

The African Union Counter Terrorism Framework

1. Continental efforts in preventing and combating terrorism have a long history. In 1992, the Organization of African Unity (OAU), meeting at its 28th Ordinary Session, held in Dakar, Senegal, adopted a **Resolution on the Strengthening of Cooperation and Coordination among African States** [AHG/Res.213 (XXVIII)] in which the Union pledged to fight the phenomena of extremism and terrorism. At its 30th Ordinary Session held in Tunis, Tunisia, in June 1994, the OAU adopted the **Declaration on the Code of Conduct for Inter-African Relations** [AHG/Del.2 (XXX)], in which it rejected all forms of extremism and terrorism, whether under the pretext of sectarianism, tribalism, ethnicity or religion. The declaration also condemned, as criminal, all terrorist acts, methods and practices, and expressed its resolve to enhance cooperation to combat such acts.

2. These efforts culminated in the **1999 OAU Convention on the Prevention and Combating of Terrorism** adopted by the 35th Ordinary Session of the OAU Summit, held in Algiers, Algeria, in July 1999. The Convention requires that States Parties criminalize terrorist acts under their national laws as defined in the Convention. It defines areas of cooperation among states, establishes state jurisdiction over terrorist acts, and provides a legal framework for extradition as well as extra-territorial investigations and mutual legal assistance. The Convention entered into force in December 2002 and to date, 40 Member States have ratified it.

3. To give concrete expression to the commitments and obligations of Member States under the 1999 Convention and the other international CT instruments, the AU High-Level Inter-Governmental Meeting on the Prevention and Combating of Terrorism in Africa, held in Algiers in September 2002, adopted the **AU Plan of Action on the Prevention and Combating of Terrorism**. The Plan of Action adopts practical CT measures that substantially address Africa's security challenges, includes measures in areas such as police and border control, legislative and judicial measures, financing of terrorism and exchange of information.

4. As part of the implementation of the 2002 Plan of Action, the **African Centre for the Study and Research on Terrorism (ACSRT)**, was established in 2004 in Algiers to serve as a structure for centralizing information, studies and analyses on terrorism and terrorist groups and to develop Counter-Terrorism capacity building programmes. The ACSRT also provides a forum for interaction and cooperation among Member States and Regional Mechanisms. The Centre plays an important role in guiding the AU's CT efforts and works in collaboration with a number of regional and international partners to ensure coherent and coordinated CT efforts in the continent.

5. An additional **Protocol** to the 1999 Convention on the Prevention and Combating of Terrorism was adopted by the 3rd Ordinary Session of the Assembly of the Union, held in Addis Ababa in July 2004. The proposal for the adoption of the Protocol was made by 28 heads of states meeting in Dakar, on 17 October 2001, and adopting the **Dakar Declaration Against Terrorism**. The Protocol recognizes the growing threat of terrorism in the continent and the growing linkages between terrorism, drug trafficking, transnational organized

crimes, money laundering, and the illicit proliferation of small arms and light weapons. The Protocol aims to give effect to Article 3(d) of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, which states that the objective of the Council, inter alia, is to 'co-ordinate and harmonize continental efforts in the prevention and combating of international terrorism in all its aspects'. The Protocol will enter into force following the deposit of the 15th instrument of ratification. To date, 12 states have ratified the Protocol.

6. In follow up to the decision of the Assembly of the Union [Assembly/AU/ Dec.311(XV)] on the Prevention and Combating of Terrorism, adopted at its Kampala Session in July 2010, where it underscored the need for renewed efforts and increased mobilization, the Chairperson of the Commission of the African Union appointed, in October 2010, the **AU Special Representative for Counter-Terrorism Cooperation**. The Special Representative serves, concurrently, as the **Director of the ACRST**. Since his appointment, the Special Representative undertook a number of important assignments to mobilize support for the continent to fight the scourge of terrorism, assess the situation in various Member States and identify, with the concerned national authorities, priority security issues to be addressed.

7. As part of the implementation of the relevant provisions of the 2002 AU Plan of Action on the Prevention and Combating of Terrorism, which entrusts the Commission with providing advice on matters pertaining to counter-terrorism action, including preparation of model legislation and guidelines to assist Member States, the Commission developed the **African Model Law on Counter Terrorism**, which was endorsed by the decision [Assembly/AU/Dec.369(XVII)] adopted by the 17th Ordinary Session of the Assembly of the Union, held in Malabo, in July 2011. The decision welcomed the elaboration of the Model Law and encouraged Member States to fully take advantage of it to strengthen and/or update their national legislation. The Model Law is developed to assist Member States in implementing the provisions contained in the various continental and international counter-terrorism instruments, including the 1999 OAU Convention on the Prevention and Combating of Terrorism and its related Protocol.