1st Committee of the General Assembly
(Disarmament and international security committee)

Topic area A: “Combating the spillover of terrorist activity in Sub-Saharan Africa”
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Welcoming Letter by the chairs of the First Committee

Dear Delegates,

We are pleased to welcome you all to the 1st Committee of the General Assembly. At first, we would like to congratulate each and every one of you for taking part into this year’s edition of the Thessaloniki International Students Model United Nations and promise that we will do anything within our powers to facilitate you throughout the conference so as to have a productive and unforgettable experience.

This year’s sessions will focus once again on two pressing issues. The first topic, calls upon combating the spillover of terrorist activity in Sub-Saharan Africa. Losing ground in the Middle East has led terrorist groups – mainly but not limited to Al Qaeda, ISIS and their affiliates – to seek for more fertile ground to carry out their operations. Sub-Saharan Africa is an enormous region totally vulnerable to such groups and the activities they are associated with - including arms, human, currency and drug trafficking – due to its vast expanses of desert and porous borders. Currently there are three main centers of it; Somalia (spillover into Kenya), Mali (spillover into Burkina Faso) and the states surrounding Lake Chad (Nigeria, Niger, Cameroon, Chad). Apparently the phenomenon under discussion is internationalizing. It already poses a threat to international security and as such it calls for the 1st Committee of the GA to take action towards tackling the spread of extremism, organized crime as well as the possible triggering of more armed conflicts in the area.

The second topic deals with the issue of the prohibition of the development, production and stockpiling of biological and toxin weapons and on their destruction. Although the Biological Weapons Convention has been active since 1975, many countries have violated it during the course of the years that followed. Since July 2018, 181 states parties have signed it. However further measures have to be taken into consideration and negotiations have to be made in order to ensure that no country, group or
individual will create and use any form of biological and toxin weapon. Acknowledging the continuous increase of terrorist and extremist groups using chemical weapons, these same groups could take advantage of the biological weapons by spreading deadly viruses such as Ebola in specific major cities.

This study guide aims at helping you get a better insight into the Topic Areas of the Committee and offers you a starting point for your research. Nevertheless, it is highly advised to conduct a thorough examination on your country’s position concerning the matter discussed and also elaborate on your key national policies within the context of the position paper you will be requested to deliver before the opening of the conference. We trust in your academic and diplomatic skills and sincerely hope for a remarkable outcome. We thank you in advance for your in-depth understanding and cooperation and look forward to meeting you in person!

The chair and co-chair of the First Committee of the General Assembly,

Albi Cristo,

Alexandros Pantelakos.
Introduction to the Committee

The 1st Committee of the General Assembly (Disarmament and International Security Committee)\(^1\) was established in 1993 and constitutes one of the main committees of the GA. The role of the committee is circumscribed in Article 11, Chapter IV of the United Nations Charter.

“The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments and may make recommendations with regard to such principles to the Members or to the Security Council or to both”. As per this article, the mandate of the 1st Committee of the General Assembly is highlighted as, “to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world’s human and economic resources”.

The body’s pivotal responsibilities are interconnected with issues of disarmament, global challenges and threats to peace, all of which greatly affect the international community. The Committee further seeks out solutions to the challenges in the international security regime. Any arising disarmament and international security matter falls within the ambit of the Charter relating to the powers and functions of the 1st Committee. It implements the following principles when drafting its documents or in session:

- The general principles of cooperation in the maintenance of international peace and security.
- Principles governing disarmament and the regulation of armaments.
- And, last but not least, the promotion of cooperative arrangements and measures aimed at strengthening stability through lower levels of armaments.

The Committee works in close cooperation with the United Nations Disarmament Commission and the Geneva-based Conference on Disarmament. Moreover, it is the only Main Committee of the General Assembly entitled to verbatim records coverage.

**Introduction to the Topic**

**New York, 11/9/2001:** two hijacked American planes are crashed into the so called Twin Towers of the World Trade Center in Lower Manhattan. Half an hour later a third one is crashed into the Pentagon (headquarters of the U.S.A. Department of Defense) in Arlington County, Virginia. Meanwhile, a fourth plane crashes in a field near Shanksville, Pennsylvania; its initial target is believed to have been either the Capitol or the White House in Washington DC. 2,996 civilians were killed because of the attacks. Approximately 3 years later al Qaeda claims responsibility.

The attacks of 9/11 were neither the first nor the last terrorist attacks listed in history. However, they are by far the most significant. It is not just about being the deadliest attacks ever carried out by terrorists. It is because, for a series of reasons, terms like “terrorism”, “terrorist organization”, “extremism” etc. have been considered as top priority issues in the agendas of international organizations, states’ defense strategies, media and public discourse in general since that day. The United Nations could not be an exception.

