



GLOBAL TERRORISM: IMPACT ON AFRICAN NATIONS

OLUWAKEMI OLUYINKA ODEYINDE

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Exceller Open



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Dedication

I wish to dedicate this work to God Almighty, the reason for my living. Without him I would never be where I am today; my parents, who gave me the motivation to even start my master's programme in the first place; my husband and my two lovely children Oluwanifemi and Oluwatishe who missed precious moments with me in the evenings while I was attending classes.

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Abstract

This research studies the impact of Terrorism on African Nations. Africa is particularly vulnerable to terrorism based on conflict, weak governance, porous borders, poverty, etc. Terrorism has a devastating effect on the growth and development of a nation. Foreign investors have refused to invest in some African countries due to terrorist attacks in such countries. Africa has been under attack from terrorist organisations for a long time now with the rise of major African Terrorist groups like Boko Haram (Nigeria), Al-Shabaab (Somalia, Kenya) and Al-Qaeda in the Maghreb (Algeria). Nigeria has been the worst hit by terrorist attacks. According to the Global Terrorism index 2015, Nigeria has been ranked as the third most terrorised country in the world. This paper measures the effectiveness of counterterrorism measures in Nigeria. The present administration of President Mohammedu Buhari has claimed a “Technical defeat” in its fight against terrorism. The Nigerian Military have been able to re-claim some communities formerly under Boko Haram. Recently the top recruiter of Boko Haram terrorists was captured. However this paper is of the view that there is still more work to be done in the fight against terrorism as terrorists don’t need territories to survive. Terrorists are always re-strategising ahead for other ways to attack. This paper, therefore, makes a number of recommendations including an effective and institutionalised counter-terrorism unit to integrate national counter terrorism efforts and strategies.

1| Introduction

1.1. Background of the Study

Global Terrorism is terrorism that affects the whole world. Due to the global threats of terrorism a background to the origin of terrorism must be expounded. "Terrorism" comes from the French word 'terrorisme' which is derived from the Latin word *terreo* which means "I frighten"¹. It became part of the phrase *terror cimbricus*, which was used by ancient Romans in 105BC to describe how they felt as they prepared for an attack by a fierce warrior tribe. Following the execution of Louis XVI, Maximilien Robespierre became the leader of the French government. Robespierre instilled in the people of France an intense and overwhelming feeling of fear. He was a member of the Jacobins political party, and used his power to attack his political enemies, the Girondins. There were Thousands of executions of people at the request of Robespierre. This became one of the bloodiest times in French history. Humans were slaughtered like animals using the guillotine, which was often referred to by the title "The National Razor". Any opposition to the power of the Jacobins was suicidal, and people lived in fear of retribution. This period of time was referred to as *regime de la terreur* (Reign of Terror).² The *regime de la terreur* (Reign of Terror) was intended to promote the ideals of democracy and virtue but Robespierre believed that such virtue must be allied with terror in order for democracy to triumph. From that time on, *terrorism* has had a negative connotation. The Terror came to an end and Robespierre was overthrown and executed. The word terrorist was later used to describe a person who abuses power through the threat of force.³ A journalist in the United Kingdom wrote about the Reign of Terror in the Times Newspaper, and created the word terrorism as a way to describe the actions of Robespierre. The word became so popular it was officially added to the Oxford English Dictionary three years later.⁴

The French revolutionary's "Terrorism" still shares two key characteristics with its modern day terrorism. First, the *regime de la terreur* was neither random nor indiscriminate, as terrorism is often portrayed today, but was organised, deliberate and systematic. Secondly, the goal and justification for terrorism like that of contemporary terrorism was the creation of a "new and better society" in place of a fundamentally corrupt and undemocratic political system.⁵ The word, however, was not widespread until the late 19th century when a group of Russian revolutionaries adopted it to describe their violent struggle against their enemies. Sergey Nechayev who founded the Russian terrorist group 'People's Retribution' in 1869, described himself as a "terrorist". Since then, terrorism was related to anti-government associations as it has today.⁶

The September 11 terrorist attack on the United States of America seems to be the major terrorist attack that made the threats of terrorism more evident worldwide, and the focus in Africa became much more pronounced. In 2002, the United States of America established a Combined Joint Task Force- Horn of Africa (CJTF-HOA) in Djibouti.⁷ Also President Bush initiated a \$100 million Counter Terrorism initiative for East

¹Kim Campbell, "When is Terrorist a Subjective Term?" Christian Science Monitor September 27, 2001, accessed August 10, 2015. New York Times columnist William Safire wrote that the word "terrorist" has its roots in the Latin *terreo*, which means "to frighten".

²The Reign of Terror is a historical period during the early part of the French Revolution.

³Hoffman Bruce, "Inside Terrorism", revised edition (New York: Columbia University Press 2006) pp 3-4

⁴<http://www.crimemuseum.org/crime-library/origins-of-the-term-terrorism>, accessed 10 August 2015

⁵Supra note 2

⁶Supra

⁷Princeton N. Lyman, "The War on Terrorism in Africa." Africa in World Politics, edited by John Harbeson & Donald Rothchilde. Colorado(Boulder) : Westview Press 2000,

Africa and the Horn in 2003.⁸ In Nigeria the United Nations donated \$5 million dollar Joint Task force in Nigeria to fight Boko Haram.

Today, Africa has become the most vulnerable to terrorism. Most African Countries have been victims of terrorist acts. The number of terrorist attacks in the East, North and West Africa has put Islamist militants at the limelight. Kenya, Somalia, Algeria, Mali and Nigeria have recently been the scenes of major terrorist attacks. In Somalia, the deadliest terrorist attack which happened in July 2015, where terrorists attacked the Chinese Embassy will always be in the minds of the people of that country. In Mali in November 2015, Islamist militants took 170 hostages and killed 20 of them in a mass shooting.⁹ Nigeria which has the largest population in Africa has drawn a lot of attention from international organisations worldwide with the series of terrorist attacks in Nigeria by Boko Haram. The kidnapping of 276 female students on the night of 14-15 April 2014 by the Islamist militant's Boko Haram has created a lot of reactions from various quarters, causing international outrage against Boko Haram and the Nigerian Government. The Security Challenge of African Countries has created a major concern. It is against this background of problems facing African Nations that this paper seeks to examine the impact of terrorism in Africa.

1.2. Statement of the Problem

The research problem shows that despite all the efforts by the Government, regional and international organisations, the EU and the US, terrorism is still on the increase in Africa. The threat of terrorism is growing in Africa. Terrorist groups are becoming more sophisticated. They are forming groups all over the world and have become a network of linked terrorists. Therefore the central problem in this research paper is to show the extent of the threat of terrorism in Africa.

1.3. Research Questions

The research sets out to answer the following questions:

- To what extent is the threat of terrorism on African Nations?
- Why has Africa become the most vulnerable to terrorist Attacks?
- What is the effect of terrorism on the growth of African Nations?
- What has been done to curb the spread of the threat of Terrorism in terms of Counter- Terrorism?
- What can be done to stop the spread of terrorism in Africa?

1.4. Objective of the Study

In an attempt to examine the threat of terrorism in Africa, this paper analyzes the threats which states and citizens continue to lament about. This paper will therefore work through the following objectives:

- To establish the impact of terrorist attacks on African Nations.
- To critically appraise the vulnerability of Africa to terrorism.
- To ascertain the effect of terrorist attacks on the development and economy of African Nations.
- Finally, to review counter-terrorism efforts in Africa and recommend counter-terrorism measures that could be effective in combating terrorism in Africa.

1.5. Significance of the Study

In examining the impacts of terrorist activities on Africa, the study seeks to rekindle a fresh discussion on the adverse effects of these terrorist activities. This will enable the African leaders to take stock of these attacks' impacts and be prepared to combat this menace called terrorism. African leaders can use the

http://www.cfr.org/content/thinktank/Lyman_chapter_Terrorism.pdf, accessed April 30, 2016p.1

⁸*Ibid*

⁹ "Deadly Mali Hotel Attack: They Were Shooting at Anything that Moved" The Cable News Network(CNN), accessed March 30,2016

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knowledge that is generated from this study to re-strategize on the fight against terrorism. There are far greater benefits for all if terrorism is being tackled adequately.

1.6. Limitation/Scope of the Study

The study of this paper is confined to Africa in general as some of the worst terrorist Attacks are carried out in Africa. The spontaneous groups that are springing up in Africa are worrisome. Africa may turn out to be leading the “next generation of terrorist”. Security experts say the threat of terrorism is accelerating across Africa at an alarming rate; so far, 22 countries have been targeted.¹⁰ Furthermore, at a summit in Equatorial Guinea in June, the African Union Peace and Security Council discussed issues on terrorism. African leaders meeting there expressed deep concern about Boko Haram's threats in Nigeria, al-Shabaab in the horn of Africa and from Al-Qaida in the Islamic Maghreb [AQIM], which operates in a wide area across the Sahara, Algeria and Morocco.¹¹ In addition, the security challenges in Africa have created a loop hole for terrorist to operate, thereby making Africa the most vulnerable to terrorism. Africa is a big continent and so it is not possible to treat all the cases of terrorists attacks nation by nation. Therefore, this paper selects African nations that have the deadliest terrorist attacks, rampant incidences of terrorist attacks and unique cases of terrorism. The study gives instances of current terrorist attacks in various African countries thereby unraveling the actual impacts and the challenges that need to be addressed. Nigeria has been singled out in our paper not only because this research originates from there but because there have been recurrent incidences of terrorism in Nigeria which calls for concern.. The rate at which Boko Haram kills innocent lives in the northern parts of Nigeria is alarming and this has drawn the attention of the international community and the world. In essence our paper focuses on Africa. Finally, there is the problem of a definition for terrorism. The international community has not agreed on the definition of terrorism. The definitions of terrorism are too numerous. Therefore this research adopts the definition given by the United Nations in the United Nations Security Council Resolution in October 2004.

1.7. Research Methodology

This is basically on Terrorism in Africa, which has become a Global concept; therefore, my research encompasses international law. This paper adopts qualitative or theoretical legal research methods by using both primary and secondary sources. Primary sources used in this paper includes Treaties, Customary International Law, Principles of International Law, resolutions and other acts of intergovernmental organisations such as the United Nations and decisions of international court tribunals, autobiographies on terrorism, first hand interviews and conversations by victims of terrorists' attacks on the media, internet sites of professional organisations and Government Documents. In addition, reports from the media through the News, Newspaper, journalist reports and internet sources have been critically examined in this research work.

The research methodology also made use of secondary sources, including scholarly journal article, documents of those countries published by the governments and other research bodies involved in anti-terrorism campaigns, published books written by scholars who have done case studies on particular terrorist groups and Textbooks on Terrorism. It also includes case studies of terrorist organisations, case studies on types of terrorism, case studies on particular terrorist incidents, and case studies of terrorism in selected regions and countries, terrorist propaganda, case studies of groups, and some comparative case studies of groups. The descriptive accounts of these terrorists, their actions, and measures to combat these actions written in articles and books were critically and carefully examined.

¹⁰<http://www.voanews.com/content/african-summit-to-focus-on-terrorist-threat/2436154.html>, accessed Sept 24, 2015

¹¹ Ibid

This paper adopts the doctrinal approach by giving a detailed analysis of the Law on terrorism. It considers the Anti- terrorism Laws and Counterterrorism Laws and Regulations, Conventions against Human Rights abuses, etc. Also doctrinal approach considers the Legal Concepts on terrorism such as the definition of the term, selected Statutes and International materials on terrorism. To solve the problem on terrorism it is necessary to examine and analyse the legal structure and legal framework that are on ground to combat this menace called terrorism. The main sources and information have been internet sites of professional organisations, terrorism research institution, library, and other applicable databases on terrorism.

