 18 November 2015.

³³ World Politics Review, ‘International Cooperation Needed for Niger Anti-Trafficking Law to Work’ (editorial, 6 July 2015) <<http://www.worldpoliticsreview.com/trend-lines/16158/international-cooperation-needed-for-niger-anti-trafficking-law-to-work>> accessed 30 November 2015.

³⁴ Anne Gallagher and Fiona David, *The International Law of Migrant Smuggling* (Cambridge University Press 2014) 31.

³⁵ Interview with Counter Trafficking and Migration Specialist, International Organization for Migration (Dakar 13 July 2015).

³⁶ *ibid.*

The business of migration, and therefore the industry that surrounds the smuggling (and/or trafficking) of migrants across borders in the Sahel, has also become increasingly (and lucratively) linked to the activities of non-state armed groups, including several designated terrorist groups. Although, the *migration industry* is not new to the region, and these same criminal groups have been involved in facilitating this movement of goods and people across the Sahel for generations. Furthermore, recent attempts to block migration have turned what was once licit activity into illicit activity. Despite the criminalisation of cross-border irregular entry, not all movement across the region is illegal, and the ECOWAS free trade agreement allows for the free and legal passage of humans and goods from Banjul, The Gambia to Agadez, Niger. The bulk of human trafficking actually takes place on roads from trade towns at Agadez or Gao, Mali, towards the North African coastline.³⁷

On this route, strict border controls and legal frameworks have created a slew of vulnerabilities for migrants traversing the desert en route to Europe. Prior to 2011, Libyan law enforcement was notorious for the extrajudicial detainment of both undocumented migrants and documented labour migrants. From 2008 to 2010, increased pressure and financial incentives from Italy and other EU member states led Gaddafi's government to conduct a series of mass detainments and deportations of migrants and asylum seekers. This exacerbated risks to migrants of detention, deportation and trafficking along the borders of Tunisia and Niger, where humanitarian crises were bubbling in remote villages and local Red Cross and International Organization for Migration (IOM) offices were forced to build temporary settlements to deal with the growing number of people seeking assistance after being forced out of Libya.³⁸ Furthermore, this situation enabled local traffickers and traders to get involved in what is turning into a booming smuggling industry. IOM continues to monitor this phenomenon in Agadez, where an estimated 40,000-80,000 migrants transit annually

³⁷ Counter Trafficking and Migration Specialist, IOM (n 35).

³⁸ Interview with Acting Director for Sabha, Libya, Danish Demining Group (telephone call, 28 June 2015).

through Niger into Libya, Algeria and Tunisia (a significant increase since 2011).³⁹

Amongst the many vulnerabilities that migrants face while journeying through the Sahel, bribery and extortion are some of the greatest, because this money represents everything they have. For example, Senegalese migrants are typically encouraged by their mothers to migrate in search of economic opportunities in Europe or elsewhere. In such cases, the mother usually provides her son with money saved by the entire family to make the journey; however because so much of the family money is given to the son to migrate, those who return unsuccessful are shunned by their communities.⁴⁰ That said, the revenue generated from bribes often represents a considerable portion of a border-control officer's livelihood in these rural outposts, and this money is an injection of currency into remote towns and local economies which are often disconnected from the centralised state (specifically at entry points like Agadez, Dirkou, Sabha and Tamanrasset). Therefore, state officials are often complicit in criminal activity in these poorly-governed spaces and are reluctant to enforce legislation and border controls concerning the circulation of people in these remote areas.⁴¹ For example, prior to Mali's 2012 conflict, Al-Qaeda in the Islamic Maghreb (AQIM) enjoyed free reign of the north of the country, having systematically placed its members and allies in the Malian security and political institutions of northern municipalities. Such groups often wield substantial political power by allowing the local officials, and sometimes even high-ranking members of government, to benefit from their illicit activities. The flourishing of organised criminal activity here is linked to the limited alternatives for livelihoods that produce similar profits—especially in contraband trade and smuggling. These trans-regional networks have allowed individuals

³⁹ International Organization for Migration, 'IOM Opens Agadez Transit Centre in Niger Desert' (14 November 2014) <<https://www.iom.int/news/iom-opens-agadez-transit-centre-niger-desert>> accessed 20 April 2015.

⁴⁰ Interview with Vice President of the Association des Clandestins Rapatriés et Familles Affectées de Thiaroye sur Mer, (Thiaroye Sur Mer, Senegal) (3 August 2015).

⁴¹ Mohamed Berriane and Hein de Haas, *African Migrations Research: Innovative Methods and Methodologies* (Africa World Press 2012).

to convert their wealth into political and military clout in the remote parts of the Sahel, where a power vacuum exists and spaces are mostly beyond the reach of the weak centralised governments.⁴²

2. Solving the Problem with Development and Security Sector Reforms (SSRs)

Institutional reforms, including SSRs, are implemented to rid states of institutional redundancies and to create more efficient legal, economic and security frameworks. The problem with reform in the Sahel, though, is that since livelihoods are difficult to obtain in this region, any reforms that create unemployment also increase risks associated with instability and shadow activity. There are even allegations that terrorist groups have been actively recruiting from unemployed former soldiers, who have access to military-grade weapons and training obtained through US and/or Western-backed training programmes. A recent example of this dilemma was seen in Cote d'Ivoire in June 2015, where according to Malian intelligence, unemployed Malian soldiers who had been released from the army during a clean-up campaign were found to be active members of Al-Qaeda splinter group Ansar Dine.⁴³ Previous security sector reform attempts are at risk of backfiring, as the appeal of involvement in terrorist and criminal groups gains traction amongst unemployed youth, which is why a focus on development and not just military capacity and training is critical. A possible model solution, according to US Department of State officials, is seen in Nigeria's pledge to employ 10,000 police officers to boost employment and create more robust law enforcement.⁴⁴ This is being hailed as an exemplary SSR program because it provides work and livelihood opportunities, which are critical in communities where marginalisation facilitates extremist activities.

⁴² Lacher (n 15).

⁴³ Interview with Senior Diplomatic Security Officer, US Embassy in Senegal (Dakar, 14 July 2015).

⁴⁴ Interview with Deputy Director of Center for Strategic Counterterrorism Communication at US Department of State (phone call, 26 June 2015).