Since the beginning of the 21st century terrorist activity has expanded in several regions of the world resulting in the intensification of the alertness of global factors. The Middle East, where peace and balance among states has been fragile for over a century now, appears to be the nucleus of terrorist activity. Back then, it was Al Qaeda. However, recently the “number one” danger is the Islamic State (ISIS) and its affiliates.

Nonetheless, recent developments are indicative of the fact that they have started losing ground in what has been their main battlefield so far, the Middle East. The slow, but steady, shrinking of their territories and power in the region has brought up the need to find new fertile soil for their ideas, a new battleground to operate. It appears
that they have already found it without any delay. *Sub Saharan Africa* has a rather long history of deadly incidents linked with terrorist activity during the last decade. The wide spread of extremist ideas in Northern Africa, for example, could make sense up to a point: the majority of the population there, as well as the Middle East, share a similar religious, linguistic and cultural background. But what about the rest of the continent, which is actually the subject of this study guide? There are certain countries highly vulnerable to terrorist groups at the moment mainly in the regions of Sahel, Central Africa, West Africa and the Horn of Africa, all parts of what is defined as Sub Saharan Africa. However, terrorist activity is spilling over to their neighboring countries as well. The almost unhindered access to various sorts of weaponry that is being trafficked within states borders makes things worse. Apparently, the phenomenon is internationalizing posing a serious threat even for states that are not directly affected at the moment. National, regional and international institutions ought to seriously consider the issue before it gets out of hand.

The current study guide intends to examine and present you with the main aspects of the topic we are about to discuss in the committee. At this point there is an issue that must be clarified: the topic you are expected to debate on enfolds an extreme range of subtopics and ways to approach it. One can explain the spillover of terrorism in Sub Saharan Africa in economic, humanitarian, educational or geopolitical terms. However, always be reminded that the mandate of the 1st Committee of the GA is very specific. Thus, we are examining the parameters of our topic within the aspect of *Disarmament and International Security*.

Who are the main actors? What sort of weaponry do they use? In which ways could they be prevented from obtaining both conventional and advanced weaponry? What measures has the global community taken? What is the UN counter terrorism strategy? This is a sample of questions the current document will further elaborate on.
Defining the key terms of the topic

Deeper comprehension of the topic is not possible without defining some key terms one will run into throughout this document and in various others very often. The following clarification are useful in order to determine the geographical and technical confines of the issue at hand.

Sub-Saharan Africa

Sub-Saharan Africa \(^2\) is the term used to describe the area of the African continent which lies south of the Sahara Desert. Geographically, the demarcation line is the southern edge of the Sahara Desert. Since the end of the last ice age, the north and sub-Saharan regions of Africa have been separated by the extremely harsh climate of the sparsely populated Sahara, forming an effective barrier interrupted by only the Nile River. The regions are distinct culturally as well as geographically; the dark-skinned people south of the Sahara developed in relative isolation from the rest of the world compared to those living north of the Sahara, who were more influenced by Arab culture and Islam.

There are 42 countries located on the sub-Saharan African mainland:

- **Central Africa**: Democratic Republic of Congo, Republic of Congo, Central African Republic, Rwanda, Burundi
- **East Africa**: Sudan, Kenya, Tanzania, Uganda, Djibouti, Eritrea, Ethiopia, Somalia (including Somali land)
- **Southern Africa**: Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, Zimbabwe
- **West Africa**: Benin, Burkina Faso, Cameroon, Chad, Côte d'Ivoire, Equatorial Guinea, Gabon, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo

\(^2\) New World Encyclopedia contributors. (2015), "Sub-Saharan Africa," New World Encyclopedia. Available at: [http://www.newworldencyclopedia.org/entry/Sub-Saharan_Africa](http://www.newworldencyclopedia.org/entry/Sub-Saharan_Africa)
African island nations: Cape Verde, Comoros, Madagascar, Mauritius, São Tomé and Príncipe, Seychelles

Territories, possessions, départements: Mayotte (France), Réunion (France)

Recent history has shown that some of the abovementioned states are more vulnerable to terrorist attacks than others. In other words, they are considered hotspots of terrorist activity: Somalia (spillover to Kenya), Lake Chad Basin (Nigeria, Cameroon, Niger and Chad), the DRC, Mali (spillover to Burkina Faso).

Terrorism

There is no official agreement concerning a universal legal definition of terrorism at the moment, while even the possible existence of a customary definition is debatable. One man’s terrorist could be another’s liberator. Consequently, implications have arisen due to this legal gap. Within the United Nations system, in the absence of a universally agreed definition of the term, various terminology describing the notion of “terrorism” can be found within its outputs.

The first example is General Assembly resolution 49/60. This document clarifies that there is a number of armed activities considered as “terrorist” in nature, that must be criminalized and, thus, made punishable no matter what the motives of the perpetrators are:

Acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them. (Para. 3).