1.8. Operational Definition of Terms

1.8.1. Defining Terrorism

There is no universally accepted definition of the concept of Terrorism. According to Bruce Hoffman¹², the word terrorism is politically and emotionally charged, and this greatly compounds the difficulty of arriving at an exact meaning. The term has been used to describe those groups whose political objectives one finds objectionable. Most of the studies on terrorism tend to describe the event and the identity of the terrorist with a few concentrating on how and why terrorism emerged. Studies conducted by Schmid and Jongman¹³ (1988) found that there are over 1000 definitions of terrorism. The US Terrorist Research Centre equally admits that terrorism “by nature is difficult to define”. The Following definitions are provided by various experts in the field: Schmid and Longman¹⁴ considered the following basic elements of terrorism to provide this comprehensive definition:

Terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group, or state actors, for idiosyncratic, criminal, or political response, whereby — in contrast to assassinations — the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat- and violence-based communication processes between terrorists (organisations), (imperiled) victims, and main targets are used to manipulate the main target (audience), turning it into a target of terror, a target of demands or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily sought.

The United Nations Security Council (UNSC)¹⁵ defines terrorism as:

Criminal Acts, including (those) against civilians; these acts are Committed with intent to cause death or serious bodily injury; or the 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 organisation to do or abstain from doing any act which constitute offences within the scope of and as defined in the international conventions and protocol relating to terrorism; are under no circumstance justifiable by considerations of political, philosophical, ideological, racial, ethnic, religious or other similar nature.

¹² Bruce Hoffman, “Inside Terrorism”, (New York: Columbia University Press,1998) p.1

¹³ Schmid, Alex & Jongman, Albert, “Political Terrorism: A New Guide to Actors, Authors ,Concepts, Data Bases, Theories, & Literature”,(Amsterdam: North Holland, Transaction Books,1998) p.7

¹⁴ *Ibid* at 28

¹⁵ UNSC Resolution 1566, October 2004

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The United States, at a particular period, used the definition in the US Code Title 22 Section 2656f (d) since 1983 which reads thus:

Terrorism is the premeditated politically motivated violence perpetrated against non-combatant targets by sub national groups or clandestine agents usually intended to influence an audience.

The Federal Bureau of Investigation (FBI) has defined terrorism as:

...the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

Canada designates "terrorist activity" as:

an act or omission . . . that is committed in whole or in part for a political, religious or ideological purpose, objective or cause and in whole or in part with the intention of intimidating the public, or a segment of the public, with regard to its security, including its economic security, or compelling a person, a government or a domestic or an international organisation to do or to refrain from doing any act, whether the person, government or organisation is inside or outside Canada . . .¹⁶

The United Kingdom Terrorist Act of 2000 defined Terrorism as the use or threat of action designed to influence the government or to intimidate the public or a section of the public for the purpose of advancing a political, religious or ideological cause.

African leaders under the auspices of the OAU, now AU have also attempted to define terrorism from the African context. The Organisation of African Unity (OAU), now African Union (AU), at its Algiers meeting in 1999, defined terrorism as:

- a. any act which is a violation of the criminal laws of a state party and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any member or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage and is calculated or intended to:
 - intimidate, put fear, force, coerce or induce any government, body, institution, the general public or any segment thereof, to do or abstain from doing any act, or to adopt or abandon a particular standpoint or act according to certain principles; or
 - disrupt any public service, the delivery of any essential service to the public or create a public emergency; or
 - any promotion, sponsoring, contribution to, command, aid, incitement, encouragement, attempts, threats, conspiracy, organising or procurement of any person, with the intent to commit any act referred to in paragraph (a) (i) - (iii).

From the above, it is evident that the definition of Terrorism is limitless. Most countries have adopted the definition provided by the United Nations. For the purpose of this study, the definition of terrorism by the United Nations will be utilised as a working definition.

1.8.2. Defining 'Global'

The term Global relates to or involves the entire world. So when Global Terrorism is mentioned, it refers to terrorism that affects the whole world. Global terrorism became more evident with September 11

¹⁶ Canada Anti-terrorism Act (Bill C-36)

terrorist attacks in the United States. The perpetrators were not from American soil. Some writers have stated that the way they conducted their acts were religious and anti-western. They exhibited great rationality in the practical feat: they purchased business class tickets to endow themselves with greater respectability, and employed simple cutters as weapons; they outdid the analyses of sophisticated anti-terrorism specialists in Washington.¹⁷ Terrorism has thus become a global concern as one act of terrorism in a country is viewed as a threat of terrorism worldwide. This is the reason why airports of countries are always on the alert once there is any news of terrorist attacks in any part of the world. Thus acts of terrorist in any country affect the whole world making terrorism a Global phenomenon.

1.8.3. Understanding 'Impact'

In criminal justice and especially in relation to security and counter-terrorism, the term 'impact' is usually used. Therefore there is the general assumption the term will be understood in all context. Depending on the perspective and subject, 'impact' covers any relational and causal action whether positive or negative. For example, the impact of terrorism on victims, the impact of policy on policing practices or counter-terrorism on communities. Impact, therefore, means anything that has a strong effect on someone or something.¹⁸ It is sometimes argued that the effects of terrorism are quite minimal, and that the current concern with terrorism is well out of proportion to the threat that terrorism actually poses.¹⁹ Counting the number of terrorist casualties and comparing this to the number of casualties in conventional wars, or even traffic accidents, leads some to claim that the threat of terrorism is wildly exaggerated. But counting casualties from terrorist attacks is the most effortless way to measure the impact of terrorism. The consequences of terrorist attacks often go far beyond the deaths and destruction they cause. The effects of terrorism are not limited to its actual victims. They can be wide-ranging and far-reaching. They include the direct and indirect economic costs of terrorist attacks, the psychological effects of terrorism upon the population, and the social and political impact of terrorist attacks. This paper will discuss these different kinds of effects with the aim of presenting a fuller picture of the impact of terrorism on a society.

¹⁷<https://www.opendemocracy.net/michel-wieviorka/global-terrorism-as-antimovement>, accessed January 2, 2016

¹⁸<http://www.oxforddictionaries.com/definition/english/impact>, accessed May 1, 2016

¹⁹ John Muler and Mark G. Stewart, "Hardly Existential: Thinking Rationally about Terrorism," *Foreign Affairs* April 2, 2010 p. 14

2| The Nature of Global Terrorism

2.1. Introduction

Understanding the nature of terrorism is key to establishing the ways to combat terrorism. Acts characterised as terrorist in nature can occur both in conflict and peace-time. They may constitute crimes in domestic and international law, and they are motivated by a complex number of reasons and ideals. Their characterisation can also depend upon the person or institution using the label and may even change over time. To give two important examples, the list of most wanted terrorists kept by the United States of America featured, at one time, Yasser Arafat and Nelson Mandela. These two personalities were subsequently awarded the Nobel Peace Prize. This confirms that the issue of terrorism and who is a terrorist is a highly political and controversial matter. Why terrorists employ the tactic of terrorism, the methods they use, and the objectives they wish to achieve are fundamental questions that will help understand the various elements of terrorism. Essentially, to correctly interpret indications and events of terrorism and formulate an apt response to threats of terrorism, it is imperative to clearly identify and distinguish the various methods and types that give rise to the current patterns of terrorism.

2.2. Current Global Trends of Terrorism

Before considering the various types of terrorism and the justification that give rise to the types of terrorism, it is necessary to define the trends of terrorist activity and the current patterns of terrorism.

2.2.1. Defining Trends of Terrorist Activity

Trends in terrorism can be defined as changes in the type, number, and fatality of terrorist attack, attitudes of terrorist groups, and other factors, over time. In what ways are terrorist capabilities and expertise changing. Relevant as well is whether the leadership of a particular terrorist group or network is being weakened. Is its recruitment base, network, or target list growing? Have the intentions or ideology of a movement or group changed and if so are they more or less radical or more or less focused on causing widespread damage? Are they becoming increasingly involved in criminal activities or seeking to cause violence for its own sake? Also relevant are changes in levels of popular and government support for specific terrorist organizations. Identifying the trends of terrorism can help in targeting terrorist groups and activities with the aim of preventing future attacks and show anti-terror progress where it has been achieved. Therefore trends in terrorism may affect government responses to terrorism. In addition to trends influencing government responses, government anti-terrorism strategies and tactics may also affect terrorism trends.²⁰ For example, if terrorist groups realize that security is tightened in a particular country, they might change focus to a more vulnerable location or devise other strategies such as explosives and suicide bombings to carry out their attacks. Some analysts question whether the diverse nature of individual terrorists and terrorist network allows for meaningful trend analysis. Some have expressed the dangers of using past trends to predict future terrorist activity such as assuming that because a particular activity has not occurred in a long time, then there is no threat. The absence of violent conflict or even decreases in

²⁰ Insight into this phenomenon comes from a media report of a document reportedly contained on a computer chip found June 7, 2006, on the body of Abu Musab Zarqawi, the Jordanian born al Qaeda leader in Iraq. The document is said to list a number of allied successes against terrorist activity including massive arrests, tightening financial outlets, confiscating weapons and ammunition, and a media campaign successful in portraying terrorism as harmful to the population and in magnifying the terrorist's mistakes.

terrorist activity may simply mean that terrorists are focusing attention on economic, political, or social spheres, or just that they are in a planning or “waiting period.”²¹

2.2.2. Current Patterns of Terrorism

In discussing the current patterns of Terrorism, it is important to highlight the changes that have taken place over the years. One of the common ways terrorist attacks in the 20th century was through the use of Assassinations. The targets were often the authorities. Assassinations during this period included Umberto I of Italy, who was assassinated in July of 1900 and Archduke Franz Ferdinand of Austria Hungary was assassinated in 1914.²² During World War I, Irish Republican Army (IRA) was formed by Irish volunteers. The Irish Republican Army (IRA), who waged a guerilla war against the British in Ireland, later took their cause to England in 1920 and attacked shipping and the docks in Liverpool, and at the same time targeting police stations and police officers. After First World War I, terrorism increased in the Middle East, especially with Anti-Zionist terrorist groups using small arms and bombs to target the British occupiers and Jewish settlers. In the 1930s, several countries adopted what is termed 'State Terrorism'. Here the government uses instruments of terror to impose its will on the people.²³ The Soviet Union and Nazi Germany both made use of Concentration Camps (Gulags in the USSR) and a heavy handed approach in law enforcement. During the World War II, terrorism emerged from civilian population and then they quickly returned to their civilian cover. After World War II, there was a rebirth of terrorism in the Middle East. Several groups emerged which aimed to secure Palestine for the Arabs. Their methods included continued bombing of military and government targets, thus leading to new forms of terrorism being introduced. These groups' hijacked aircraft, with civilian passengers attacked the Israeli Olympic team, killing 11 athletes and shot Israeli schoolchildren.²⁴ In 1988 a bomb exploded onboard Pan Am Flight 103, over the Scottish Town of Lockerbie killing all on board and several people on the ground. There were further changes in the way terrorists worked. An Armenian terrorist group entered an airport and opened fire on civilians waiting to board planes. The IRA planted large bombs in several British cities, killing many in Birmingham, Manchester and London. They also targeted Loyalist groups in Northern Ireland and returned to the terrorist tactic of assassination by killing Lord Louis Mountbatten and bombing the hotel in Brighton in which many leading politicians were staying for a conference.²⁵ Following the Lebanese Civil War, a new method of terrorism was deployed by radical Islamic groups in the area: the suicide bomber.²⁶ About 41 suicide bombings killed 659 victims in the region during the 1980s. These attacks included the attack on the US Marine base in Beirut along with attacks on the civilian population. In the 21st century, the Al-Qaeda was responsible for an attack on US, in which a suicide bomber killed 17 US personnel. Al-Qaeda then went on to launch the 9/11 attacks. In October 2002, Chechnya rebels took 850 people hostage in a Moscow Theatre. Russian Special Forces stormed the building but 170 people were killed. In 2004, 1300 hostages were taken at a school in Beslan. Over 300 people died. In 2008, Islamic Terrorists launched a series of attacks in the Indian City of Mumbai.²⁷

The main changes and continuities in terrorist tactics between the 20th and 21st centuries include:

²¹ For example, in *The One Percent Doctrine: Deep Inside America's Pursuit of Its Enemies Since 9/11*, Ron Suskind reports that al Qaeda's leadership called off a planned gas attack on the New York subway system in 2003, speculation being that it was not deemed spectacular enough. See "Book Argues al Qaeda Planned NYC Gas Attack," Reuter's dispatch of June 17 2006, and book excerpt in "Time", p. 27-35, 26 June 2006.