Mitigating the risk of extremism in weak states is fundamentally linked to US national interests, in accordance with the soft-power paradigm of US foreign policy, which is predicated on the concept of using development as a tool to counter terrorism and extremism; therefore, SSR with a development focus, like the aforementioned Nigeria example, should remain a top priority. It comes as no surprise that the countries where AQIM and its affiliates have been known to operate can be broadly categorised as weak.⁴⁵ The countries of the Sahel region are amongst the poorest in the world and are constantly facing complex security issues, including periodic civil war, sectarian violence and threats from transnational organised crime; the region is home to several ethnic groups with cross-border ties, who often harbour severe grievances towards their respective governments, and while extremism does not appear to have been embraced by a majority of Sahelians, it likely resonates with certain marginalised and disenfranchised communities, of which there are many.⁴⁶ US interest in the region is based on the theory that transnational terrorist groups are known to use the chaos of failed states to shield themselves from counterterrorism efforts. US Representative Michael McCaul, Chairman of the House Homeland Security Committee, warned that North Africa will be the next frontier of terrorism, as these failing states serve as havens for the recruitment, cultivation and training of these non-state armed groups.⁴⁷ This dynamic is endemic in the Sahel, where according to the US Department of State, the region has seen the emergence of fifty-two insurgent groups since the Cold War era, fourteen of which are listed as 'Foreign Terrorist Organisations' by the US government.⁴⁸

⁴⁵ Fund for Peace, 'Fragile States Index 2014' (2014) <<http://ffp.statesindex.org/rankings-2014>> accessed 21 April 2015).

⁴⁶ Carla Humud et al., 'Al Qaeda-Affiliated Groups: Middle East and Africa' (Congressional Research Service, Washington, DC 10 October 2014) <<http://fas.org/sgp/crs/mideast/R43756.pdf>> accessed 29 February 2016.

⁴⁷ Gregory McNeal, 'Terrorist safe havens in North Africa threaten the United States homeland' (Forbes Magazine, 31 January 2013) <<http://www.forbes.com/sites/gregorymcneal/2013/01/31/terrorist-safe-havens-in-north-africa-threaten-the-united-states-homeland/>> accessed 2 May 2015.

⁴⁸ Thomas Dempsey, 'Counterterrorism in African Failed States: Challenges and Potential Solutions' (US Department of Defense, Strategic Studies Institute, April

Furthermore, the abundance of irregular migrants, trade groups and stateless people increasingly exacerbates the complexities faced by these already weak states, creating more risks to state legitimacy. The historical interconnectivity of the region poses risks of chain reactions between security infrastructures, as seen with Libya's collapse in 2011, and the surge in violent activity that followed in Mali, Algeria and Niger. Following these events, the flood of IDPs and refugees throughout the region created further security confusion for governments grappling to survive the chaos that transcended the fragile institutions of these states.

The weak and decentralised nature of Sahelian states is at the root of the problem, and most of these nations (aside from Algeria) do not have the institutional capacity to support effective counterterrorism programmes on their own. AQIM, Taureg groups and al Murabitoun are sometimes even seen by communities as the only means of obtaining financial support in remote parts of the Sahel, where trade is controlled by local tribes and facilitated by armed groups, and international policing is not present. The decentralised governments of the Sahel have enabled AQIM and its affiliates to act with impunity in many cases, allowing these groups to build transnational criminal networks through which they can garner a significant income to fund their operations, while providing basic goods to communities in return for their complicity or more direct participation.⁴⁹

An institutional problem associated with SSRs and counterterrorism is that there exists no composite understanding of the nuanced nature of terrorist groups in the Sahel, or the differences between licit and illicit activity in this region in general, which is inherently linked to the prevalence and presence of these NSAGs. For example, the US intelligence community does not fully comprehend why AQIM splintered and what this means for the future of the group.⁵⁰ Furthermore, while the weak states model explains the incidence of terrorism in northern Mali and western

2006) <<http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB649.pdf>> accessed 29 February 2016.

⁴⁹ UNODC (n 12).

⁵⁰ Interview with Specialist in African Affairs (n 25).

Tunisia, Algeria serves as a counter-example. This model predicts that states with stronger governmental control will have less conflict; however, for years prior to the 2011 Arab Spring, Algeria had experienced the highest levels of terrorism in North Africa for decades,⁵¹ despite the fact that it has a strong centralised state, a powerful military and relatively widespread control of its territory. Although the emphasis for SSR has historically been placed on instituting strong centralised governments like Algeria's, the major point highlighted by the Algeria example is that each state must be approached individually and tactfully through country-specific programming. Currently, SSRs are too generalised to be sufficiently adaptable and effectively scalable throughout the region.⁵²

2.1 Impacts of These Reforms on Vulnerable Populations

In the past decade, security programming has begun to overshadow humanitarian assistance in the Sahel. In this context, irregular migration has been managed in four ways, according to the International Centre for Migration Policy and Development: (1) interception and apprehension; (2) combatting smuggling and trafficking networks; (3) management of reception and detention; and (4) return and readmission, including reintegration.⁵³ In West Africa and the Sahel, migration is a core component of daily life; however the official perspective on migration (especially undocumented migration and especially in tough economic times) is that the presence of migrants inadvertently brings destabilising effects to the communities through which they transit, because they exemplify the weakness of state institutions and the insecurity of the

⁵¹ Armed Conflict Location and Event Data Project (ACLED), 'ACLED Version 6 1997-2015' <<http://www.acleddata.com/data/version-6-data-1997-2015/>> accessed 26 March 2016.

⁵² Interview with Deputy Director, US Department of State, Bureau of African Affairs, Counterterrorism Programs (Washington, DC 21 February 2015).