3 Mauritius is generally not considered to be a sub-Saharan African island because the ethnic makeup of the country is predominantly East Indian, Chinese, and French


Another example of "terrorism" related terminology is Resolution 1566 (2004). It aimed to assist States in meeting their obligations under Security Council Resolution 1373 (2001) to take domestic legislative action in terms of preventing and strictly punishing specific criminal acts as terrorist ones:

... criminal acts, including against civilians, committed with intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act, which constitute offences within the scope of and as defined in the international conventions and protocols relating to terrorism, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature, and calls upon all States to prevent such acts and, if not prevented, to ensure that such acts are punished by penalties consistent with their grave nature. (Para. 3).

**Small Arms and Light Weapons (SALW)**

There is no universally accepted definition of a 'small arm' or of a 'light weapon' as well. A proposal put forward by the 1997 UN Panel of Governmental Expert, which considers portability a defining characteristic, could be adopted. The Panel’s list includes both civilian, private, and military weapons that fire a projectile with the condition that the unit or system may be carried by an individual, a small number of people, or transported by a pack animal or a light vehicle. The Panel’s list is organized into 'small arms' and 'light weapons':

- **small arms**: revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns and light machine guns.

- **light weapons**: heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless ri-

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6 Ibid
fles, portable launchers of anti-tank missile and rocket systems; portable launchers of anti-aircraft missile systems (MANPADS); and mortars of calibres of less than 100 mm.

**Weapons of Mass Destruction (WMD)**

*Weapons of mass destruction (WMDs)*\(^8\) constitute a class of weaponry with the potential to, in a single moment, kill millions of civilians, jeopardize the natural environment, and fundamentally alter the world and the lives of future generations through their catastrophic effects. The United Nations has sought to eliminate all categories of WMDs since its establishment, and the First Committee of the General Assembly has from the beginning been mandated to deal with disarmament, global challenges and threats to peace that affect the international community. Other UN bodies tasked with negotiating the elimination of WMDs include the Conference on Disarmament along with its predecessors, and the Disarmament Commission.

A number of multilateral treaties exist to outlaw several classes of WMDs. These treaties include the Biological Weapons Convention (BWC) and the Chemical Weapons Convention (CWC). Multilateral treaties targeting the proliferation, testing and achieving progress on the disarmament of nuclear weapons include the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Treaty Banning Nuclear Weapon Tests In The Atmosphere, In Outer Space And Under Water, also known as the Partial Test Ban Treaty (PTBT), and the Comprehensive Nuclear-Test-Ban Treaty, which was signed in 1996 but has yet to enter into force. Several treaties also exist to prevent the proliferation of missiles and related technologies, which can be used as a vehicle to deliver WMD payloads. These treaties include the Hague Code of Conduct (HCOC) and the Missile Technology Control Regime (MTCR).

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Improvised Explosive Devices (IEDs)

*Improvised explosive devices (IEDs)* are among the world’s oldest types of weapons. Their use is regulated. In situations of conflict, warring parties may employ IEDs if they fully adhere to international humanitarian law, in particular the rules of distinction, proportionality and precautions in attack. Indiscriminate use or the targeting of the IEDs against civilians or civilian objects is strictly prohibited.

But the unlawful use of improvised explosive devices – particularly by non-state armed groups and rogue individuals – is spreading quickly. Such IED attacks deliberately target concentrations of civilians to achieve a maximum effect of lethality, terror and societal disruption; and they currently occur globally on a scale of hundreds per month. In 2015 alone, suicide attacks involving IEDs occurred in over 10 per cent of Member States, a greater proportion than any recorded ever before.

In addition, terrorist groups have sometimes made enduring gains in territorial control, creating areas where sophisticated IED production facilities can go undetected for long periods of time. In countries where strict weapons controls are in place, IEDs seem to form an increasingly attractive alternative or addition to illicit small arms.

**Historical Context**

Despite the fact that 9/11 constitutes a landmark date for what is called war against terrorism globally, it would be false to assume that terrorist activity in Sub Saharan Africa originates then. Terrorist groups, whose profile was up to a point similar to the ones operating nowadays (motivated by extreme ideas, religious fundamentalism, fanaticism etc.), had been carrying out a series of attacks since quite earlier.

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Back in the 1980s’ Sudan was the first African country to become deeply enmeshed in international terrorism. Palestinian-led terrorist actions took place there, including an attack on the Saudi Arabian embassy and the assassination of an American ambassador. The turning point, however, in the country’s history of international terrorism was 1992. It was the year when Osama Bin Laden came to Sudan. He lived there for five years before moving on to Afghanistan, building a network of financial and terrorist operations. Various networks of radical and terrorist groups operated in the country during that time. Sudan’s turbulent political situation provided known or suspected terrorists with an opportunity to settle down for a long period. The country has been in the US list of states sponsors of terrorism since 1993. Sudan was not the only Sub Saharan African state to experience terrorist attacks in the ‘90s, as al-Qaeda cells blew up the embassies of the USA in Nairobi (Kenya) and Dar es Salaam (Tanzania) in 1998.