²²Rufus Kalidheen "Policing Mechanisms to Counter Terrorist Attacks in South Africa", *University of South Africa, Pretoria*, (2009) p 15, <http://hdl.handle.net/10500/1906>, accessed January 12, 2016

²³*Ibid* at p.16

²⁴*Ibid* at p.17

²⁵*Ibid* at p.20

²⁶ "Chicago Project on Security and Terrorism: Suicide Attack Database" *The University of Chicago*, http://cpostdata.uchicago.edu/search_new.php?clear=1, accessed January 12, 2016

²⁷*Ibid* at p.25

The Nature of Global Terrorism

- assassinations of political leaders has been used throughout the period
- hostage taking has remained a constant tactic deployed by terrorist groups
- bombing political and military targets has been used throughout
- suicide bombings have emerged as a strategy during the 20th century
- targeting civilians is more common now than it was in the past
- terrorism is more 'global' now than previously, due to developments in technology and communications
- terrorist groups now have access to biological weapons
- terrorist groups now have interest in acquiring nuclear weapons
- targets are now often chosen because of their symbolic significance (e.g. the World Trade Centre)
- the development of technology, particularly aviation technology, has led to new forms of terrorist attacks.²⁸

2.3. Types of Terrorism

The types of terrorism and the justification behind them are numerous. Terrorists often believe that they have exhausted all attempts at legitimate religious or political change and have no other option, but to resort to terrorism, to bring recognition to their cause and bring about change. ²⁹ Terrorism's success in yielding tactical gains (e.g. massive publicity, release of prisoners and large ransom payments) and the fact that the method is relatively cheap is easy to organise and carries limited risk, are also advantageous factors.³⁰ Political oppression, religious intolerance and nationalistic aspirations are just some of the most common reasons cited by terrorists as justifications for their attacks. It does not matter if the motivation for terrorism is religious, political, or military beliefs, there is no justification whatsoever for such attacks. This section therefore provides an overview of the various types of terrorisms.

2.3.1. Defining and Conceptualising Types of Terrorism

Essentially, "terrorism typology is a classification system of terrorism in all its forms and manifestations"³¹. The purpose for considering the various types of terrorism is to find an approach for combating terrorism. Schmid, a terrorist expert gave the most pronounced and elaborate forms of terrorism. According to Schmid, there are three typologies of terrorism, these are Political Terrorism, Crime related Terrorism and Pathological Terrorism³². The categorisation of Terrorism is dependent upon the eventual goals and objective of the terrorist. These types of terrorism will now be considered.

2.3.1.1 Political Terrorism

Political terrorism is a politically motivated form of terrorism. It entails the use of violence or the threat of violence against non-combatants in order to achieve political goals. Majority of the act embarked upon by terrorists are politically motivated. Terrorists make use of political strategies to achieve their political aim, when they believe that there is no other legitimate means to achieve it. Schmid further divides

²⁸Boaz Ganor, "Defining Terrorism: Is One Man's Terrorist another Man's Freedom Fighter?" (1998) *Online publications of the International Policy Institute for Counter-Terrorism, the Interdisciplinary Center, Herzliya*, <http://www.ict.org.il/Portals/0/Articles/17070Def%20Terrorism%20by%20Dr.%20Boaz%20Ganor.pdf>, accessed January 12, 2016

²⁹ Supra note 22 at p.16

³⁰*ibid*

³¹Wadsworth Group, 2002 "Typologies of Terrorism", <http://ww1.huntingdon.edu/jlewis/outlines/terrorwhitech01.htm>), accessed January 12, 2016

³²Supra note 13

political terrorism into insurgent terrorism, vigilante terrorism, state terrorism, and state sponsored terrorism.

2.3.1.1.1. Insurgent Terrorism

This type of terrorism exists when there are those who rebel against the political system by making use of terrorism to show their rebellion. The first manifestation of insurgent terrorism is referred to as 'Social revolutionary' (otherwise known as left - wing terrorism) which is defined as "Those acts of terrorism perpetrated by groups/individuals seeking to overthrow the capitalist economic and social order".³³ The second manifestation of insurgent terrorism is 'Right Wing terrorism', which is generally aimed at "Seeking to retain or re-establish an earlier status quo through the use of terrorist acts"³⁴. The third manifestation of insurgent terrorism is 'Religious terrorism'. English Clergyman Robert Burton once wrote:

"One religion is as true as another and as such all major religions in the world have justified the use of violence to fight evil in the name of a 'just cause' or simply for the sake of 'self-defense.'" ³⁵

Most terrorist groups justify their attacks based on religion and often regard their actions as morally justified and even consider their acts to have divine sanction. In fact, they go to the extent of risking death in order to propagate their religious beliefs. Religiously motivated terrorist groups believe that they know what constitutes being righteous and that this knowledge obligates them to destroy the evil and the unjust.³⁶ The early 1980s saw a dramatic emergence of terrorism motivated by extreme Islamist movements. However, this is not to say that Islamism should be linked with terrorism. This is because the majority of victims of terrorism committed by Islamist fanatics in the twentieth century are Muslims, as evidenced by atrocities in countries such as Algeria, Iraq, Afghanistan and Nigeria.³⁷ Yet, Islamic fundamentalism as practiced by groups such as Al-Qaeda in their quest for a pan-Islamic Caliphate (which is an ancient government system based entirely on Sharia, Islamic law, and led by one individual, a Prince of Believers) has become a cause for concern in the 21st Century.³⁸ The fourth manifestation of insurgent terrorism is 'Nationalistic and Separatist Terrorism'. Wilkinson³⁹ defines nationalistic and separatist terrorism as:

"Nationalistic terrorism is an outgrowth of an unwavering devotion and loyalty to a specific group that believes they have been suppressed, treated unfairly, or persecuted by the ruling authority of the country in which they live."

³³Post, J.M., "The Socio-Cultural Underpinnings of Terrorist Psychology: When Hated is Bred to The Bone", In Bjorgo, T (ed), *Root Causes of Terrorism: Myths, Reality and Ways Forward*, (Routledge : New York 2005).p.57

³⁴ Cynthia. C. Combs, *Terrorism in the Twenty First Century*, Upper Saddle River, 7th ed. (Prentice Hall: New Jersey 2003) p.162.

³⁵ Robert Burton (8 February 1577-25 January 1640) was an English scholar at Oxford University, best known for the Classic, *The Anatomy of Melancholy*.

³⁶ Gus Martin, *Understanding Terrorism: Challenges, Perspectives and Issues*, 2nd ed. (Sage Publications : Thousand Oaks CA, USA, 2006) p.191

³⁷ Paul Wilkinson, *Terrorism vs. Democracy: The Liberal State Response*, 2nd ed. (Routledge : London and New York 2006) p.30

³⁸Eric Reeves, "Khartoum's Central Role in the Assassination Attempt on Egyptian President Hosni Mubarak", October 3, 2001, <http://www.sudanreeves.org/Sections-reqviewarticle-artid-385-allpages-1-theme-Printer.html>, accessed on January 20, 2016.

³⁹ Supra note 31 at p.16

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The historical evidence of terrorism shows that terror was an effective way of suppressing opposition and resistance. The central focus of nationalistic terrorism is the call for attention to the plight of the suppressed group. The goal is to eventually secure a separate independent homeland or country for the group. Terrorism is not the primary weapon in the struggles of a Nation, but its increase may become prevalent in Asia, Africa and the Middle East.⁴⁰ The fifth manifestation of insurgent terrorism is 'Single Issue Terrorism'. These are groups, which converge around various social issues such as racial equality, pro-abortion and anti-abortion, animal rights (Animal Liberation Front, ALF), nuclear issues, environmental concerns, land and economic rights, and other matters pertaining to the public conscience. The group aims to change one aspect of policy and social behaviour rather than remodel the political and socio-economic order as a whole.⁴¹ Many developed countries have experienced forms of single-issue terrorism such as eco terrorism. For example, ecological activists have targeted multinational corporations such as Costain for years, arising from the destruction of ecological sites.⁴² Companies not only face financial threats from highly sophisticated, well-organised eco organisations, but are also subject to terrorist tactics, such as bomb threats, and the intimidation of their staff⁴³.

2.3.1.1.2. Vigilante Terrorism

Vigilante terrorism is political violence that is carried out by non-governmental groups and individuals.⁴⁴ According to Gurr, vigilante terrorism is "... violent activity intended to protect the status quo or to return to the status quo of an earlier period."⁴⁵ A vigilante movement does not regard itself to be in a state of rebellion with the existing government or rule of law. It is not revolutionary and does not bring down authority. What characterizes the vigilant estate of mind is the profound conviction that the government or some of its agencies have failed to enforce their own order in an area under their jurisdiction. Backed by the fundamental norm of self-defence and speaking in the name of what they believe to be valid laws of the land, vigilantes, in effect, enforce the law and execute justice. Due process of the law is not an immediate concern.⁴⁶

2.3.1.1.3. State Terrorism

State terrorism is defined as "... actions aimed at preserving an existing order and to maintain state authority through demonstrations of state power."⁴⁷ According to Martin⁴⁸ in his work, he described two types of state terrorism which are namely, **overt official state terrorism and covert official state terrorism**. The former refers to the use of state political violence. It is a policy of unconcealed and explicit repression directed against a domestic enemy. Overt official terrorism is usually practiced in totalitarian

⁴⁰ Miroslav Medimorec, "The Macdonian Crisis: Terrorism, National Movement, or Struggle for Self-determination" (2001), 3(3-4) *Journal of National Security and the Future* 91-110, http://www.nsf-journal.hr/issues/v2_3-4/medimorec.htm, January 20, 2016

⁴¹ Supra note 31 at p.4

⁴² Edward v. Badolato, "Environmental Terrorism: A Case Study" (1991), 14(4) *Journal of Studies in Conflict and Terrorism* 237, <https://www.ncjrs.gov/App/publications/abstract.aspx?ID=134775>, accessed January 23, 2016

⁴³ Supra note 23 at p.23

⁴⁴ Supra note 30 at p.97

⁴⁵ Ted Robert Gurr, "Empirical Research on Political Terrorism: The State of the Art and How it Might be Improved", in Slater, R and Stohl, M (Eds). *Current Perspectives on International Terrorism*, (MacMillan: Basingstoke 1988). p115-154, http://link.springer.com/chapter/10.1007%2F978-1-349-18989-2_5, accessed January 23, 2016

⁴⁶ Ehud Sprinzak, "Right-Wing Terrorism in Comparative Perspective: The Case of Split Delegitimization" (1995), 7(1) *Journal of Terrorism and Political Violence* 17, <http://www.tandfonline.com/doi/abs/10.1080/09546559508427284>, accessed January 23, 2016

⁴⁷ Supra note 30 at p.101

⁴⁸ Supra note 31 at p4

states such as Stalinist Russia, Nazi Germany, and Taliban Afghanistan. Covert official state terrorism refers to the secret use of state political violence aimed at suppressing a domestic enemy.

