

PSC session on the establishment of a special unit for counter-terrorism as part of the ASF

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Tomorrow (28 October) the African Union (AU) Peace and Security Council will hold a discussion on the establishment of the Special Unit for Counter-Terrorism within the framework of the African Standby Force (ASF). The session is envisaged to take place through VTC.

Following the opening statement of the Chairperson of the PSC, the Department of Peace and Security is expected to brief the PSC. Additionally, representatives of the Regional Economic Communities/Regional Mechanisms (RECs/RMs) and of the five African Standby Force (ASF) regional brigades are also expected to address the PSC. Others that may provide further input may include the African Centre for the Study and Research on Terrorism (ACSRT).

The theme of this session, put on the agenda of the PSC on the initiative of Egypt, is a follow up to the decision of the 33rd ordinary session of the AU Assembly held in February 2020. Within the framework of the focus of the AU theme of the year for silencing the guns and as part of the response for the rising threat of terrorist attacks and operations on the continent, the AU Assembly through Assembly/AU/Dec.753(XXXIII) requested the PSC to consider the proposed establishment of a special unit for counter terrorism within the ASF and report back to the Assembly with its recommendations during the ordinary session of the Assembly in February 2021.

In the context of the proliferation of groups engaged in acts

of terrorism, the expansion in the geographic spread of terrorist operations and the rise in the incidence and scale of terrorist attacks, African states have responded through various mechanisms. It was in this context that, the African Union Mission to Somalia (AMISOM) changed its defensive approach and assumed a more combative posture in the effort to degrade and weaken Al Shabaab in Somalia. Subsequently, building on the experience of the Regional Task Force against the Lord Resistance Army, ad hoc regional military operations bringing together the coalition of the willing of affected member states have been established in the Lake Chad Basin against Boko Haram and in the Sahel region against various terrorist groups.

Accordingly, the Multi-National Joint Task Force (MNJTF) against Boko Haram comprising Nigeria, Chad, Niger, Cameroon and Benin and the G5 Sahel Joint Force made up of Burkina Faso, Chad, Niger, Mali and Mauritania have come into operation. These ad hoc security arrangements are developed both in response to the pressing needs of the affected regions and to fill the gaps in the existing instruments for countering the kind of asymmetric warfare being undertaken by terrorist groups in various parts of the continent.

The proposal for the establishment of the special unit for counter terrorism is also a manifestation of this trend in putting up more agile and flexible arrangements to respond to urgent and pressing threats from the expansion of terrorist groups on the continent.

The need for reinforcing the effectiveness of responses and for a comprehensive approach to addressing the menace of terrorism in Africa is pressing. This can be gathered from the rise in incidents of terrorist attacks in various parts of the continent. Northern Mozambique has become the latest hot spot terrorist operations, leading to major displacement and destruction in the region. The number of violent incidents in Mali, Burkina Faso and Niger has increased sharply. According

to the UN, it has increased fivefold since 2016 and doubled in 2019 compared to 2018. In geographic scope as well, the violence in the Sahel has during 2019 spread across the region. The human toll of this dramatic spike in violent incidents involving militant armed groups in the Sahel has also skyrocketed, making 2019, according to a major global conflict database, the deadliest in over 20 years.

Tomorrow's session is not the first time for the idea of the establishment of a special unit for countering terrorism arose in the PSC. The first time this idea was discussed was during the first summit level PSC session held in Nairobi Kenya in September 2014. In tasking the AU Commission to pursue and intensify its efforts, the communique of the 455th session of the PSC, among others, tasked the Commission to support and facilitate 'regional cooperation initiatives and mechanisms, to address specific transnational threats, building on the RCI-LRA..., including making specific recommendations on the possible establishment of specialized joint counter-terrorism units at the sub-regional and regional levels and within the framework of the African Standby Force.' Such a unit may be an option for addressing some of the challenges surrounding the operation of the ad hoc coalitions and indeed for ensuring the coherence of the African Peace and Security Architecture as it relates to the role of the ASF.

It is clear that the prevailing security environment does indeed demand the availability of agile, flexible and speedy response tools as part of the range of mechanisms for addressing the threat of terrorism in Africa. At a practical level, there are a number of technical and policy issues that need to be clarified for purposes of the establishment of such unit within the framework of the ASF. The first relates to what the impact of the assignment of a counter terrorism operation for the ASF would be in terms of its role as peace support operations instrument of the AU and the care that should be taken. This also relates directly to the first issue

highlighted in the concept note for this session, namely 'What are the predefined determinants of what qualify for a terrorist threat that may require a country to request the PSC to mandate the ASF to perform counter- terrorism operation'. Indeed, there is a need for clarity on the scenarios for which such unit would be deployed.

Second, there is the question of the relationship of this unit with the Rapid Deployment Capability (RDC) of the ASF. Under the ASF concept the RDC is the instrument that is envisaged for deployment in response to urgent emergencies. Third, the legal basis for the establishment of such a specialized instrument. In this respect, the concept note for the session indicates that the ASF 'can be given additional functions as part of the mandates issued by the PSC in the deployment of peace support operations and intervention pursuant to article 4 (h) and (j) of the Constitutive Act.' It seems that this special unit is tied specifically to Article 4(j) of the Constitutive Act, which envisages the possibility of a state party seeking intervention by the AU for restoring peace and stability. Fourth, in terms of its mandate and duration of operation, there is the issue of what kind of tasks would it accomplish, for how long and with what exist strategy. The fifth area relates to command and control, accountability and coordination with regional bodies and national authorities. While the concept note identifies the mandating authority and the ASF command and control structure, an issue for further consideration is how this would work in practice from the conception of the operation to force generation, its mandating, deployment and the management of the operation.

The sixth area concerns the technical and logistical as well as the training requirements for the establishment of such a unit and the openness of such unit for participation by all states at the level of the regional brigades which house the unit. The concept note makes reference to 'the skill sets' that may be required for a particular counter terrorism

operation and 'the necessary capabilities and equipment, including for example, a battalion, battle group, special forces, intelligence capabilities that must be availed by Member States as part of their pledges to their regional standby force ...etc; and while emphasizing the necessity to ensure that such capabilities could be rapidly deployed, and so light weaponry and limited sized of companies would be important elements for such counter terrorism capability.' Finally, there is the issue of the financing of the establishment and deployment of such unit, including the mechanism for its initial sustenance. IN this respect as well, the concept note states that 'Taking into consideration that an ASF counter terrorism operations is an integral part of the ASF, the Resources and funding for that special unit will be reflected within the budget of the ASF as stipulated in article 13 of the ASF protocol.'

The expected outcome is a communiqué. The PSC may express its concern about the serious threat that terrorism poses in various parts of the continent. It may also underscore the need for a comprehensive approach reiterating the outcome of its 749th session on comprehensive approach to combating the transnational threat of terrorism in Africa. It may also state the need for strengthening the response mechanisms in combating terrorism within the ASF. It is expected that the communique would outline the next steps for the establishment of the specialized unit. Among others, this may entail the PSC tasks the AU Commission to develop proposal in consultation with RECs/RMs and the five regional brigades clarifying both the conceptual and operational details for the establishment of the unit as part of the ASF and submit the same for consideration and adoption within specified timeline.