⁵³ International Centre for Migration Policy Development, 'Mediterranean Transit Migration (MTM) Dialogue towards a Comprehensive Response to Mixed Migration Flows' (Geneva 2007) <http://www.icmpd.org/fileadmin/ICMPD-Website/MTM/FINAL_Working-Doc_Full_EN.pdf> accessed 27 April 2015.

borders.⁵⁴ Furthermore, migration can exacerbate institutional weaknesses and pressures: states struggling to provide basic resources to their own people are certainly unable to provide them to refugees as well, an issue which is endemic to the entire Sahel region. This dynamic compounds the tensions present in resource insecure countries.⁵⁵

In 2006, several European states pursued bilateral agreements with African transit states, encouraging these countries to clamp down on migration and provide forced resettlement and assistance packages to asylum seekers, returnees and other potential migrants. The 2015-2020 European Trust Fund⁵⁶ for the G5 Sahel⁵⁷ will continue to provide border security funds and development programming to these states to empower them to use their own means to stop migrants and refugees from making the journey to Europe. Spain and France have been particularly active in encouraging coastal countries such as Mauritania, Morocco and Senegal to detain and resettle migrants; however, most countries of the Sahel do not have the institutional capacity to provide any modicum of security or assistance their own citizens, let alone noncitizens.⁵⁸ Law enforcement and intelligence in Sahelian states are not conducted with proper training that would enable state actors to

⁵⁴ Bethany Hastie and François Crépeau, 'Criminalising Irregular migration: the failure of the deterrence model and the need for a human rights-based framework' (2014) 28(3) *Journal of Immigration, Asylum and Nationality Law* 213.

⁵⁵ Anna Jacobs, 'Sub-Saharan Migration in the Maghreb' (unpublished thesis, University of Virginia, 2010) <https://www.academia.edu/2069382/Sub-Saharan_Migration_in_the_Maghreb_the_Reality_of_Race_in_Morocco_and_Algeria> accessed 1 March 2016.

⁵⁶ The EU Trust Fund for the Sahel Regional Action Plan is emphasising a focus on development, CVE and youth enfranchisement to stop migration into Europe. EU Council Conclusions on the Sahel Regional Action Plan 2015-2020 [2015] OJ 1 OAFR131/2-6 <<http://www.consilium.europa.eu/en/press/press-releases/2015/04/20-council-conclusions-sahel-regional-plan/>> accessed 1 March 2016.

⁵⁷ The G5 Sahel is a newly appointed consortium of the five main Sahel States (Niger, Chad, Mali, Burkina Faso and Mauritania) that began in 2014, with the objective of monitoring and coordinating humanitarian and security programmes in the region.

⁵⁸ Interview with Regional Coordinator for Refugees, Bureau for Population Refugees and Migration, US Embassy in Senegal (Dakar 14 July 2015).

effectively determine the difference between a vulnerable migrant and a terrorist. Therefore, by trying to stop illicit trade and criminal organisations from crossing the border, patrols are inadvertently disrupting traditional economic activity in an already fragile market economy.⁵⁹ Furthermore, in these remote desert outposts, complicity with armed groups can be more beneficial to individual officers than enforcing the law against them.⁶⁰

If resettlement is an option, migrants often find that security frameworks and legal documentation requirements are obstacles to obtaining a safe and dignified means of living. The more stable states like Senegal, Tunisia, Morocco and Nigeria have strict employment and land-rights laws that inhibit non-citizens from obtaining legal livelihoods. And although each of these states is a signatory to the 1951 Convention on Refugees, obtaining refugee status is incredibly difficult and rarely guarantees access to secure and constant employment.⁶¹ As states increase their border security in response to pressures from Europe to contain migration, migrants are finding it more difficult to safeguard their personal security in the region; this dynamic has caused more and more migrants from West Africa to take the desert route across Mali, Niger and Libya en route to Europe, passing through conflict zones where there is little government infrastructure to block or restrict their movement, but also where the prevalence of non-state armed groups partaking in the smuggling industry is widespread (colloquially this is referred to as the ‘clandestine route’ by migrants, due to the nature of the route and journey).⁶² Vulnerabilities manifest as violence against civilians, human trafficking and death in the desert.⁶³ Consequently, security sector reforms can create more systemic vulnerabilities for irregular

⁵⁹ Interview with Border Security Program Manager, US Department of State, Africa Bureau (Washington, DC 6 August 2015).

⁶⁰ Interview with Senior Diplomatic Security Officer, US Embassy in Senegal (n 43).

⁶¹ Interview with Senior Protection Officer of the Senegalese Red Cross (Dakar, 23 July 2015).

⁶² Interview with Vice President of the Association des Clandestins Rapatriés et Familles Affectées de Thiaroye sur Mer (Thiaroye Sur Mer, Senegal 3 August 2015).

⁶³ Interview with Migrant Assistance Specialist for West Africa, International Organization for Migration (Dakar 30 June 2015).

migrants and refugees, which are further exacerbated when migrant communities are barred from partaking in formal sectors of society. Because of state restrictions on migrant participation in the formal sector, shadow communities and informal economic activity in remote parts of the Sahel are flourishing; since the state is not active in these remote outposts, non-state armed groups, criminal organisations and migrants are all drawn to them, as seen in border towns throughout Niger, Mali and Libya.⁶⁴

Although the bulk of commercial flows across the Sahara are in licit goods, this trade relies heavily on informal arrangements with border and customs controls, which blurs the lines between licit and illicit, and further delegitimises fragile state security measures and economies. These longstanding commercial networks are built around ancient communal and familial relationships and routes that often disregard border controls entirely. Not surprisingly, these same roads and networks comprise the channels by which irregular migrants and non-state armed groups move throughout the region, largely undetected.⁶⁵ Therefore, as border securities expand, cross-border trade increasingly falls into a grey area between legal and illegal economic activity. This dynamic has eroded customs and border controls in the region, and corrupted what remains of state-run law enforcement.⁶⁶ For example, Sahrawi networks (the population located in the disputed territory of Western Sahara, perceived by Morocco as an insurgency) in Mauritania, Mali and Algeria, with direct involvement of Polisario officials from Western Sahara, divert humanitarian aid southward.⁶⁷ However, undermining these networks through increased security measures will also create disruptions to the livelihoods that they support, which, while illicit in nature, actually provide basic needs to communities that rely on them.⁶⁸ And if you cut off access to goods (no matter how these goods were acquired), people may resort to extreme measures to

⁶⁴ UNODC (n 12).

⁶⁵ *ibid.*

⁶⁶ Lacher (n 15).

⁶⁷ Michael Rubin, 'Polisario Front Smuggling International Aid' (*American Enterprise Institute*, February 2014) <<http://www.aei.org/publication/polisario-front-smuggling-international-aid/>> accessed 27 March 2015.