Recent history does not lack terrorism linked incidents in the continent, too. On 14 October 2017 a truck bomb exploded in Mogadishu, the capital city of Somalia. An estimated 500 people were killed, while many more were injured. The attack – attributed to terrorist group al Shabaab by Somali authorities – is one of the most lethal to have happened globally the recent years. It is actually the deadliest ever since 9/11. Unfortunately, it would not be the last one of a series of frequent terrorist attacks the countries has suffered from. Eleven days later (on the 25th of October 2017) another blast outside Mogadishu killed at least 17 people. In Niger four U.S. soldiers were killed, while two were injured after an ambush. There are suspi-

10 Lyman, P.N. *The War on Terrorism in Africa.* [online]. Available at: https://www.cfr.org/content/thinktank/Lyman_chapter_Terrorism.pdf
11 U.S. Department of State. *States Sponsors of terrorism.* [online]. Available at: https://www.state.gov/j/ct/list/c14151.htm
12 Lyman, P.N. *The War on Terrorism in Africa.* [online]. Available at: https://www.cfr.org/content/thinktank/Lyman_chapter_Terrorism.pdf
cions that it was carried out by militants affiliated with ISIS. Terrorist attacks\textsuperscript{15} struck the Ivory Coast in 2016, while multiple ones have occurred in Burkina Faso since then. Senegal, historically one of West Africa’s most stable nations, held, in 2018\textsuperscript{16}, its largest terrorism trial, with 29 people accused of trying to create an Islamic State-style caliphate in the region. It is obvious that there is no immunity when it comes to the spillover of terrorist activity. Any Sub Saharan African state could be a potential target as long as the circumstances allow it.

**Most violent terrorist groups active in Sub Saharan Africa**

According to reports there have been nearly 20,000 deaths\textsuperscript{17} caused by terrorist attacks across Africa from 2013 to 2017. The number of attacks reached its peak in 2012, while most fatalities have been reported in 2015. Top 5 countries that have suffered terrorist attacks are Somalia, Nigeria, Cameroon, the DRC and Mali, while most deaths have been reported in Nigeria, Cameroon, Somalia, the DRC and Niger. The fact that these countries lay on the top of each list is not a coincidence. Most of them are highly exposed to the activity of two militant groups responsible for 71\% of terror incidents and 91\% of terrorism fatalities in Africa within the abovementioned 5-year-period: Boko Haram and Al Shabaab. Their profiles will be examined below:

- **Jamaatu Ahlis Sunna Liddaawati wal-Jihad\textsuperscript{18}** (Group Committed to Propagating the Prophets Teachings and Jihad) is since 2010 the official name of a Nigerian terrorist organization commonly known as Boko Haram. It was formed in 2002 or 2003 in Maiduguri of Borno state in northern Nigeria. They have been active mainly in Nigeria, Cameroon, Chad and Niger, but also Mali, Mauritania, Burkina


\textsuperscript{16}Ibid


Faso and the Ivory Coast. Boko Haram has accounted for one-third of terrorism deaths in Africa the last two decades. They have caused the most terrorism deaths since 2013, reaching the maximum of 11,519 victims in 2015\textsuperscript{19}. In 2017 there were 3,329 reported fatalities (3,484 in 2016) and 500 violent events (417 in 2016) linked to Boko Haram.

- **Al-Shabaab** (*Harakat Al-Shabaab, Harakat al-Shabaab Mujahedeen, “Movement of Warrior Youths”, “The Youths” and “Mujahedeen Youth Movement”*)\textsuperscript{20} was formed in 2006 by Aweys’ protégé Aden Hashi Farah Ayrow as the armed wing, or a special elite unit, within the Union of Islamic Courts. In early 2007 Al-Shabaab increasingly emerged as an independent group. Along with their affiliates they have focused their operations in Somalia and Kenya, but there have been incidents linked to them in Djibouti, Ethiopia and Uganda. Al Shabaab have launched the most attacks since 2013\textsuperscript{21}. Only in 2017 they were involved in 1,593 violent events, three times more than the next most active group, while the 4,557 reported deaths attributed to them represent almost 44% of all reported fatalities involving militant Islamist groups in Africa that year. Al Shabaab continues to be linked to the highest escalation of violence and probably they are the most dangerous terrorist organization in Sub Saharan Africa at the moment.