2.3.1.1.4. State Sponsored Terrorism

Cline and Alexander¹ defined state sponsored terrorism as:

“The deliberate employment of violence or the threat of use of violence by sovereign states (or sub-national groups encouraged or assisted by sovereign states) to attain strategic and political objectives by acts in violation of law. These criminal acts are intended to create overwhelming fear in a target population larger than the civilian or military victims attached or threatened.”

State terrorism is basically states supporting terrorism and this has over the years become very apparent. An example of State sponsored terrorism is the Pakistani government’s involvement in the Kashmir conflict. The intelligence unit of the Pakistani army supported Muslim dissidents in Kashmir and sought to occupy Kashmir and render it as a province of Pakistan.⁴⁹ Pakistan has assisted other dissident groups elsewhere in India as well.⁵⁰ India then responded by providing aid to Pakistani dissidents. There is evidence that Indian aid has been to a certain extent effective in destabilising Pakistan.⁵¹ In these cases terrorism led to additional terrorism. However, foreign support did not create the opposition movements in either country, but clearly intensified the violence.⁵² States are said to sponsor terrorists for the following reasons:

- **Pressure by the Diaspora to Support Dissident Groups:**
 - Dissident political organisations that have resorted to the use of violence have often had support from Diaspora communities. In addition to giving moral support and financial aid to dissident groups, supporters abroad have applied pressure on other governments to support dissidents.⁵³ Such communities can prolong violence by providing safe havens for dissidents in their home country; by contributing funds and extremist propaganda. For instance, the Irish Republican Army (IRA) has been able to openly raise funds in the United States; the Palestine Liberation Organisation (PLO) has maintained widespread support from the Palestinian community worldwide and Kashmiris around the world have supported the dissidents in Kashmir.⁵⁴
- **As Part of a Campaign for Geographic Expansion and Political Control, at the Expense of Existing State Structures:**
 - Through counter reaction against specific individuals from the targeted government, terrorists increase publicity and demonstrate to the people that their charges against the regime are well founded. Thereafter recruitment follows and more funds collected, especially under state sponsored terrorism.

⁴⁹Anand Mohan, “The Historical Roots of the Kashmir Conflict” (1992), 15(4) *Journal of Studies in Conflict and Terrorism* 299

⁵⁰ Jaideep Saikia, “The ISI Reaches East: Anatomy of a Conspiracy” (2002), 25(3) *Journal of Studies in Conflict and Terrorism* 67.

⁵¹ Walter Laqueur, *The New Terrorism: Fanaticism and Arms of Mass Destruction*, (Oxford University Press :New York 1999) p. 153

⁵² James M. Lutz and Brenda J. Lutz, *Global Terrorism*, (Routledge : London 2004) p.49

⁵³*Ibid*

⁵⁴ Daniel Byman, “The Logic of Ethnic Terrorism”(1998), 21(2) *Journal of Studies in Conflict and Terrorism* 149-169 and Anand Mohan, “The Historical Roots of the Kashmir Conflict” (1992), 15(2) *Journal of Studies in Conflict and Terrorism* 304

- **To Destroy or Weaken the Political Cohesion of a Political Entity:**

- State sponsored terrorism involves the employment of lethal force across international borders for the purpose of destroying or weakening the political cohesion of a targeted political entity. The state that resorts to terrorism does not use its own military instruments to deliver the lethal force, but harnesses social elements within the targeted entity to do so.⁵⁵

State sponsored terrorism, as a trend, is expected to continue as a form of limited conflict used by marginalised states.⁵⁶ State sponsored international terrorism can also be used as a tool of domestic or foreign policy. Iran, even with United States sanctions, continues to use terrorism as a weapon of foreign policy to kill dissidents and to disrupt peace processes, through its support for Hamas, the Palestinian Islamic Jihad (PIJ) and the Popular Front for the Liberation of Palestine - General Command (PFLP-GC). It also provides a safe haven for the Kurdistan Workers Party (PKK).⁵⁷ Essentially, the growth of international terrorist movements has been linked to the willingness of some nations to sponsor campaigns of terror directly or indirectly. States sponsor terrorism by providing funding, training, a safe haven, weapons and logistical support to terrorists. State sponsorship increases the danger of terrorism because it provides the client group with far greater firepower.

2.3.1.2. Crime-Related Terrorism

Criminal terrorism can be characterised as “The systematic use of terror for ends of material gains.”⁵⁸ This form of terrorism includes kidnapping, extortion, assassination and murder. Targets are selected primarily on considerations of personal and material gain. If a member of a state structure is selected at all, it is either for direct personal gain or to reduce interference by governmental authorities in their efforts to put an end to criminal activity.⁵⁹ Scholars are divided in their opinions on whether terrorism should be considered a criminal act. It is becoming difficult to distinguish between crime and crime committed during terrorism. As stated by Wibke Hansen:⁶⁰

“The connection between organized crime and terrorism may seem obvious but the nexus remains blurred, both conceptually and in reality. Therefore, if we want peace operations and stabilization missions to perform more anti-crime and terrorism functions in the future, then establishing greater clarity about the nexus is critical.”

In criminal terms, illegally obtained money converts into legal money as is the case with money laundering. In terrorism terms legally held money as well as the proceeds of crime, are used to support terrorist activity. Today differentiating between crime and crime committed during terrorism appears to be unrealistic, and the unique features of terrorism and serious crime have become increasingly unreliable in identifying the motivation of perpetrators. Theft, extortion and fraud have become regular activities for

⁵⁵Maogoto, Jackson Nyamuya, “War on the Enemy: Self-Defence and State Sponsored Terrorism” (2003), 4(2) *Melbourne Journal of International Law* 406, University of Newcastle, <http://law.bepress.com/cgi/viewcontent.cgi?article=6244&context=expresso>, accessed February 1, 2016

⁵⁶ Supra note 23 at p.26

⁵⁷ Carolynne Wheeler. “Egypt Threatened by Iranian Support for Hamas”, *The Telegraph*, August 11, 2007, www.telegraph.co.uk/news/2007/06/22/weast122.xml, accessed January 4, 2016

⁵⁸Wardlaw Grant. *Political Terrorism: Theory, Tactics and Counter Measures*, 2nd ed. (Cambridge Press: London 1989) p.12.

⁵⁹ Donald J, Hanle, *Terrorism: The Newest Face of Warfare*, (International Defense Publishers : New York 1989) p.111

⁶⁰“Crime-Nexus Terrorism” The International and Security Network, <http://www.isn.ethz.ch/Digital-Library/Articles/Special-Feature/Detail/?id=152622&contextid774=152622&contextid775=152620>, accessed on January 28, 2016.

terrorist groups.⁶¹ Since 1994, the United Nations General Assembly has repeatedly condemned terrorist acts using the following political description of terrorism:

*Criminal acts intended or calculated to provoke a state of terror in the 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.*⁶²

The above shows that legally terrorism is a crime and all terrorists are criminals. The critical difference between someone who commits murder or battery versus someone who commits an act of terrorism is the intention of the perpetrator and desired result.

2.3.1.2.1. Narco-Terrorism

Narco-terrorism is a sub-element of crime-related terrorism and can be described as: "...terrorism conducted to further the aims of drug traffickers"⁶³ Drug trafficking is providing funds for the insurgency. It is reported in 2004 that some 400 tons of cocaine was exported from a Latin American country, with an estimated value of US\$2 billion.⁶⁴ In some instances, drugs have been the currency for committing terrorist acts as was the case in Madrid bombings.⁶⁵ In the Asia/Pacific region, narco-terrorism is connected to political terrorism. The objective is to compel governments or their agencies (such as law enforcement agencies) to scale down their activities against drug syndicates. Colombia is one of the more pertinent examples of a state where narcotics introduced not only terrorism, but also an illegal international arms-trade network. State-sponsored terrorism also plays a role as a contributory factor. For example, all major terrorist groups in Colombia – Auto defensas Unidas de Colombia; Fuerzas Armadas Revolucionarias de Colombia; and jercito de Liberacion Nacional have received arms and training from Cuba and aid from Libya. The involvement of Cuba and Libya (although indirectly) supports the conclusion that an international network exists, linking terrorist groups and individual role-players. Colombia has historical ties with Cuba, organised crime organisations (which are active in drugs, guns and illegal alien smuggling in Panama) and the Russian Mafia responsible for supplying weapons to Colombian narco-terrorist forces.⁶⁶ Narco-terrorism has included the assassination of political leaders; the bombing of civilian aero planes; alliances between armed guerrillas and narco-traffickers, and may even involve attempts to overthrow a government that aims to curtail the drug trade. As long as drug trafficking is allowed to continue, terrorists will be able to benefit from it.

2.3.1.3. Pathological Terrorism

Pathological terrorism is perpetrated by emotionally disturbed individual. They possess the pathological, dysfunctional disturbed emotional condition that would make them kill innocent civilians. An

⁶¹ Supra at note 23

⁶² 1994 United Nations Declaration on Measures to Eliminate International Terrorism Annex to UN General Assembly Resolution 49/60, "Measures to Eliminate International Terrorism", December 9, 1994, <http://www.un.org/documents/ga/res/49/a49r060.htm>, accessed July 28, 2016

⁶³ Pierre- Arnaud Chouvy, "Drugs and the Financing of Terrorism" (2004), 2(20) *Journal of Terrorism Monitor*, The Jamestown Foundation 3-7.

⁶⁴ United Nations Office On Drugs and Crime, "Drug Trafficking and The Financing of Terrorism" <https://www.unodc.org/unodc/en/frontpage/drug-trafficking-and-the-financing-of-terrorism.html>, accessed July 28, 2016

⁶⁵ <http://www.ndtv.com/world-news/the-seven-deadliest-attacks-in-europe-in-decades-1243261>, accessed July 18, 2016

⁶⁶ Rachel Ehrenfeld, *Narco-Terrorism: The Kremlin Connection*, Heritage Lecture no. 89 (Heritage Foundation: Washington D.C 1987), <http://www.heritage.org/research/russiaeurasia/hl89.cfm>, accessed January 29, 2016.

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example is the September 11 terrorist attack where a plane hijacker flew into the Twin Tower killing thousands of innocent lives. Such hijacker shows an individual with a dysfunctional emotional composition. Although political and religious factors are justified by these people as reasons behind their actions, it was pathological terrorism that equipped them with the will to commit the devastating mission.⁶⁷

2.3.2. Geographic Specifications of Terrorism

The above types of terrorism operate within the following spheres of geographic specifications:

2.3.2.1. International Acts of Terrorism

This type of terrorism occurs beyond the jurisdiction of a country. Alexander and Gleason⁶⁸ defined international acts of terrorism as:

"Terrorist activities may be regarded as international when the interests of more than one state are involved, for example, when the perpetrator or the victim is a foreigner in the country where the act is done or the perpetrator has fled to another country."

The international character is highlighted with the participation of foreign nationals in "international terrorist organisations", such as the activities of the Abu Nidal Organisation in the United States. The activities of this group (as well as others with the same *modus operandi*) include the smuggling and transfer of currency, and providing information and intelligence to other members inside the United States and throughout the world. The Abu Nidal group has also obstructed investigations, fraudulently obtained passports, bought weapons, recruited new members and collected information in a clandestine manner.⁶⁹ International terrorism, in other words, comprises acts that have clear international consequences. These acts include incidents where terrorists cross national borders to strike foreign targets, select victims or targets because of their connections to a foreign country (for example, diplomats, local executives), attack airliners on international flights, or force airliners to fly to other countries. International terrorism does not include the activities of dissident groups when carried out against a local government or citizens in their own country if no foreign connection is involved.⁷⁰

2.3.2.2. Trans-national Acts of Terrorism

Trans-national acts of terrorism exist where an individual or a group of individuals of different nationalities have a common goal of achieving social change through violence. Anderson⁷¹ and Mickolus⁷² define trans-national acts of terrorism as:

"... the use or threat of use, of anxiety — including, extra normal violence for political purposes by any individual or group, whether acting for or in opposition to established governmental authority, when such action is

⁶⁷ Supra note 30 at p.21

⁶⁸ Yonah Alexander and John Marquis Gleason *Behavioral and Quantitative Perspectives on Terrorism* (Pergamon Press :New York 1981) p.16

⁶⁹ Henri Boshoff, Anneli Botha and Martin Schonteich, *Fear in the City: Urban Terrorism in South Africa* Published in Monograph No 63, July 2001. Institute for Security Studies : Pretoria

⁷⁰ Supra note 31 at p.16

⁷¹ Sean.K. Anderson "Warnings versus Alarms: Terrorist Threat Analysis Applied to the Iranian State-Run Media" (1998), 21(3) *Journal of Studies in Conflict and Terrorism* 282.