⁶⁸ *ibid.*

obtain them, which is thought to be a root cause of violent extremism in general. Security regimes in the Sahel, by the nature of the environment in which they operate, are at slight odds with the livelihood needs of the communities in the region, where shadow economic activity accounts for 35-40% of GDP.⁶⁹

3. Counterterrorism Operations

US fears regarding the propensity for ‘ungoverned spaces’ to serve as bastions of regional insecurity are a driving force of the Global War on Terror (GWOT), and security experts are convinced that it is in these power vacuums in the Sahel that Al-Qaeda affiliates recruit and train for extremist causes.⁷⁰ Following the events of 11 September 2001, states worldwide underwent systemic overhauls of their border controls and national security. The Sahel states are no exception; since 2007, conflicts in Mali, Niger and Mauritania have led to a series of crackdowns and more severe enforcement of the borders, which has affected not only the flow of insurgent groups and cross border criminal networks, but has also negatively affected the movement of migrants towards North Africa.

This section focuses on two of these security operations. First, it examines US efforts to combat terrorism in the Sahel region of Africa through the Trans-Sahara Counter Terrorism Partnership (TSCTP), and its Department of Defence support via Operation Enduring Freedom-Trans Sahara and Operation Flintlock. It then briefly discusses programming by the Government of France, through Operation Barkhane. The analysis considers how these military operations affect vulnerable populations and migrants, and what this means for future programming under the auspices of the GWOT, or Operation Enduring Freedom, which has been on-going since 2001.

⁶⁹ *ibid.*

⁷⁰ David Y Yamamoto, Acting Assistant Secretary, Bureau of Africa Affairs, ‘The Growing Crisis in Africa’s Sahel Region’ (*US House of Representatives, Subcommittee on Africa* 21 May 2013) <<http://www.state.gov/p/af/rls/rm/2013/209790.htm>> accessed 1 March 2016.

3.1 The American Pivot Towards the Sahel

In general, US inaction in Africa has mostly been compensated for by USAID direct action in the continent and, for the better part of the post-Cold War era, US policy towards the Sahel avoided direct military activity entirely. But in recent years, the Pentagon has pursued an approach, still constrained by political will, of focusing on the continent as a whole. In 2002, at the height of Operation Enduring Freedom—Afghanistan, the Defence Department's Combined Joint Task Force—Horn of Africa (CJTF-HOA) brought a crisis response force of US military and intelligence into the African continent, driven by the fear that failed states like Somalia would become safe havens for Al-Qaeda fighters. Although the purpose of this operation was to target terrorists, due to a lack of defined targets in the Horn of Africa the mission changed objectives and began performing 'train and equip' activities, humanitarian assistance and other ancillary agendas.⁷¹ In 2007, the US Department of Defence underwent a political makeover and US Africa Command (AFRICOM) was established as the official US military command for the continent, which began operating out of Germany in 2008.⁷² AFRICOM has been increasing its use of the CJTF-HOA's facilities in Camp Lemonnier, Djibouti, as the centre of a future constellation of smaller facilities across the continent.⁷³ Operation Enduring Freedom—Trans Sahara (OEF-TS), known in the field as Operation Juniper Shield, was stood up in 2010 to refocus efforts on the Sahel, and the Pentagon has since begun building infrastructure throughout the region to establish what seems to be a more permanent fixture to support OEF-TS (including a drone base in Agadez, Niger, which is the third drone base on the continent and the second in the region).⁷⁴

⁷¹ Jeffrey Michaels, *The Discourse Trap and the U.S. Military: From the War on Terror to the Surge* (Palgrave Macmillan 2013) 80.

⁷² AFRICOM 'About the Command' <<http://www.africom.mil/about-the-command>> accessed 1 March 2016.

⁷³ Stephanie Sanok Kostro, 'French Counterterrorism in the Sahel: Implications for U.S. Policy' (*Center for Strategic and International Studies*, 4 February 2014) <<http://csis.org/publication/french-counterterrorism-sahel-implications-us-policy>> accessed 21 April 2015).

⁷⁴ Chris Whitlock, 'Pentagon Set to Open a Second Drone Base in Niger as it Expands Operations in Africa' *Washington Post* (1 September 2014)

Until recently, national interests had typically been reduced to emergency humanitarian responses, with minimal sustainable development programming in this backwater of US foreign policy. Nowadays, however, development through security has taken centre stage via a US agenda firmly rooted in AFRICOM's mission to enhance 'security, stability, and prosperity'.⁷⁵ These agendas are complex, as demonstrated by the TSCTP, which is exceptional in its ability to marshal interagency resources in support of a regional security approach that spans the '3Ds'—diplomacy, defence and development.⁷⁶ This is all in direct response to terrorism risks in the Sahel, which are a new priority for the US due to a confluence of threats emanating from the Niger Delta and the Lake Chad Basin.⁷⁷

However, the challenge for stakeholders is ensuring that security sector reforms are effective in a region that has been historically occupied by weak and failing decentralised⁷⁸ states with insufficient control of their respective security apparatuses and borders. Additional challenges lie in the need to ensure that US national security interests in this region, if any exist, are promoted as a priority (this is based on the perception that Americans grew tired of war after Iraq and Afghanistan, and so any hard military action

<http://www.washingtonpost.com/world/national-security/pentagon-set-to-open-second-drone-base-in-niger-as-it-expands-operations-in-africa/2014/08/31/365489c4-2eb8-11e4-994d-202962a9150c_story.html> accessed 30 April 2015.

⁷⁵ 'United States Africa Command, in concert with interagency and international partners, builds defense capabilities, responds to crisis, and deters and defeats transnational threats in order to advance U.S. national interests and promote regional security, stability, and prosperity.' US Africa Command, Department of Defense, 'What We Do' <<http://www.africom.mil/what-we-do>> accessed 1 March 2016.

⁷⁶ William Miles, 'Deploying Development to Counter Terrorism: Post-9/11 Transformations of US Foreign Aid to Africa' (2012) 55(3) *African Studies Review* 27.

⁷⁷ Interview with Specialist in African Affairs (n 25).

⁷⁸ While decentralisation in African states was generally seen as a democratisation move during decolonisation, in some states, particularly several Sahelian states, the movement has led to the thinning of resources and capacity in the remote parts of these large states. This has given rise to insurgent movements, as seen in the conflicts between the Fulani and Taureg people against the governments in Niger and Mali since the 1990s.

elsewhere must be justified as in line with US interests overseas). Although most experts believe that Sahelian extremist groups do not pose an imminent threat to US security,⁷⁹ the immediate goals of these programmes is to try to diminish local extremism through SSRs and development before they get worse. That said, counterterrorism programming by the US can only be successful to the extent that the target state itself incorporates these programmes into their own security strategies and continues to deliver them after the US leaves. But where these states are unable to maintain their own security, these programmes will fail without a significant amount of foreign assistance to guide them. This suggests that counterterrorism programming in a region like the Sahel has no clear exit strategy for the US in the short term, which raises questions regarding US objectives in this region.