The couple of terrorists groups briefly presented above may be the most active ones in (Sub Saharan) Africa, but, obviously they are not the only ones. ISIS and Al Qaeda have got their own affiliates spread in many regions of Africa. ISIS and its affiliates (mainly in the Greater Sahara, West Africa and Somalia) were responsible for 1,195 fatalities in 2017\textsuperscript{22}, while Al Qaeda’s affiliates – mainly, but not

\textsuperscript{22} Africa Center for Strategic Studies. (2018). *More Activity but Fewer Fatalities Linked to African Militant Islamist Groups in 2017*. [online]. Available at:
limited to, Al Qaeda in the Islamic Maghreb (AQIM) - accounts for 391 fatalities\(^\text{23}\) in Mali, Burkina Faso etc. Despite the lack of concrete proof or evidence there are assumptions that terror groups of Sub Saharan Africa have at times cooperated in terms of training and capacity exchange. What is crystal clear though, is the fact that states have to implement practical measures aiming to the prevention of the reinforcement of the already existing militant groups with foreign fighters either from Northern Africa or the Middle East or elsewhere.

**Why Africa? Why Sub-Saharan?**

An element characterizing Sub Saharan African populations is non homogeneous-ness. Unlike Northern Africa one can find a huge mosaic of various cultures, ethnicities, linguistic and religious backgrounds. Consequently, a question arises: how is it possible that this enormous region provide fertile soil for (Islamic) extremism to spread and facilitate the operations of terrorist organizations?

**Geography**

First and foremost, it is geography itself. Sub Saharan Africa is an enormous region with vast expanses of desert and porous borders\(^\text{24}\) among states. As a consequence, regions like the Trans-Sahara Sub-Region, for instance, which has had a history of being a centre through which arms, currency, human and drug trafficking flows, are becoming increasingly attractive to the terrorist groups that seek to use these routes for logistical support, recruitment and safe haven.

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\(^{23}\) Ibid.


Fragility
Furthermore, one has to bear in mind that there is a high proportion of Sub Saharan African states that are considered as highly fragile/failed\(^25\) (Central African Republic, Chad, the DRC, Somalia and Sudan) or showing signs of fragility (Burundi, Congo, Eritrea, Ethiopia, Guinea-Bissau, Liberia, Nigeria, Sao Tomé and Príncipe, Sierra Leone and Zimbabwe. Such states offer a safe haven for illicit trade, drugs-production and weapons-smuggling. Corruption, as well as the lack of effective security, intelligence and military capacity, presents an endemic problem and the global result is regional spill over of the effects of conflict and terrorism.

Free Movement
Last but not least, potential terrorists take advantage of the capability to move easily\(^26\) from one state to another in regions like West Africa. This argument does not rely on geographic criteria. The 15-member Economic Community of West African States, or ECOWAS, allows citizens of those countries to travel around the region without visas, and border areas are often poorly controlled. Governments, meanwhile, are often unable to track suspicious people as they move allowing them to stay unnoticed for a long time.


Armament/Weaponry of terrorist organizations

Sensitization on the relationship between terrorism and illicit trafficking in arms is a prerequisite. According to U.N. reports\(^27\), large-scale trafficking from Libya following the civil war in the country in 2011 has been a prolific source of arms and ammunition for armed groups in Mali, including AQIM aligned groups. The route from southern Libya through Niger’s Salvador Pass has been a particularly significant transit route for Libyan weapons into Mali and Niger. This zone serves as base and transit point for non-state armed groups, including terrorist groups and criminal and drug trafficking networks with links to the wider Sahel region. Leaked Libyan arms also found their way to Nigeria and Boko Haram, among others. Boko Haram has also been able to access arms and ammunition from allied militant groups and from illicit trafficking across the region. The UNODC has reported the seizure of weapons crossing the Chad and Niger borders with Nigeria. Neighbouring countries have also reported arrests of arms dealers suspected to be trafficking arms to Boko Haram fighters.

Weapons help to materialize terrorist intentions. Recent situations have proven that terrorists can use anything, any object, including aircraft, vehicles and the Internet to achieve their aims. Conventional arms remain the most preferable weapons for terrorism due to their cost, practicality and the existence of a massive stock waiting to be sold and used multiple times. However, even the use of weapons of mass destruction by terrorists’ perhaps is not such a far reality. It does not matter whether their means are materials for production of WMDs or smuggled SALW or explosive elements for manufacture of IEDs. Knowing that a chemical bomb could kill hundreds, while a rifle one or two at a time, doesn’t not cancel the equality of the victims. Quantity is not the issue here, as even a single civilian killed is enough to spread the terror. All of the abovementioned weaponry is potentially lethal.