⁷² Edward Mickolus, "Transnational Terrorism" Symposium on International Terrorism, Defence Intelligence Agency, Washington, 2 - 3 December 1985 at p 35.

intended to influence the attitudes and behaviour of a target group wider than the immediate victims and when, through the nationality or foreign ties of its perpetrators, through its location, through the nature of its institutional or human victims, or through the mechanics of its resolution, its ramifications transcend national boundaries."

The Central Intelligence Agency (CIA) distinguishes between international terrorism and transnational terrorism, stating that the latter is terrorism "carried out by basically autonomous non state actors, whether or not they enjoy some degree of support from sympathetic states", as opposed to "international terrorism, which is terrorism carried out by individuals or groups controlled by a sovereign state".⁷³In other words, perpetrators of trans-national terrorism generally overcome traditional national differences by concentrating on a common goal of achieving social change, under the banner of personal beliefs, through violence. These individuals may not consider themselves to be citizens of any particular country, but instead seek common political, social, economic or personal objectives that transcend nation or state boundaries. The World Trade Centre bombing may be considered as an act of transnational terrorism, because of the different nationalities of the terrorists involved. The suspected bombers included Egyptians, Iraqis, Jordanians, Palestinians and US citizens.⁷⁴

2.3.2.3. Domestic Acts of Terrorism

Terrorism is said to be domestic when the violence and terror occurs within the national territories and do not involve targets abroad. However, in practice it is very difficult to see terrorists operate purely internally, as they tend to always require support in terms of weapons, financial assistance and a safe haven from across the borders.⁷⁵ The Memorial Institute for the Prevention of Terrorism defines domestic acts of terrorism as: "Incidents perpetrated by local nationals against a purely domestic target."⁷⁶Abu Khawla defines domestic terrorism as follows:

*"Homegrown terrorism or domestic terrorism is commonly associated with violent acts committed by citizens or permanent residents of a state against their own people or property within that state without foreign influence in an effort to instill fear on a population or government as a tactic designed to advance political, religious, or ideological objectives."*⁷⁷

An example of an act of domestic terrorism was the assassination of the Israeli Prime Minister, Mr. Rabin, in Tel Aviv on the 4th of November 1995. He was assassinated in order to prevent Israel from making peace with Palestine because the assassin said that he 'did not approve of the conceding of Israeli lands to the Arabs' especially settlements like Gaza Strip.⁷⁸

In New York two natives of the City were arrested for planning to blow up the 34 Street Subway Station in the heartland of Manhattan's Herald Square on August 2004. There were no known ties by the two

⁷³ Supra note 54 at p.2

⁷⁴Supra note 55

⁷⁵ Supra note 58

⁷⁶ Supra note 23 at p.30

⁷⁷Abu Khawla, "Understanding Homegrown Terrorism", (2010) *Online Publication of The American Thinker* ,http://www.americanthinker.com/articles/2010/12/understanding_homegrown_terror.html, accessed July 29, 2016

⁷⁸"The Assassination and Funeral of Yitzhak Rabin" CNN, <http://edition.cnn.com/WORLD/9511/rabin/umbrella/>, accessed July 29, 2016

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natives with Al-Qaeda or any organisation, which made the New York Police Department (NYPD) to make an official statement classifying the incident as a “home-grown, lone-wolf incident”.⁷⁹

Domestic terrorism is prevalent in developing countries. Examples of domestic terrorism in Africa include the bombings of the Embassy of the United States in Kenya and Tanzania on August 1998, killing hundreds. There were also the October 2002 Soweto bombings by the White Supremacist BoerMag Organization in South Africa and the October 2004 bomb blast at Egyptian tourist resorts that killed 28 people.⁸⁰

Nigeria today is under serious threats of domestic terrorism, for example the youths of the Niger-Delta and the recurrent attacks on the state by the Boko Haram Insurgents have created fear in the heart of the citizens. The youths resorted to the disruption of oil production, pipeline vandalism, hostage-taking, kidnapping, assault and bombing of oil installations to fight for the perceived injustice in the distribution of the oil wealth. Boko Haram on the other hand has become a nightmare and a name to be feared with the incessant bombings, burning of people to ashes, destruction of properties and the kidnapping of 234 Chibok girls from a secondary school in the country. Of all the terrorist groups that have created a devastating effect in Nigeria, Boko Haram is doubtlessly the most blood-thirsty and destructive, both in terms of its demonic brutality, mindless savagery and increasing scope of operation. From the beginning, the group made its manifesto known: rejection of western education and all institutions and agencies that go with it, including government institutions. It prefers to have Sharia law applied all over the country, but if that is difficult to grant, they would rather have a separate Islamic state carved out of Nigeria, where they can practice their religion unhindered. The introduction of another dimension in terrorism, namely suicide bombing, is not Nigerian and more ‘Al Qaedaic’. This means that Boko Haram has now transformed from domestic militancy to international insurgency. Thus, domestic terrorism has arisen in Nigeria because these terrorist groups have taken advantage of government’s inefficient actions and inactions in dealing with the various challenges facing the country, namely, internal security, resource control/injustice, corruption/ethnicism, sycophancy/favouritism, overlordship/marginalisation, etc. Chapter three elaborates more on the issue of domestic terrorism in Nigeria

2.3.3. Summary

The types of terrorism mentioned above are a contributory tool to aid the response to terrorism. These types of terrorisms are the ideal classifications, but in reality, it is not a true reflection of the nature of terrorism. This is so because there is an inter-link between the types of terrorism. However, grouping acts of terrorism into various types will definitely assist in finding an effective measure to counter such acts.

2.4. Terrorists Modus Operandi (Method of Operation)

Modus Operandi is a Latin phrase meaning method of operation. Bolz defined it as “a distinct pattern or manner of working that is associated with a particular crime.”⁸¹ During the 1960s, 1970s and 1980s, Terrorism’s modus were not basically targeted at innocent civilians but were more concerned with gaining publicity and public attention for groups undertaking attacks. In the 1990s and especially the 21st century terrorists are no longer concerned about public opinion, rather the goal is “increasing the number of body counts of the perceived enemy”⁸². Terrorist operations are carried out in a systematic and coordinated

⁷⁹ Israel Adoba, “Domestic Terrorism and National Security in Nigeria: A Critical Analysis of Hostage-Taking and Kidnapping” (2014), 2(2) *Global Journal of Arts Humanities and Social Sciences* 1-13

⁸⁰ Supra at note 22

⁸¹ Frank Bolz, Jr., Kenneth J. Dudonis, David P. Schulz, *The Counterterrorism Handbook* 2nd ed. (CRC Press LLC : London 2002) at p 3

⁸² Clark L. Staten, “Change in Terrorism Tactics Reported; Suicide Bombers Could Have Major Implications”, ERRI Daily Intelligence Report Vol. 8, April 8, 2002, pp. 13-18.

fashion. Tactics employed by terrorists as well as their targets have become the central focus in the fight against terrorism in the 21st century. In order for any counter terrorism measures to be effective, it is imperative to consider the various types of tactics used by the terrorists and their main targets.

2.4.1. The Target and Victims of Terrorism

The targets and victims of terrorism may be classified into two types:

- Broad targets and victims and
- Specific targets and victims

2.4.1.1. Broad Targets and Victims

2.4.1.1.1. Innocent Civilians

In the 21st century there is the indiscriminate use of terrorist tactics against innocent civilians on a large scale. Terrorists often target civilians in order to create an atmosphere of fear, intimidation, and insecurity. This is usually a deliberate act by the terrorist to make the citizens insecure in their own country and make them lose confidence in the government. These citizens happen to be in the wrong place at the wrong time. Such attacks have the following features:

- They are Indiscriminate that is they do not target political leaders or major personalities in society but their main aim is to kill and create terror in the heart of ordinary citizens;
- They are Unsystematic, that is they do not target a particular group but only aim at disrupting the lives of innocent people, including women and children;
- They are unpredictable, that is they strike when nobody is expecting any terrorist attacks, preferable at some public meeting place like the market or the religious building as well as the local police station;
- They are unconventional such as suicide attacks or car bombs attacks. In Nigeria Boko Haram have used the above tactics consistently.

2.4.1.1.2. Selected Targets

Selective terrorist attacks target diplomats and diplomatic facilities such as embassies and consulates, military personnel and military bases, business executives and corporate offices and transportation vehicles and facilities, such as airlines and airports, trains and train stations, buses and bus terminals, shopping malls, and subways.

2.4.1.1.3. Symbolic Targets

Terrorist attacks on buildings or other inanimate targets often serve a symbolic purpose: They are intended more to draw attention to the terrorists and their cause, than to destroy property or kill and injure persons, although death and destruction nonetheless often result. An example of such targets was the attack by the Boko Haram on the United Nation building in Abuja on Friday, August 26, 2011.

2.4.1.2. Specific Targets and Victims of Terrorism

Terrorists may target a business, Government buildings, military bases, weapons, ships, airports and airlines, airplanes, trains, brigades and tunnels; Government officials, soldiers, police and diplomats; tourists, journalists and media; Banks and the security and electronic transmission of currency; Symbolic public monuments, Religious figures/institutions, Educational institutions; Business headquarters, personnel and factories; Civilian crowds, modes of transport and transportation facilities; NGO's; Electric power plants, dams and grids; Communications stations; and Computers and their networks. In the final analysis there is

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great concern that innocent civilians as the new focus of terrorists are becoming more vulnerable. As such, counter terrorism strategies should consider mechanisms and methods that safeguard this vulnerable group.

2.4.2. Terrorist Tactics

The tactics of terrorism are diverse. However terrorists keep developing new tactics every day. The different tactics that terrorist groups use can be very simple to extremely complex. Dershowitz in his work describes how the introduction of new weapons and technology has enabled terrorists to kill more efficiently and in greater amounts:

"The weapons of choice for earlier terrorists were the dagger, the noose, the sword, and the poison elixir. The introduction of the hand-thrown bomb and the pistol, and more recently the machine gun and plastic explosives, enabled terrorists to kill much more efficiently. Now weapons of mass, or 'wholesale,' destruction allow terrorists to 'leverage' their personnel, as proved by the events of September 11, 2001, in which a relatively small number of highly trained individuals armed with primitive box cutters and prepared to give up their own lives were able to use passenger jets as weapons of mass murder."⁸³

Terrorist tactics usually go for attacks that avoid effective countermeasures and exploit vulnerabilities.⁸⁴As a result of this, terrorist groups utilise many types of terrorism tactics depending on the circumstances and the perceived likelihood of success. Some tactics are more conventional and widely used in the operations of many terrorist groups. According to Hunsicker⁸⁵, the most important tactical operations involving terrorists are, in order of relative frequency:

- Bombing
- Assassination and Assault
- Hostage-taking/Kidnapping/Skyjacking/Barricade Situation

2.4.2.1 Bombing

In recent years the greatest number of deaths comes from bombing-related types of terrorist attacks. This has been the most common tactic used by terrorists since the manifestation of international terrorism in the 1960s.As a result of advancement in technology, it has made access to chemicals used to make these explosives easy. Explosives can be easily purchased, stolen or manufactured from commercially available materials. Knowledge of how to build bombs and explosives can be obtained from books and the internet. Individuals have access to conventional as well as unconventional bomb-building material through mail order catalogues. Former Iranian President Ali Akbar Hashemi Rafsanjani refers to this access as 'the poor man's nuclear bomb.'⁸⁶ Terrorists are becoming more innovative in operating explosives, detonators, communications, and concealed devices. Terrorists make use of computers, cellular phones and encryption

⁸³ Alan M. Dershowitz, *Why Terrorism Works: Understanding the Threat, Responding to the Challenge* (Yale University Press: New Haven 2002), p.7.