3.2 US Counterterrorism Operations in the Sahel

Counterterrorism programming officially began operating out of the US Department of State in 1972, following the terrorist attacks at the Munich Olympics. Anti-terrorism activities have since evolved to include military and development initiatives. In Afghanistan and Iraq, the US Department of Defence (DoD) introduced counterterrorism and counterinsurgency operations that were intended to be heavily development focused. They were met with minimal success, mostly because they were implemented through the military with limited oversight from agencies that actually *do* development. Nevertheless, the US has implemented this strategy in other presumed Al-Qaeda-affiliated outposts; henceforth, US foreign assistance channelled through the DoD budget increased from 6% to 20% worldwide between 2002 and 2007.⁸⁰

⁷⁹ Johnnie Carson, Assistant Secretary, 'Examining U.S. Counterterrorism Priorities and Strategy Across Africa's Sahel Region' (*Senate, Committee on Foreign Relations, Subcommittee on Africa*, 17 November 2009) <<http://www.foreign.senate.gov/imo/media/doc/CarsonTestimony091117a1.pdf>> accessed 25 April 2015).

⁸⁰ William G Moseley, 'Stop the Blanket Militarization of Humanitarian Aid' (*Foreign Policy Magazine*, 31 July 2009) <<https://foreignpolicy.com/2009/07/31/stop-the-blanket-militarization-of-humanitarian-aid/>> accessed 21 April 2015.

Rather than establishing direct missions in the Sahara, the US European Command developed the Pan-Sahel Initiative (PSI) in 2002. The PSI was designed to counter the risks posed by weak states and their ungoverned spaces, which are believed to be safe-havens and training camps for terrorists. The PSI was given a budget of US\$7.75 million to train and equip rapid reaction counterterrorism forces in Mali, Chad, Niger and Mauritania.⁸¹ The programme aimed to assist those states in detecting and responding to the suspicious movement of people and goods across and within their borders, while supporting the US's overall mission of the GWOT and enhancing security and stability in the region. That said, the PSI drew significant criticism for its lack of understanding of the root economic and political causes of instability in these states. Furthermore, many experts questioned the PSI's agenda because, prior to 2002, there was no mention in any US documents of terrorist activity or listed threats in the four states targeted by PSI operations. In contrast, for example, Algeria and Tunisia were commonly targeted by Groupe Salafiste pour la Prédication et le Combat since 1992, today known as Al-Qaeda in the Islamic Maghreb, but neither state was a recipient of PSI programming.⁸²

In 2005, the PSI was superseded by the larger scope of the Trans-Sahara Counterterrorism Initiative (TSCTI), and in 2008 it was incorporated partially into US Africa Command (AFRICOM) as the Trans-Sahara Counterterrorism Partnership (TSCTP).⁸³ The programme has since taken on the more ostensibly holistic approach of utilising its US\$500 million budget to incorporate development assistance and diplomacy into its counterterrorism strategy, on a state-by-state level, through the aforementioned '3Ds', the golden trinity of US foreign policymaking. The programme's activities include the following: military capacity-building, anti-terrorism

⁸¹ William Pope, Acting Coordinator for Counterterrorism, US Department of State, 'Eliminating Terrorist Sanctuaries: The Role of Security Assistance' (Washington, DC 10 March 2005) <<http://2001-2009.state.gov/s/ct/rls/rm/43702.htm>> accessed 2 March 2016.

⁸² Michaels (n 71) 74.

⁸³ Mary Jo Choate, USMC, 'Trans-Sahara Counterterrorism Initiative: Balance of Power?' (*USAWC Strategy Research Project*, 30 March 2007) <http://pdf.usaid.gov/pdf_docs/PCAAB627.pdf> accessed 26 April 2015.

programming in law enforcement, strengthening the intelligence sectors and securing critical infrastructure, justice sector capacity building for the prosecution of criminals and terrorists, public diplomacy and information operations, countering violent extremism (CVE) through the promotion of moderation and tolerance in the media and education, community engagement and engaging local leadership, delivering assistance to marginalised communities, and vocational training.⁸⁴

The structure of the partnership between USAID, DoS and DoD was deliberately designed to be robust, with the bulk of funding channelled through the Department of State, while operations are intentionally dispersed between multiple agencies. However, funding for TSCTP is disaggregated between too many funding channels with different mandates, and the majority of active programmes through TSCTP have only operationalised the military programmes. The actual funding channels break down as follows: Department of State funds border control,⁸⁵ law enforcement and military programmes through peacekeeping operations (PKO); USAID supports development and CVE programs through development assistance funding; and AFRICOM's OEF-TS budget funds bilateral military training programs, which, in practice, fall under Operation Flintlock.⁸⁶ It is worth noting that cross-border train-and-equip programming is covered by an independent pool of funding, entitled Section 1206, with operational capacity that is not included in the TSCTP mandate; however, the majority of DoD programming through TSCTP is directed towards these cross-border

⁸⁴ Leslie Anne Warner, 'The Trans Sahara Counter Terrorism Partnership—Building Partner Capacity to Counter Terrorism and Violent Extremism' (*Center for Naval Analyses*, March 2014) <<http://www.cna.org/sites/default/files/research/CRM-2014-U-007203-Final.pdf>> accessed 27 April 2014.

⁸⁵ Border control is funded through Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR). Epstein, Tiersky and Lawson, 'State, Foreign Operations and Related Programs: FY2015 Budget and Appropriations' (*Congressional Research Services*, 8 December 2014) <<https://www.fas.org/sgp/crs/row/R43569.pdf>> accessed 2 April 2016.

⁸⁶ US Government Accountability Office, 'Combatting Terrorism: US Efforts in Northwest Africa would be strengthened by Enhanced Program Management' (Report to the Senate Committee on Foreign Relations, GAO-14-518, June 2014) <<http://www.gao.gov/assets/670/664337.pdf>> accessed 2 March 2016.