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sequently, terrorists will stop at nothing to exploit any gun control loophole to bring their plans to life. Recorded examples of weapons used or sought by terrorists are the following ones:

- **Explosive devices** (car bombs, suicidal attacks etc)

- **SALW and firearms** (AK-pattern assault rifles; 7.62 x 54R mm and 12.7x 108 mm machine guns; PG-7-pattern grenade launchers; and associated ammunition)

- **Rocket Propelled Grenades**

- **Surface-to-air Missiles**

- **Heavy explosive weapons** (57mm S-5 air-to-ground rockets and Soviet-made BM-21 ‘Grad’ rockets have been seized by AQIM aligned groups in Mali)

- **Vehicles** (Austrian made Saurer 4k 4FA armoured personnel carriers, a UK built Vickers Mk III Main Battle Tank and a Turkish-made Otokar Cobra wheeled armoured vehicle have been seized by Boko Haram)

- **Chemical, biological and radiological (CBR) devices** (e.g. dirty bombs, no use reported yet, however, individuals—would-be-terrorists have attempted to steal radioactive materials to manufacture such a bomb)

When it comes to the use of WMDs, one can notice that it does not remain a “threat” anymore as the use of a chemical weapon by terrorists has become a “reality” at least once. According to a UN-authorized investigation, ISIS used mustard

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gas against civilians in Syria, in August 2015\textsuperscript{31}. On top of that, \textit{UN officials warn that terrorists acquire dual-use equipment, tools and materials needed to make and deliver weapons of mass destruction by exploiting the anonymity status and the untraceability the so-called Dark Web provides them with.}\textsuperscript{32} Although there are still technical barriers terrorists have to overcome in order to access and use WMDs, a series of emerging technologies could facilitate them.

**Legal Framework**

A series of strategies, instruments, conventions, treaties, resolutions etc on a both international and regional level exist regarding topics such as counter-terrorism, disarmament and illicit arms trade, ways to prevent terrorist organizations from obtaining WMDs, diversion of conventional arms etc. It is of utmost importance that those involved (members, signatories etc) fully implement what they have agreed on, otherwise their existence is completely vague. Sub Saharan African countries, most of whom do not have the capacity or expertise to combat terrorist activity on their own, should recognize their significance in terms of mutual cooperation and assistance, transparency in intelligence exchange among states, as well as respect to the International Law. This chapter examines some of the most crucial legal steps taken either globally or by the UN or by regional (African) organizations.

**United Nations Global Counter Terrorism Strategy**

The Global Counter Terrorism Strategy\textsuperscript{33} was adopted by the United Nations General Assembly on 8 September 2006. \textit{It is a unique global instrument to enhance national, regional and international efforts to counter terrorism and the GA reviews it every two years making it a living document.} The Strategy as a plan of ac-


\textsuperscript{32} Ibid.

tion consists of four pillars. However, since the 1st Committee’s of the GA mandate is really specific, only two of them, due to their proximity to topics concerning Disarmament and International Security, will be analyzed below.

SECOND PILLAR: Measures to prevent and combat terrorism:

This pillar of the action plan constitutes to denying terrorists access to the means to carry out their attacks, to their targets and to the desired impact of their attacks. Such measures include, but not limit to: a) refrain from organizing, instigating, facilitating, participating in, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that our respective territories are not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens, b) cooperate fully in the fight against terrorism, in accordance with our obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or perpetration of terrorist acts or provides safe havens, c) intensify cooperation, as appropriate, in exchanging timely and accurate information concerning the prevention and combating of terrorism, d) strengthen coordination and cooperation among States in combating crimes that might be connected with terrorism, including drug trafficking in all its aspects, illicit arms trade, in particular of small arms and light weapons, including man-portable air defense systems, money laundering and smuggling of nuclear, chemical, biological, radiological and other potentially deadly materials, e) encourage relevant regional and sub-regional organizations to create or strengthen counter-terrorism mechanisms or centres, f) step-up national efforts and bilateral, sub-regional, regional and international co-operation, as appropriate, to improve border and customs controls, in order to prevent and detect the movement of terrorists and to prevent and detect the illicit traffic in, inter alia, small arms and light weapons, conventional ammunition and explosives, nuclear, chemical, biological or radio-

34 Ibid
logical weapons and materials, while recognizing that States may require assistance to that effect, g) invite the United Nations to improve co-ordination in planning a response to a terrorist attack using nuclear, chemical, biological or radiological weapons or materials, in particular by reviewing and improving the effectiveness of the existing inter-agency co-ordination mechanisms for assistance delivery, relief operations and victim support, so that all States can receive adequate assistance.