⁸⁴ FEMA, "Evolving Terrorist Threat: Long-term Trends and Drivers and Their Implications for Emergency Management," September 2011,http://www.fema.gov/pdf/about/programs/oppa/evolving_terrorist_threat.pdf, accessed February 3, 2016.

⁸⁵A. Hunsicker, *Understanding International Counter Terrorism: A Professional's Guide to the Operational Art*, (Universal Publishers: Washington 2006), p.85

⁸⁶Walter Laqueur, "Postmodern Terrorism" (1997), 2(1) *An Electronic Journal of the U.S Information Agency*, <http://www.foreignaffairs.org/19960901faessay4222/walter-laqueur/postmodern-terrorism-new-rules-for-an-old-game.html>, accessed January 5, 2016

software to assist in their terrorist exploits. Ramzi Ahmed Yousef and his gang, were convicted of a plot to blow up 12 US airliners over the Pacific in 1995, they made use of these methods of evading detection, as well as, the forging of documents and passports. Yousef was arrested in Islamabad, Pakistan, in February 1995, after running away from the United States and was sentenced to 240 years imprisonment in November 1997. Yousef was convicted of the explosion at the World Trade Centre in New York in which six people died and more than 1000 were injured, and of planting a bomb that killed one person on a Philippines Airlines flight to Tokyo in 1994.⁸⁷

Osama Bin Laden is an example of a known terrorist who is highly sophisticated in its operations with the use of computers and cellular phones to co-ordinate the activities of his international network of operatives. Bin Laden heads the large Islamic organisation Al-Qaeda. Osama Bin Laden is connected with the bombing of the US embassy in Nairobi, Kenya, in August 1998, which killed more than 200 people. Ten minutes after the Nairobi blast, a bomb placed in a refrigerator truck exploded outside the US embassy in suburban Dares Salaam, Tanzania, killing 11 people.⁸⁸

The recent trends in terrorist bombings in Africa include the use of suicide bombers to carry out their attacks. The Islamist terror group Boko Haram has recently been using young girls as human bombs in its six years of insurgency in North East Nigeria, which has left at least 17,000 dead and made more than 206 million homeless. In July 2014, Kano was hit four times in the space of a week by a young female suicide bomber, whom expert say are unlikely to be willing participant to the carriage.⁸⁹ In October 2015, five children, four girls and one boy, were behind a series of blasts in the north-eastern Nigerian city of Maiduguri. Maiduguri is where Boko Haram Islamist militants were first based when they began their insurgency six years ago. A suicide bomber attacked a mosque in Cameroon, killing four worshippers. No group claimed responsibility but Boko Haram is suspected.⁹⁰

The above shows that terrorists have become increasingly ruthless and highly sophisticated in their attacks. Some of the worst terrorist bombing attacks in 2015 and 2016 include the following⁹¹:

- In February 13, 2015, a militant group in Peshawar Pakistan broke into a mosque and started shooting people. Three explosions were also heard in the mosque. 22 people were killed and at least 60 injured.
- In February 26, 2015, Suicide bomber detonates himself near a market in the Northern town of Biu, Nigeria, killing 19 and wounding another 19. Second suicide bomber was caught and beaten to death by crowd. That same month Militants threw bombs from a vehicle, killing 15 at a bus stop and motor park in the Nigerian city of Jos after evening prayer. Attack was attributed to Boko Haram.
- In March 20, 2015 ISIL militants in Yemen carried out four suicide bombings at the Badr and al-hashoosh Shia mosques during prayers in the city of Sana'a.
- In April 20, 2015 Al-Shabaab detonated a bomb in a United Nations bus in the Northern town of Garoowe Somalia. Two Kenyans, one Ugandan, one Afghan and three Somalis were killed and one American, one Sierra Leonean, one Ugandan, one Kenyan and four Somalis were wounded. Four UNICEF workers were among the dead.

⁸⁷Philip Wilcox, "Terrorism Remains a Global Issue", (1997), 2(1) *An Electronic Journal of the U.S. Information Agency: Targeting Terrorism*, <http://www.pvv.ntnu.no/~madsb/home/war/terror.php>, accessed January 5, 2016.

⁸⁸ Supra note 23

⁸⁹<http://www.theguardian.com/world/2015/nov/18/young-female-suicide-bombers-kill-15-in-nigeria-market-attack>, accessed January 5, 2016

⁹⁰ "4 Dead in Suicide Attack at Cameroon Mosque: Security Source" *The Daily Star*, January 18, 2016, <http://www.dailystar.com.lb/News/Middle-East/2016/Jan-18/33325223-4-dead-in-suicide-attack-at-cameroon-mosque-security-source.ashx>, accessed February 6, 2016.

⁹¹"Robert Johnston "Worst Terrorist Strikes—Worldwide" (2016)

<http://www.johnstonsarchive.net/terrorism/wrjp255i.htm>, accessed July 30, 2016

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- In January 4, 2016, 5 persons were killed by a suicide bomber in Gwoza town, Bornu State in Nigeria
- In January 12, 2016, a suicide bomber killed 12 people and wounded at least one in an attack on a mosque in Cameroon
- A suspected member of the Islamic State (IS) group launched an attack in Turkey, killing 10 people. At least eight German tourists have died in the suicide bomb attack in the Turkish city of Istanbul.

2.4.2.2 Assassinations

Assassination was the earliest tactic used by terrorists. In fact, the word 'assassin' is derived from the Hashshasin, or the Society of Assassins, whom were the Islamic terrorists who operated in the Middle East during the tenth century.⁹² Diplomats and politicians have always been the favourite target of assassins, with military and police personnel coming next. Today's terrorists, however, also assassinate business and cultural leaders, high ranking government officials and military personnel, and even innocent women and children. Some prominent examples are:

- On June 12, 2016 Omar Mateen opened fire inside a crowded gay nightclub in Orlando, Florida. Fifty people were killed and fifty were wounded. The shooting is considered to be the deadliest in the U.S history.⁹³
- Captain Lategan was investigating cases of urban terrorism in the Western Cape South Africa in January 1999. He was shot 10 times at point blank range. Ismail Edwards and Ebrahim Jeneker, both members of Pagad's GForce, have been implicated in this assassination. Ismail Edwards was convicted in May 2000 for his part in a pipe bomb attack on Lansdowne police station in January 1998 and for the attempted murder of Nazeem Smith, an alleged drug dealer. Ebrahim Jeneker is facing 124 charges including, nine for murder, 12 for attempted murder, ten for armed robbery, eight for the possession of unlicensed firearms and one for the possession of explosives. Jeneker is also implicated in attacks on the police and businessmen.
- Also in South Africa Magistrate Piet Theron, in September 2000, who was presiding over urban terrorism cases, was assassinated in front of his house. He was shot five times in the head and chest.⁹⁴
- On September 11, 2012, Islamic militants attacked the American diplomatic compound in Benghazi, Libya, killing U.S. Ambassador J. Christopher Stevens and U.S. Foreign Service Information Management Sean Smith. Stevens was the first U.S. Ambassador killed in the line of duty since 1979. The attack has also been referred to as the Battle of Benghazi.⁹⁵
- On March 22, 2015 the Moroccan Central Bureau of Judicial Investigation dismantled a terrorist cell planning to assassinate military and political officials. The cell was made of thirteen members aged between 19 and 37 and was operating in nine cities in Morocco. The terrorist cell was in possession of weapons and ammunitions preparing for the assassinations.⁹⁶

⁹²<http://ancienthistoricalsociety.com.thesacredsociety.org/Hashshashin.html><http://ancienthistoricalsociety.com.thesacredsociety.org/Hashshashin.html>, accessed July 30, 2016

⁹³Matthew Grimson, David Wyllie and Elisha Fieldstadt "Orlando Nightclub Shooting: Mass Casualties After Gunman Opens Fire in Gay Club" NBC News June 13, 2016, <http://www.nbcnews.com/storyline/orlando-nightclub-massacre/orlando-nightclub-shooting-emergency-services-respond-reports-gunman-n590446>, accessed, June 13, 2016

⁹⁴ Supra note 53

⁹⁵ May Clifford "Lessons of the Battle of Benghazi" National Review Online, November 8, 2012, <http://www.nationalreview.com/article/332961/lessons-battle-benghazi-clifford-d-may>, accessed February 7, 2016.

⁹⁶ "Morocco: Assassination of Public Figures among Terrorist Cell Plans" The North Africa Post, northafricapost.com/7270-morocco-assassination-of-public-figures-among-terrorist-cell-plans.html, accessed on February 7, 2016

2.4.2.3. Hostage Taking

A hostage is a person or entity held by one or two belligerent parties to the other or seized as security for the carrying out of an agreement, or as a preventive measure against war. However, in contemporary usage, it means someone whom a criminal abductor seizes to compel another party such as a relative, employer, law enforcement or government to act, or refrain from acting, in a particular way, often under threat of serious physical harm to the hostage(s) after expiration of an ultimatum. A person who seizes one or more hostages is known as a hostage-taker; if the hostage is present voluntarily, then the receiver is known as a host. Taking hostage is today considered a crime or an act of terrorism. The criminal activity is known as **Kidnapping**. Hostage taking, whether by kidnapping individuals, hijacking airlines or storming buildings, has always been a popular tactic due to its demonstrated effectiveness.⁹⁷

The term Kidnapping is the act of taking a person against his/her will from one place to another under circumstances in which the person so taken does not have freedom of movement, will, or decision through violence, force, threat or intimidation. Kidnapping is an act of domestic terrorism now in vogue in Nigeria. Kidnappers use it to get ransom or reward from their victims. The hostage-taking and kidnapping of foreigners in the Niger-Delta region made the Federal Government lose about N570 billion (\$4.4 billion) in revenue as at 2006. Also in 2006, more than 60 foreigners, mostly oil workers, were kidnapped but later released. This later spread to other parts of the country, for instance, the kidnapping of Pa Simeon Soludo (the father of the former Governor of the Central Bank of Nigeria (CBN) who was kidnapped on the 27th October, 2009, in the South-East, Anambra State. Foremost Nollywood actors- Pete Edochie and Nkem Owoh were kidnapped in August 2009. In the North West, the Secretary to the Government of Kaduna State, Mr. Waje Yayok, was kidnapped in September 2009 as well⁹⁸. Some notable hostage taking includes the following:

- On November 13, 2015, a series of coordinated terrorist attacks occurred in Paris. The attackers killed 130 people including 89 at the Bataclan theatre where they took hostages before engaging in stand-off with police. The attacks were the deadliest on France since World War II.⁹⁹
- On Saturday 21 September 2013, the Islamic group Al-Shabaab attacked Westgate shopping mall in Nairobi Kenya, holding people hostage in mall. The attack resulted in at least 67 deaths, and more than 175 people were reportedly wounded in the mass shooting.¹⁰⁰
- On August 15, 2013, a hostage crisis occurred in Islamabad, Pakistan, in the Blue Area of the city. Malik Muhammed Sikander took one woman and the two children hostage, purported to be his wife and children.¹⁰¹