‘train and equip’ activities, even though 1206 programming is not authorised to provide military support.⁸⁷ This funding confusion highlights the institutional inefficiencies of the TSCTP.

3.3 TSCTP’s Limited Development Programming

In 2008, the DoD transferred \$9.5 million to USAID via TSCTP to operate a counterterrorism programme in Mali that focused on education in Koranic studies in northern villages and job training for young men. USAID built an additional fourteen radio stations that broadcasted anti-extremist programmes inside Mali.⁸⁸ However in the aftermath of the 2011 events that precipitated the NATO intervention in Libya, these counterinsurgency programmes hit an impasse in the region. Most programmes have had limited success in improving local governance initiatives and social cohesion, yet the US government continues to operate them. Currently, USAID’s \$61 million programme ‘Peace through Development’ (PDEVII) operates as the official development extension of TSCTP. The programme aims to reduce the risk of instability and increase local resilience to violent extremism through community-led approaches that focus explicitly on young men and women. PDEVII promotes freedom of speech at the local level through community-wide radio broadcasts, governance building and engaging the youth in remote and marginalised communities.⁸⁹ For PDEVII to be efficient, further development and CVE (or counter narrative) programming is necessary in the region to balance out the increasing military activity.⁹⁰

In 2014, the Department of State contracted the Danish Demining Group, an extension of Danish Refugee Council, to undertake the TSCTP’s objective to counter violent extremism. The programme will be operationalised by 2016, when it will begin

⁸⁷ Interview with Specialist in African Affairs (n 25).

⁸⁸ Moseley (n 80).

⁸⁹ US Agency for International Development—Africa Bureau, ‘Peace through Development, II’ (2014) <<http://www.usaid.gov/west-africa-regional/fact-sheets/peace-through-development-ii-pdev-ii>> accessed 25 April 2015.

⁹⁰ Interview with Senior Counterterrorism Advisor, US Agency for International Development (Washington, DC 22 February 2015).

providing development assistance, counter narrative programming and conflict resolution training to border communities in Burkina Faso, Niger and Mali. This holistic approach to CVE and border control aims to alleviate tensions between communities and law enforcement by building on local objectives to maximise livelihoods through cross-border trade while securing the borders from criminal activity. The goal is to create trust between the state and its remote communities through a holistic approach to security sector reform, which has never previously been achieved in this region.⁹¹ Currently, none of the development programmes through TSCTP have produced any tangible results in the Sahel.

3.4 Operational Challenges of TSCTP

The TSCTP is operationalised to mobilise resources from the interagency network to support initiatives that counter violent extremism in the Sahel and to coordinate the activities of the various implementing agencies.⁹² The critical issue here is *interagency* coordination, which refers to the activities that take place between multiple US government agencies, in this case the Departments of Defence, State and Aid. Previously, there was little connection between the bulk of security and humanitarian programming in the region. Some experts have even suggested that TSCTP is on the fence, teetering between losing its authority and being absorbed into AFRICOM's Operation Flintlock, and emerging as the lead in US foreign policy in the region.⁹³ To achieve the latter, the diplomacy arm of TSCTP needs to be leveraged more effectively in order to streamline the leadership of the partnership. Although it is peddled as an interagency programme, the majority of its activities are still shelved under AFRICOM, and are implemented through military contractors who are not authorised to respond to the interagency network.⁹⁴ Because of this organisational mismanagement, non-US

⁹¹ Danish Demining Group, 'Concept Note: Armed Violent Resistance in the Sahel' (Abidjan 2015); Interview with West Africa Regional Manager, Danish Demining Group (phone call, 23 June 2015).

⁹² Carson (n 79).

⁹³ Interview with, Africa Policy Analyst, Congressional Research Services (phone call, 1 July 2015).

⁹⁴ Warner (n 84).

government officials are conducting the bulk of operations through TSCTP without any oversight from the Departments of State and Aid.

Further challenges are observed by how the core mandate of the TSCTP was to dovetail these interagency responses, with a heavy emphasis on counter-narrative programming to reduce religious radicalisation in marginalised populations. However, by design the TSCTP actually has a narrow focus on CVE with limited operational programming in democratic institution building and livelihood development.⁹⁵ Furthermore, the impact of interagency programming is limited where each US agency has different priorities in different countries in the region, and especially where these do not fall under the programme's mandate. For example, the TSCTP is not operational in Nigeria, where the extremist group Boko Haram are primarily active, despite Chad and Cameroon recently being added to the scope of the project in response to increased violence by the group.

In theory, the TSCTP's goals are to 'enhance the indigenous capacities of governments in the pan-Sahel ... to confront the challenges posed by terrorist organisations in the trans-Sahara and to facilitate cooperation between those countries and the United States'.⁹⁶ However, in practice, it is noticeable that the TSCTP has been promoting principles that encourage sectarian behaviour, allowing states to crack down on ethnic minorities, Muslim groups and political opposition. In these cases, the TSCTP and its related programmes have created enemies for the US and its partners in the Sahel region where they did not previously exist.⁹⁷ Furthermore, this foreign policy agenda has allegedly begun to inspire radicalism by discrediting moderate African Muslim leaders in local communities and fomenting political instability in key states like Mali, Niger and Chad. Several African governments have even used the objectives of

⁹⁵ Interview with Border Security Program Manager (n 59).

⁹⁶ US Department of State, 'Programs and Initiatives' (Bureau of Counterterrorism) <<http://www.state.gov/j/ct/programs/>> accessed 30 April 2015.