THIRD PILLAR: Measures to build States’ capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard

Capacity-building in all States is a core element of the global counter-terrorism effort. Some of the proposed measures aiming to prevent and combat terrorism and enhance coordination and coherence within the United Nations system in promoting international cooperation in countering terrorism are the following: a) encourage Member States to consider making voluntary contributions to United Nations counter-terrorism cooperation and technical assistance projects, and to explore additional sources of funding in this regard, b) encourage the United Nations Counter-Terrorism Committee and its Executive Directorate to continue to improve the coherence and efficiency of technical assistance delivery in the field of counter-terrorism, in particular by strengthening its dialogue with States and relevant international, regional and sub-regional organizations and working closely, including by sharing information, with all bilateral and multilateral technical assistance providers, c) encourage the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons to continue their efforts, within their respective mandates, in helping States to build capacity to prevent terrorists from accessing nuclear, chemical or radiological materials, to ensure security at related facilities, and to respond effectively in the event of an attack using such materials, d) encourage the United Nations to work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent terrorist attacks on particularly vulnerable targets.
Measures to prevent terrorists from acquiring weapons of mass destruction

The above title refers to the name of a series of resolutions adopted by the GA, the last update being resolution 72/42\(^{35}\) of 4 December 2017 (62\(^{nd}\) plenary meeting). The resolution under discussion recognizes that terrorism and the proliferation of weapons of mass destruction are two growing threats with a potential tendency to meet. Thus, a series of proposals are made.

The need to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery is the first highlighted. Of all the operative clauses the most vital is perhaps the one concerning the early accession to and ratification of the *International Convention for the Suppression of Acts of Nuclear Terrorism*\(^{36}\) as well as the renewal of its implementation. The convention was adopted as a UN General Assembly resolution in 2005 and entered into force in 2007.

Furthermore, reinforcement of each state’s national policy in terms of preventing the acquisition of WMDs by terrorists along with cooperation among states, relevant regional and international organizations for strengthening national capacities should play a significant role towards this direction. Reports on measures already taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction, as well as the views of Member States on additional relevant measures for tackling the global threat posed by the acquisition by terrorists of WMDs, are also a requirement.

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The Arms Trade Treaty

The landmark Arms Trade Treaty (ATT), regulating the international trade in conventional arms – from small arms to battle tanks, combat aircraft and warships – entered into force on 24 December 2014. Its full and effective implementation is a cornerstone for the UN as the treaty’s entry into force is considered as a clear indication of its signatories’ willingness and determination to address the poorly regulated international arms trade. Nevertheless, out of 130 signatories only 82 have ratified it.

The ATT can be an important tool in tackling the flow of arms and ammunition to armed groups, including terrorists, in Sub Saharan Africa and elsewhere, provided that states implement the obligations deriving of it. Currently the most emerging threat is diversion\(^37\) of arms, which can be generally described as delivery to the illicit market for unauthorized end use. An indicative example is the one of Libyan arms reaching AQIM in northern Mali, as mentioned in a previous chapter.

Crucially, the ATT establishes the particular responsibility of exporters to prevent and address diversion. According to Article 7\(^38\) “States must carry out a comprehensive risk assessment to investigate the likelihood that arms might be used to commit or facilitate:… an act constituting an offence under international conventions or protocols relating to terrorism… If an exporting State identifies an overriding risk that a proposed export could be diverted to a terrorist group in the course of its shelf life, and authorizes the export without attempting to mitigate this risk, it would be in violation of its legal obligations under Articles 7 and 11 of the ATT.”


Organization of African Unity (OAU) counter-terrorism instruments

Efforts to prevent and combat terrorism in Africa have a rather long history, but the most decisive point is the **1999 OAU Convention on the Prevention and Combating of Terrorism**\(^39\) adopted by the 35th Ordinary Session of the OAU Summit, held in Algiers, Algeria, in July 1999. A prerequisite for states parties is the criminalization of terrorist acts under their national legislation as defined in the Convention. There is also a definition of areas of cooperation among states, establishment of state jurisdiction over terrorist acts and provision of a legal framework for extradition as well as extra-territorial investigations and mutual legal assistance. Since entering into force in December 2002, 40 Member States of the AU have proceeded to the Convention’s ratification. A notable fact is that unlike other documents produced by international institutions this one includes an official definition\(^40\) of terrorism in paragraph 3 of Article 1.

The **AU Plan of Action on the Prevention and Combating of Terrorism**\(^41\) (adopted in September 2002) expresses and puts into effect the commitments and obligations Member States are bound to implement in accordance with the 1999 Convention. It adopts practical CT measures that substantially address Africa’s security challenges, includes measures in areas such as police, border control and surveillance, legislative and judicial measures, financing of terrorism, exchange of information, coordination at regional, continental and international levels, as well as the role of other Union’s legal corpuses.