2.5. Terrorist Support Base

Individuals who become terrorists are often unemployed, socially alienated individuals. However individuals from Western countries who become terrorists are generally both intellectual and idealistic. It usually begins with occasional protest and dissidence from disillusioned youths. Potential terrorist group members commence as sympathisers of the group. They are often recruited from support organisations such as prisoner support groups or student activist groups. From a sympathiser, an individual may become a passive supporter. Often, violent encounters with police or other security forces further motivates an already

⁹⁷ Supra note 23

⁹⁸ Supra note 68

⁹⁹ Syeed Nafeesa, "Paris Terror Attacks :Yes, Parisians are Traumatized, But the Spirit of Resistance Still Lingers", The Irish Independent, independent.ie/world-news/Europe/paris-terror-attacks/paris-terror-attacks-yes-parisians-are-traumatized-but-thr-spirit-of-resistance-still-lingers-34201891.h, accessed February 7, 2016

¹⁰⁰ Daniel Douglass K., "39 People killed in Kenya Mall Attack claimed by Somali Militants; Hostages Still Held", The Washington Post, p.2, accessed on February 7, 2016

¹⁰¹ "2013 Islamabad Hostage Crisis", ebooklibrary.org/articles/eng/2013_Islamabad_hostage_crisis, accessed on February 7, 2016

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socially alienated individual to join a terrorist group. However, membership in a terrorist group is highly selective. Over a period of a year or more, a recruit generally moves in a slow, gradual fashion toward full membership in a terrorist group. Therefore, recruits would not only need to have a personality that would allow them to fit into the group, but ideally a certain skill needed by the group, such as weapons or communications skills.¹⁰² Victimisation and Championing a cause are key tactics used to lure isolated prospective members into these groups. Those who are most at risk for being drawn into extremist groups have a weakened sense of identity. Recruiters emphasise the “Brotherhood”, the “bond” and the “sense of belonging” that are created by joining these groups. Islamist extremists tend to ignore passages in Quran that are nonviolent and justify their actions by focusing on dishonor and retribution. Social media such as facebook and twitter has become a huge recruiting tool for terrorists.¹⁰³ Oots¹⁰⁴ identifies the following types of support given to the whole spectrum of terrorist organisations: financial support; training; weapons; organisational support: groups and friendly regimes supply terrorists with passports, documents or propaganda support, social support; and operational support.

2.6. Summary

From the above categories of terrorism, the threat of terrorism becomes very evident. The way terrorism is carried out and the various tactics used, has brought to the forefront the nature of the threat we are dealing with. The threat is both external and internal. Terrorism is deadly and should not be taken lightly. The next chapter will show the extent of these threats in Africa.

¹⁰² Supra note 71 p.21

¹⁰³ Pauline Anderson, “Terrorist Recruitment Tactics Revealed”, <http://www.medscape.com/viewarticle/844855>, accessed on February 8, 2016

¹⁰⁴ Kent Layne Oots “Organizational Perspectives on the Formation and Disintegration of Terrorist Groups.” (1989) 12(1) *Journal of Studies in Conflict and Terrorism* 146.

3| The Rise of Terrorism in Africa

3.1. Introduction

The rise of terrorism started with the scramble for Africa by the Europeans. It all started with the 1884 Berlin conference in which the Europeans divided Africa among themselves. In this meeting, all the participants signed their own portion including Great Britain, France, Spain, etc. After dividing Africa among themselves, they began to create boundaries on the African land, which did not agree with the geographical locations of the various ethnic groups. The Europeans did not think of the African tribal links.¹⁰⁵ Even after gaining its independence from the colonial powers these artificial boundaries still exist as of today. For example, in Rwanda and Burundi, the Hutus and Tutsi are found in the two countries. The Nigerians and the Cameroons for a long time fought over Bakkassi land until the International Court of Justice ruled in favour of Cameroon, giving the land to it. The Colonial power also evoked ethnic rivalry, by showing favouritism towards one religion over the other, thus making one tribe to be more superior to the other. These tactics of favouritism were used by the imperialist's government to create distrusts within the tribes thus creating conflict among the various ethnic groups.¹⁰⁶ During the liberation struggle in the 1960s, Africa struggled to free itself from these colonial powers.¹⁰⁷ The people's pursuit of decolonisation led to the initial stages of "Terrorism", which continues to exist today. The Colonial governments were dictatorial and autocratic in nature. Colonial powers were employed on local population to gain economic benefits, policies and development. Thus what we see today is a post-colonial government which not only lacks in the working ability, implementation and knowledge for a comprehensive governing approach, but also faces social issues such as domestic rivalry and lack of knowledge for development. This is the reason why most of the governments are immature, corrupt, and unreliable.¹⁰⁸

After gaining its independence, Africa still continues to be involved in more internal conflict. It is for this reason that Africa has been described as the source of conflict and conventional warfare, and criminal violence. Most African countries are plagued by tribal strife, nepotism and bad governance.¹⁰⁹ All these are factors that led to the gradual development of terrorism in Africa.

3.2. Organisations Categorized As Terrorist in Africa

A terrorist organisation is defined as an organisation that is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not a terrorist act occurs).¹¹⁰ The organisational structure of a group determines its strengths and weaknesses. A general knowledge of the prevalent models of terrorist organisations will lead to a better understanding on how to tackle terrorism.

¹⁰⁵Adda Bozeman, *Conflict in Africa: Concepts and Realities*, (Princeton, NJ: Princeton University Press, 1976), p. 370

¹⁰⁶"Rise of Terrorism in Africa: An Era of Religious Militancy" *Indian Defense Review* February 13, 2016 <http://www.indiandefencereview.com/news/riseofterrorisminafricaaneraofreligiousmilitancy/1/13>, accessed February 15, 2016

¹⁰⁷ Abayomi Azikwe, "Africa Still Struggles Against Imperialism" (2010), *Workers World*, http://www.workers.org/2010/world/africa_0429/, accessed February 15, 2016

¹⁰⁸*Ibid*

¹⁰⁹ James D. Hallowanger, "Liberia: The Rise of Terrorism in Africa" *Global News Network Liberia*, February 26, 2014 p.4, <http://gnnliberia.com/2014/02/26/liberia-the-rise-of-terrorism-in-africa/>, accessed February 13, 2016

¹¹⁰*Criminal Code Act 1995* Australia s. 102(1)

3.2.1. Characteristics of Terrorists Organisations

There are two general categories of organisation: **Hierarchical and Networked**. How long an organisation has been in existence will determine whether it is likely to adopt a network or hierarchical structure. Newer groups tend to adopt the network structure. Terrorist groups that are associated with a political activity or organisation will often require a more hierarchical structure, in order to coordinate terrorist violence with political action. However, Al-Qa'ida (alternatively spelt Al-Qaeda) presents an example that has evolved from a hierarchical organisation to a much more networked organisation. Terrorist groups can be at various stages of development in terms of capabilities and sophistication. Newer groups with fewer resources will usually be less capable, and operate in permissive areas or under the tutelage of more proficient organisations to develop proficiency. Groups can emerge from smaller organisations, or splinter off from larger ones. The smallest elements of terrorist organisations are the cells that serve as building blocks for the terrorist organisation.

One of the primary reasons for cellular or compartmentalised structure is security. The compromise or loss of one cell should not compromise other cells' identity, location, or actions. A cellular organisational structure makes it difficult for an adversary to penetrate the entire organisation. Personnel within one cell are often unaware of other cells' existence and, therefore, cannot divulge sensitive information to infiltrators. Terrorists may organise cells based on family or employment relationships. A terrorist group may also form multifunctional cells. The terrorist group uses the cells to control its members. Cell members remain in close contact with each other to provide emotional support and to prevent desertion or breach of security procedures. The cell leader is normally the only person who communicates and coordinates with higher levels and other cells. A terrorist group may form only one cell or may form many cells that operate locally or internationally. The number of cells and their composition depend on the size of the terrorist group. A terrorist group operating within one country frequently has fewer cells and specialised teams than does an international terrorist group that may operate in several countries.

3.2.1.1. Levels of Organisation

Different levels of commitment exist within an organisation. They serve as the support structure of the organisation. They are leaders, operational cadre, active supporters and passive supporters.¹¹¹

3.2.1.1.1. Leaders

They provide direction and lead every operation. They outline the goals and objectives of the organisation. Usually leaders rise from within the ranks of an organisation or create their own organisation.

3.2.1.1.2. Cadres

They are the active members of the terrorist organisation. They plan and conduct not only operations, but also manage areas of intelligence, finance, logistics, propaganda, and communications. Mid-level cadres tend to be trainers and technicians such as bomb makers, financiers, and surveillance experts. Low-level cadres are the bombers and direct action terrorists.

3.2.1.1.3. Active Supporters

They are active in the political, fundraising, and information activities of the group. Acting as a visible or tacit partner, they may also conduct intelligence and surveillance activities, and provide safe haven houses, financial contributions, medical assistance, and transit assistance for cadre members of the organisation. Active supporters are fully aware of their relationship to the terrorist group but do not normally commit violent acts.

¹¹¹U.S. Army TRADOC G2 Handbook No. 1 (Version 5.0), *A Military Guide to Terrorism in the Twenty-First Century* August 15 2007 p.4

3.2.1.1.4. Passive Supporters

They are typically individuals or groups that are sympathetic to the announced goals and intentions of an overarching agenda, but are not committed enough to take an active role in terrorism. They may not be aware of their precise relation to the terrorist group, and interface with a front that hides the overt connection to the terrorist group. Sometimes fear of reprisal from terrorists is a compelling factor in passive support. Sympathisers can be useful for political activities, fund raising, and unwitting or coerced assistance in intelligence gathering and other non-violent activities.¹¹² Terrorist groups will recruit individuals that are sympathetic to their goals. They may recruit based on particular skills and qualifications and not be focused on ideological commitment. For example some terrorist organisations have sought current or former members of the U.S. armed forces as trained operatives and as agents within an organisation.¹¹³

3.2.1.2. Organisational Structure

3.2.1.2.1. Cellular Foundation

A cell is the smallest level of a terrorist organisation. It comprises usually three to ten people.¹¹⁴ An organisation would divide itself into cells for the purpose of security and because it makes it difficult for an adversary to penetrate the entire organisation. The security is so tight that the individuals within one cell are often unaware of the existence of other cells and cannot provide sensitive information to infiltrators or captors. A compromise or loss of one cell should not compromise the identity, location or activities of other cells. Terrorists may organise cells based on family or employment relationships, on a geographic basis, or by specific functions such as direct action or intelligence. The terrorist group may also form multifunctional cells. Cell members remain in close contact with each other in order to provide emotional support and enhance security procedures. The cell leader is normally the only person who communicates and coordinates with higher levels and other cells.¹¹⁵ By operating in cells (small groups that consist of one to several people), the security of group members is maintained. Each cell is anonymous not only to the public but also to one another. This decentralised structure helps keep activists out of jail and free to continue conducting actions.

3.2.1.2.2. Hierarchical Structure

Hierarchical structure organisations are those that have a well-defined vertical chain of command, control, and responsibility. Their functions are highly specialised in terms of support, operations and intelligence. Usually, only the cell leader has knowledge of other cells or contacts, and only senior leadership has visibility of the organisation at large.

3.2.1.2.3. Networked Structure

Terrorists are increasingly using a broader system of networks. Hierarchical structure is less needed to coordinate their plans and actions. Instead, they depend and even thrive on loose affiliation with groups or individuals from a variety of locations. The network structure is long-term. The disadvantage for network organisations not sharing a unifying ideology is that cells can pursue objectives or take actions that do not meet the organization's goals or are counterproductive. As a result of this, the independence of cells fails to develop synergy between their activities and limits their contribution to common objectives. Networks do not depend on modern information technology for effective command and control but prefer to use low

¹¹²*Ibid* at p.4

¹¹³Walter Reich, ed., *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind*, rev. ed. (Washington: Woodrow Wilson Center Press, 1998), 270-271

¹¹⁴ *Supra* note 111 at p.13

¹¹⁵*Ibid*

technology means such as couriers, paper messages, and landline telephones to enable them to avoid detection.