⁹⁷ David Gutelius, 'US Creates African Enemies Where None were Before' (*Christian Science Monitor*, 11 July 2003) <<http://www.csmonitor.com/2003/0711/p11s01-coop.html>> accessed 6 April 2015.

the GWOT coercively against legitimate opposition groups. For example Mauritania's President Maaouiya Ould Taya used these western claims of terrorist threats to persecute his political opponents. This backfired and fuelled instability in the country, which led to an attempted military coup in 2003.⁹⁸

These policies, when loosely implemented, allow leaders and security forces to indiscriminately target Muslim community leaders and marginalise these communities based on preconceived sectarian notions of terrorist affiliations.⁹⁹ For example, although programmes in Nigeria do not fall under the scope of TSCTP, the country is one of the largest recipients of antiterrorism assistance programming. The Nigerian government used these funds to crack down on Boko Haram in 2009, which set off a chain of events that led to the scaling up of violence in northeast Nigeria in 2013.¹⁰⁰ Additionally, increasing public awareness of religious extremism throughout the Sahel has bolstered communities to engage in previously unseen xenophobic activities and practices, creating a growing sense of fear and paranoia in major urban centres, according to the Senegalese Red Cross.¹⁰¹

More challenges surfaced in 2008, when the US Government Accountability Office (GAO) issued a scathing audit of the TSCTP, highlighting both the partnership's inability to build a comprehensive integrated strategy to guide operations on the ground, as well as the lack of leadership.¹⁰² Additionally, a cohesive list of goals for the programme was never produced since each agency had drafted their own objectives for the programme; and this

⁹⁸ IRIN News, 'West Africa: Economic Aid is Needed to Combat Terrorism in Sahel, Not Just Military Training—ICG' (Dakar, 1 April 2005) <<http://www.irinnews.org/report/53703/west-africa-economic-aid-is-needed-to-combat-terrorism-in-sahel-not-just-military-training-icg>> accessed 27 April 2015.

⁹⁹ Gutelius (n 97).

¹⁰⁰ Interview with Africa Director of the US Department of State, Bureau of Democracy, Human Rights and Labor (Washington, DC 20 February 2015).

¹⁰¹ Interview with Senior Protection Officer of the Senegalese Red Cross (n 61).

¹⁰² Government Accountability Office, 'Combatting Terrorism: US Efforts in Northwest Africa would be Strengthened by Enhanced Program Management' (GAO-14-518, 24 June 2014) <<http://www.gao.gov/products/GAO-14-518>> accessed 21 April 2015.

state of affairs continues to today. A 2011 follow-up audit found that the TSCTP was still lacking transparency in how it operationalised over half of its \$288 million budget, without facilitating any resilient systemic changes in the region.¹⁰³

That said, what makes the TSCTP unique and advantageous is that it requires the facilitation of multilateral and multiagency partnerships across the region, which steers the US away from its tendency to intervene unilaterally. This can be seen through France's continued request for intelligence support from AFRICOM and NATO, via Operation Barkhane,¹⁰⁴ and the engagement of TSCTP with the G5 Sahel, ECOWAS and other partner consortiums.¹⁰⁵ In sum, TSCTP is experiencing the bureaucratic challenges that any large-scale project might expect to endure. However, a critical gap exists where the programme lacks direction and personnel with comprehensive knowledge of the region. Improved expertise on terrorist groups in Africa must be a top priority for this programme to work. Boko Haram, AQIM and al-Murabitoun, like Al-Shabaab in Somalia, have uncertain futures as the groups are splintering and reorganising along nationalistic and religious lines. The US should leverage these uncertainties, but because experts lack sufficient understanding of these extremist groups, counterterrorism programming is operationally limited at present.

3.5 France's Operation Serval and Barkhane

The US won a short reprieve from being the top target of Islamist terrorist groups in the Sahel/West Africa region when France intervened in Mali in 2013 through Operation Serval. In January 2012, following former Libyan leader Muammar Gaddafi's ousting and the flood of weapons into Mali, Taureg tribesmen of the

¹⁰³ *ibid.*

¹⁰⁴ Operation Barkhane is the French military operation in the Sahel to counter terrorism in the region. The mission grew out of the French military's responses to the Taureg occupation of Northern Mali (2013), which were entitled Operation Serval and Operation Epervier in Chad (1986).

¹⁰⁵ Ministère de la Défense, République Française, 'Operation Barkhane' (30 November 2015) <<http://www.defense.gouv.fr/operations/sahel/dossier-de-presentation-de-l-operation-barkhane/operation-barkhane>> accessed 2 March 2016.

National Movement for the Liberation of Azawad (MNLA) began a rebellion against the government in the capital, Bamako. By June, this national insurgency had evolved into an open battle for sectarian independence of northern Mali between the MNLA and the terrorist groups Ansar Dine and the Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest (MUJAO). Following the December 2012 United Nations Security Council Resolution 2085¹⁰⁶ and an official request by the government of Mali, France began a military intervention in the north of the country. Three of the five main Islamist leaders were subsequently killed during France's operation, while the remaining two, Mokhtar Belmokhtar and Iyad ag Ghali, fled to Libya and Algeria respectively, therein dispersing the insurgency.¹⁰⁷

Operation Serval demonstrated France's capacity to operate small field, highly capable forces tailored towards the specific needs and objectives of the conflict and with the organisational means to deal with quickly evolving situations on the ground. Furthermore, Serval's brigades were equipped with individuals who had subject matter expertise and intelligence training on the cultural context in Mali, and the foresight to conduct training and interoperating military missions with other Sahelian and West African security forces. This flexible and robust engagement serves as an example of how a technologically sophisticated army should organise and field an expeditionary force. Operation Serval was a model example for a short-term lightweight intervention that utilised constrained resources, which forced the army to adopt structures well suited for limited operations. That said, the operation also highlighted the limitations of French military capacity to conduct deterrence and conventional warfare, given insufficient resources and ground forces to be able to conduct a traditional (or conventional) military engagement in Mali. By May 2013, France had drawn down Operation Serval, leaving only a small mixed combat group in the Gao region, called Groupement Tactique Interarmes Desert (GTIA

¹⁰⁶ UN Security Council, 'Resolution 2085 (2012)' (S/RES/2085, 20 December 2012) <[http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2085\(2012\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2085(2012))> accessed 2 March 2016.

¹⁰⁷ UN Security Council, 'Resolution 1267 (1999)' (S/RES/1267, 15 October 1999) <<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/1267%20SRES1267.pdf>> accessed 2 March 2016.

Desert), which was mandated to support the UN Mission in Mali (MINUSMA), the ECOWAS mission (AFISMA), the EU mission (EUTM Mali) and the government of Mali's forces in carrying on the battle against the northern insurgency.¹⁰⁸

Following Serval's drawdown, Operation Barkhane began as France's long-term counterinsurgency operation in the region on 1 August 2014. Barkhane operates from a single command post in N'Djamena, Chad, and boasts the intended goals of supporting the armed forces of the G5 Sahel countries in their actions against terrorists and non-state armed groups, and in preventing the reconstitution of terrorist sanctuaries in Sahelian ungoverned spaces.¹⁰⁹ The operation includes a base in Mali of 1,000 troops, an intelligence centre in Niger, a special forces centre in Burkina Faso, operational bases to support deployment from Cote d'Ivoire, Senegal and Gabon, and 3,000 soldiers deployed to support the G5 Sahel member state militaries in train and equip missions and bilateral joint actions.