\(^{40}\) Ibid, p.207

As part of the implementation of the 2002 Plan of Acton, the African Centre for the Study and Research on Terrorism (ACSRT) was established in 2004 in Algiers. It serves as an academic and research extension of the Convention and the Action Plan. The Centre gathers information, conducts studies and analyses on terrorism and terrorist groups and develops Counter-Terrorism capacity building programs. It also constitutes a forum for interaction and cooperation among Member States and Regional Mechanisms. Generally speaking the ACSRT’s significance derives from the provision of expertise and guidance of the AU’s CT efforts, as well as its partnership with a number of regional and international organizations with regards to collaboration, coherence and coordination of CT efforts in Africa. Extra functions enfold, among others, strengthening the capacity of member states, through the provision of operational and technical advice and support, as well as the delivery of trainings and other forms of capacity building, to address issues relating to terrorism and implement their obligations under the global and continental regime.

Conclusion

Judging by what statistics on terrorist activity in Sub Saharan Africa indicate one could jump into an interesting conclusion: we are perhaps on the verge of a turning point in the history of the continent. It is a matter of fact that last year was not even close to the peak of 2015, in terms of fatalities caused by terrorist attacks. Actually, the number of deaths has steadily diminished since then. There are countries in Africa that have not experienced a terrorism related death at all, while certain haven’t had one since 2013. However, we must not ignore that there was a growth in the number of attacks in comparison to last year, proving that the threat is there. No one can guarantee that terrorist activity will not flourish again as there is plenty of fertile soil and resources. Terrorism, especially under the wrong circumstances, can spread like a contagious disease. There is no Sub Saharan African state that is unaffected either directly or indirectly.

The key point when it comes to the spill over of terrorist operations is arms control. Terrorists are dangerous because they have access to a wide range of weaponry and they are certainly more than willing to broaden this range. Power comes with the possession of arms. Comprehension of that is a substantial issue. Overcoming of weaknesses starts from states themselves: national arms control systems – imports and exports – should be a top priority. Diversion of arms is a serious factor accountable for the outburst of many conflicts in Africa and elsewhere. What is the excuse for states that argue against illicit arms’ trafficking and speak in the name of transparency, but avoid signature of ratification of treaties regarding conventional or advanced weapons? On the other hand, is there any sense in ratifying a convention or voting in favor of a resolution that is not being fully implemented? How can terrorism be eradicated when there is not even an globally agreed official definition of the term? Let these questions trigger a fruitful debate initiating from this year’s 1st Committee of the General Assembly…
Points to be addressed

1. What is the importance of the adoption of an official definition of “terrorism” globally accepted by countries-Member states of the United Nations? What implications arise from the abovementioned legal gap?

2. Is there an immediate response to attacks taking place in the main epicenters of terrorist activity in the region of Sub Saharan Africa? If so, what measures could be proposed?

3. How could a further spillover of terrorist operations in Sub Saharan African countries not directly affected so far be prevented?

4. How could Sub Saharan African states tackle the unhindered movement of groups or individuals related to terrorism among their territories?

5. What national measures could be taken by states in the direction of interrupting the linkage between terrorism and organized crime? In other words, how could the ties between terror groups and arms’ traffickers be cut off?

6. How can the diversion of conventional arms, especially SALW, be prevented? What could be done so that weaponry used by (non) state actors during armed conflicts do not end up in the wrong hands?

7. How can the already existing legislation concerning the prevention of acquisition of WMDs by terrorists be further reinforced? Should extra African states producers or exporters of such weapons reconsider their criteria regarding whom their weapons end up to?

8. In which ways could states prevent the potential use by terrorists of dual use materials to manufacture IEDs, other explosive mechanisms or even WMDs? Are there ways to infiltrate relevant suspicious transaction in the Web?
9. How can capacity building be accomplished in Sub Saharan African states that lack resources and infrastructure?

10. How can the basic pillars of the UN counter-terrorism strategy be adopted and implementable by member states to the maximum level?

11. Is the legislation regulating the global community’s counter-terrorism efforts sufficient? What about the one regulating the relationship between terrorism and (the illicit) arms trade?

12. How can non African states contribute to the counter-terrorism efforts in Sub Saharan Africa?
Useful maps/graphics

A political map showing national divisions in relation to the ecological break (Sub-Saharan Africa in green). Available at: [http://www.newworldencyclopedia.org/entry/Sub-Saharan_Africa](http://www.newworldencyclopedia.org/entry/Sub-Saharan_Africa)
(Available at: https://www.voanews.com/a/africa-terrorism-deaths-falling/3934505.html)
(Available at: https://www.voanews.com/a/africa-terrorism-deaths-falling/3934505.html)
COUNTRIES WITH THE MOST TERRORISM DEATHS SINCE 2013

(Available at: https://www.voanews.com/a/africa-terrorism-deaths-falling/3934505.html)
COUNTRIES WITH THE MOST TERRORIST ATTACKS SINCE 2013

(Available at: https://www.voanews.com/a/africa-terrorism-deaths-falling/3934505.html)
Bibliography and useful links


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