It comes as no surprise given France's social, historical and political interests that the country has held a consistent security footprint in the Sahel-Sahara region since decolonisation. However, critics of Operation Barkhane have suggested that France's military presence has not galvanised states to build up their own militaries. Furthermore, religious radicalisation cannot be prevented through military means alone, and Operation Barkhane does not include any programming that hones in on countering violent extremism through development in the region, in contrast to the American model for the TSCTP.¹¹⁰ Operation Barkhane is an example of the use of hard power in Africa in order to solve security crises, whereas the TSCTP attempts to utilise a robust consortium of soft-power diplomacy

¹⁰⁸ Michael Shurkin, 'France's War in Mali: Lessons for an Expeditionary Army' (RAND 2014) <http://www.rand.org/content/dam/rand/pubs/research_reports/RR700/RR770/RAND_RR770.pdf> accessed 17 August 2015.

¹⁰⁹ *Ministre de la Défense* (n 105).

¹¹⁰ Amandine Gnanguênon, 'Operation Barkhane: A Show of Force and Political Games in the Sahel-Sahara' (ISS 2014) <<https://www.issafrika.org/iss-today/operation-barkhane-a-show-of-force-and-political-games-in-the-sahel-sahara>> accessed 17 August 2015.

through a development-focused counterinsurgency operation to do the same thing. It should also be noted that while the intervention is being touted by Europe as the paradigm for future programming in the region, there are no European countries that currently have the financial capacity to engage in the Global War on Terror in the same capacity as the US does. Future operations like Serval will most likely be forced to leverage multilateral relationships with NATO and the US in order to be sustainable in the long term.¹¹¹

4. No Exit Strategy

There is no clean exit strategy for counterterrorism operations, and as they replace traditional methods of intervention, the US footprint overseas is guaranteed to expand in relation to both intelligence and military capacities, alongside a decreasing emphasis on humanitarian relief. The current US military response to the emergence of religious insurgent groups is proving to be counterproductive in some respects, and some argue that it is actually fuelling the rise of Islamic militancy in the Sahel/Maghreb region.

Experts claim that it is economic assistance that is needed in order to mitigate the propensity of these weak states to fail and become hotbeds for terrorist activity; but the issue is not actually always terrorism.¹¹² Counterterrorism programmes have been known to undermine community development and local governance initiatives at times. For example in Mali, the focus on AQIM and MUJAO as the primary threats in the north have overshadowed other problems that are endemic to the region, where the crisis lies much more in corruption and bad governance than in credible threats from non-state armed groups. Counterterrorism programming has at times actually caused institutional erosion at this local level.

This critique does not account for the impact of these security programmes on migrants, who are constantly subjected to detainment and forced resettlement in the Sahel; as security

¹¹¹ Interview with Specialist in African Affairs (n 25).

¹¹² Interview with Border Security Program Manager (n 59).

programmes uproot insurgencies, they also impact vulnerable communities whose livelihoods are disrupted by border restraints, and in the case of TSCTP the programmes that are being offered to mitigate the rise in extremism will also be used to restrict migration.¹¹³ What is worrisome is that the TSCTP is touted by the US and its partners as the paradigm of future counterterrorism programming elsewhere, but unless it evolves to focus more on development it will continue to serve as a lacklustre programme in these complex settings, where AFRICOM takes the lead. In sum, in order for the TSCTP to be successful, it needs a centralised leadership that can leverage the multi-agency components, a long-term commitment from the US government and its allies, and a heavy emphasis on development.

Conclusion

The Bush and Obama administrations set aside a significant amount of funding for counterterrorism programmes in Africa; however, the spending trajectories were calculated in five-year increments without any forethought into what the environment would look like in the future. Likewise, American embassies in the region have little capability to actually implement these programmes in coordination with local governments, who do not have the institutional capacity to implement these reforms without a heavy hand of assistance and oversight from the United States and/or other partner regimes (including other states, international organisations and non-governmental organisations). Additionally, local governments in these Francophone countries tend to see the US presence in the region as both temporary and non-essential, in contrast to France's. Essentially, the US position in the region is unclear: American-run programmes boast unclear agendas that must

¹¹³ International Crisis Group, 'Mali: Security, Dialogue and Meaningful Reform' (Africa Report No. 201, 11 April 2013) <<http://www.crisisgroup.org/~media/Files/africa/west-africa/mali/201-mali-securiser-dialoguer-et-reformer-en-profondeur-english.pdf>> accessed on 20 April 2015.

be streamlined and purged of their bureaucratic nuances, so that regional partners can efficiently and effectively engage them.

Moreover, experts are not completely convinced that TSCTP will be successful unless it undergoes institutional management reforms.¹¹⁴ That said, the same experts still argue that it is the model for future counterterrorism operations elsewhere, as long as it asserts a sustainable civilian development component and does not become solely a military training activity with a robust supply programme that supports increased military capacity in weak centralised states (similar to Operation Flintlock).¹¹⁵

Ultimately, Western states boast very minimal understanding of how to combat violent extremism in general. Fighting terrorism is irregular warfare, and therefore counterterrorism programmes need to be constantly evolving in order to sufficiently approach the changing dynamics that occur in these unconventional war zones.¹¹⁶ This shift from traditional interventionist policy to soft-counterterrorism will continue to endure many challenges in the near future, the majority of which will be bureaucratic. However, the underlying idea behind the Trans-Saharan Counter Terrorism Partnership is still the best way to sustain the Global War on Terror and to promote democracy and development in weak states around the world. Finally, the most effective approach for encouraging sustainable development and mitigating the risk of emerging extremism in marginalised communities is through nuanced methods of development and humanitarian assistance that rely on counter narrative programming and desensitisation campaigns, which are driven by anthropological and sociological expertise of the targeted community. Until this agenda is incorporated into development and CVE programming, it should be expected that these initiatives will not successfully counter threats.

¹¹⁴ Interview with Specialist in African Affairs (n 25).

¹¹⁵ Interview with Border Security Program Manager (n 59).

¹¹⁶ Warner (n 84).