There are three basic types of network structure they are: **Chain, Hub, and All Channel**. A terrorist group may also employ a hybrid structure that combines elements of more than one network type.¹¹⁶

Chain Networks link each cell to the next cell like a node in sequence.¹¹⁷ Communication between the nodes is by passing information along the line. This organisation is common among networks that smuggle goods and people or launder money. In **Hub** and **star** network, cells communicate with one central element. The central cell need not be the leader or decision maker for the network. For example A is connected to B, C, D & E. B through to E has no connection with each other. Should B wish to send a message to E, it must go through A. This does not equate to A being the lead cell, simply the hub cell. A variation of the hub is a wheel design where the outer nodes communicate with one or two other outer cells in addition to the hub. A wheel configuration is a common feature of a financial or economic network.¹¹⁸ In the **All-Channel** network, all nodes are connected to each other. The network is organisationally flat indicating there is no hierarchical command structure above it. Command and control is distributed within the network. This is communication intensive and can be a security problem if the linkages can be identified or tracked. A transnational terrorist organisation might use chain networks for its money-laundering activities, tied to a wheel network handling financial matters, tied in turn to an all-channel leadership network to direct the use of the funds into the operational activities of a hub network conducting pre-targeting surveillance and reconnaissance.¹¹⁹

3.2.2. Lists of Terrorist Organisations

The United States Secretary of State in accordance with section 219 of the Immigration and Nationality Act (INA) has designated certain groups as Foreign Terrorist Organisations (FTOs). As of December 9, 2015, these include¹²⁰:

Abu Nidal Organization (ANO), Abu Sayyaf Group (ASG), Aum Shinrikyo, Euskadi Ta Askatasuna (Basque Fatherland and Liberty) (ETA), Gama'a al-Islamiyya, Hamas (Islamic Resistance Movement), Harakat ul-Mujahidin (HUM), Hezbollah (Party of God), Kahane Chai, Kongra-Gel (formerly Kurdistan Workers' Party) (KGK), Liberation Tigers of Tamil Eelam (LTTE), National Liberation Army (ELN), Palestine Liberation Front (PLF), Islamic Jihad Group, Popular Front for the Liberation of Palestine (PFLP), PFLP-General Command (PFLP-GC), Revolutionary Armed Forces of Colombia (FARC), Revolutionary People's Liberation Party/Front(DHKP/C), Shining Path (Sendero Luminoso, SL), Al-Qa'ida, Islamic Movement of Uzbekistan (IMU), Real Irish Republican Army (RIRA), Jaish-e-Mohammed (Army of Mohammed) (JEM), Lashkar-eTayyiba (Army of the Righteous) (LET), Al-Aqsa Martyrs' Brigades, Asbat an-Ansar, Al-Qa'ida in the Islamic Maghreb, Communist Party of the Philippines/New People's Army (CPP/NPA), Jemaah Islamiya organisation (JI), Lashkar i Jhangvi Asia Pakistan, Al-Qaeda Kurdish Battalions, Continuity Irish Republican Army (CIRA), **Islamic State of Iraq and the Levant (formerly Al-Qaeda in Iraq aka Tanzim Qa'idat al-Jihadfi Bilad al-Rafidayn (QJBR)**, Islamic Jihad Union (IJU), Harkat-ul-Jihadal-Islami (HUJIB), Al-Shabaab, Revolutionary Struggle, Kata'ib Hezbollah, Al-Qa'ida in the Arabian Peninsula (AQAP), Harkat-ul-Jihadal-Islami (HUJI), Tehrik-i-Taliban (TTP), Jundallah (People's Resistance Movement of Iran, or PRMI), Army of Islam (Palestinian), Indian Mujahideen (IM), Jamaah Ansharut Tauhid (JAT), Abdullah Azzam Brigades, Haqqani network, Ansar Dine, **Boko Haram**, Ansaru, al-Mulathamun Brigade, Ansar al-Shari'ain Benghazi, Ansar al-

¹¹⁶<http://www.terrorismresearch.com/groups/> accessed March 5, 2016

¹¹⁷ Supra note 111 at p.8

¹¹⁸ Supra note 111 p.10

¹¹⁹ *Ibid* at p.9

¹²⁰ United States, State Department list of Foreign Terrorist Organisations, <https://www.federalregister.gov/citation/62FR52650>, accessed on March 5, 2016.

Shari'a in Darnah, Ansar al-Shari'a in Tunisia, Ansar Bayt al-Maqdis, Al-Nusra front, Mujahideen Shura Council in the Environs of Jerusalem, Jaysh Rijal al-Tariqal Naqshabandi (JRTN).

3.2.3. The Four Deadliest Terrorist Organisations in the World

The 2015 Global Terrorism Index¹²¹ has identified the world's deadliest terrorist groups. Four terrorist groups identified have been responsible for up to 78 percent of all deaths from claimed terrorism incidents.¹²² These four groups are the most deadly terrorist groups in the last fifteen years, and have killed at least 25,000 people in a decade.¹²³ The deadliest terrorist group is the Taliban, which has killed over 12,000 people, closely followed by Al-Qaeda and its major affiliates that have killed at least 8,585 people.¹²⁴ The two other largest terrorist groups have shorter histories. Islamic State of Iraq and the Levant (ISIL) and Boko Haram both became more active in 2009, which was the first year that either group killed over 300 people. Between 2013 and 2015, about 80 percent of deaths are traced to these two groups.¹²⁵

3.2.3.1. The Islamic State of Iraq and the Levant (ISIL)

The Islamic State of Iraq and the Levant (ISIL) has been found to be the largest Sunni terrorist organisation in the Middle East. The name of the group was originally called Al-Qa'ida in Iraq (AQI). However following the death of the head of AQI, Abu Musab al-Zarqawi, and disagreements over tactics, a group split from AQI and then formed the Islamic State in Iraq (ISI). The ISIL became so bloody in their operations and became known for great violence, they were active participants in the Syrian civil war of 2013¹²⁶. In February 2014 al-Qa'ida formally broke ties with ISIL. The leader, Ayman al-Zawahiri stated that ISIL disobeyed directions from al-Qa'ida to kill fewer civilians.¹²⁷ ISIL goal among others is to control the Levant region which includes Israel, Iraq, Jordan, Lebanon and Syria. The entire organisation is led by Abu Bakr al-Baghdadi who is known as the Caliph or political successor. ISIL has emerged as one of the wealthiest terrorist organisations, with at least three main revenue streams. The first is through selling what they have captured. This includes oil sales to local consumers, the Syrian regime and black marketers as well as exporting crude oil to Turkey.¹²⁸ It is believed that ISIL controls a dozen oil fields and refineries in Iraq and Syria generating revenues of between one and three million U.S. dollars per day.¹²⁹ Recent estimates suggest that ISIL has access to up to 31,500 soldiers.¹³⁰ The majority of these soldiers are from Syria and Iraq, which are attracted in part by the steady wages. ISIL reportedly pays soldiers \$400 per month and a bonus every year with added premiums for a dependent.¹³¹

¹²¹Global Terrorism Index 2015, Institute for Economics and Peace: New York

http://www.visionofhumanity.org/sites/default/files/Global%20Terrorism%20Index%20Report%202014_0.pdf, accessed March 13, 2016

¹²²*Ibid* at p.4

¹²³*Ibid*

¹²⁴<http://nationalinterest.org/feature/washingtonwatchingthe5deadliestterroristgroupsthe11687?> page=3

¹²⁵Supra note 122

¹²⁶*Ibid*

¹²⁷ "Al-Qaeda Disavows any Ties with Radical Islamist ISIS Group in Syria, Iraq" *The Washington Post*, February 3, 2014

¹²⁸ Valerie Marcel, "ISIS and the Dangers of Black Market Oil", (2014) Chatham House, *Journal of The Royal Institute of International Affairs London*, <http://www.chathamhouse.org/expert/comment/15203>, accessed March 9, 2016.

¹²⁹Johnson, Keith, "The Islamic State is The Newest Petrostate", *The Foreign Policy Report*, 28 July 2014, http://www.foreignpolicy.com/articles/2014/07/28/baghdadis_hillbillies_isis_iraq_syria_oil_terrorism_islamic_state, accessed March 9, 2016).

¹³⁰"Islamic State Fighter Estimate Triples-CIA", *BBC News*, September 12, 2014, <http://www.bbc.com/news/world-middle-east-29169914>, accessed March 9, 2016.

¹³¹Martin Chulov, "Syrian City of Raqqa Gripped by Fear of US Air Strikes on Isis", *The Guardian U.K.*, September 16, 2014, <http://www.theguardian.com/world/2014/sep/15/syria-raqqa-fear-us-air-strikes-isis>, accessed March 9, 2016.

3.2.3.2. Boko Haram

Boko Haram is a terrorist group based in Nigeria and founded in 2002. The name has been interpreted to mean 'Western education is sin' or 'Western Civilisation is forbidden.' Boko Haram was founded as a Sunni Islamic fundamentalist sect advocating a strict form of sharia law and developed into a Salafist-jihadi group in 2009, influenced by the Wahhabi Movement.¹³² After a dispute with police that killed 70 members, a new group was formed under Imam Mohamad Yusuf, who built a new mosque. Following the death of Mohammed Yusuf while he was in police custody in 2009 the group became more violent. Before 2009 the group engaged in few acts of violence, but it has been responsible for 3,500 civilian deaths since.¹³³ The goal of Boko Haram is to establish Sharia Law (also spelt Shariah or Shari'a) ¹³⁴ in Nigeria. There are currently three states which are in the northern part of Nigeria operating under the Sharia law. However, Boko Haram is seeking full implementation of Sharia Law throughout the entire country. They aim to use acts of terror to further the social divide between Muslim, Christian groups and the Federal Government. As such, they have issued an ultimatum to Christians living in north-east Nigeria to 'leave or die.'¹³⁵ The group is against any Western influence and, like the Taliban, attacks educational institutions to highlight its opposition to western education. After the death of founder Mohamad Yusuf in 2009, deputy leader Abubakar Shekau took over until he was killed by Nigerian forces on 26 September 2014.¹³⁶ The group is largely decentralised. Different states host cells which often have little communication with each other. Hence it is difficult to dissect the organisational structure, size and leadership. What is known is that Boko Haram has two main sections: the larger section is focused on discrediting the Nigerian government; whereas the smaller section is more focused on conducting increasingly sophisticated and lethal attacks.¹³⁷

Boko Haram has multiple revenue streams. These include the sale of goods, extracting the profits of supportive businesses, child beggars which are also used as spies for the organisation, extorting local traders and cross-border smuggling of arms and cash. They also receive funding from wealthy members and supportive benefactors. There are also major narcotic trafficking routes to Europe in West Africa and it is suspected that Boko Haram has links with Al-Qa'ida in the Islamic Maghreb (AQIM) in trafficking narcotics as another major source of revenue.¹³⁸ The exact number of Boko Haram members is unknown however higher estimates are around 9,000. They Recruit disaffected youths in the poorest areas of Nigeria, namely Maiduguri, Yobe, Kano, Bauchi, Borno and Kaduna, all in the north. Members are often disaffected youths, unemployed graduates and members of Almajiris which are homeless youth.¹³⁹

¹³²Alan Bederka, "Wahhabism and Boko Haram", *Student Center for African Research and Resolutions*, 2014, <http://www.scarrdc.org/uploads/2/6/5/4/26549924/bederkawahhabism.pdf>, accessed March 9, 2016.

¹³³"Boko Haram" *The American Foreign Policy Council's World Almanac of Islamism (2014)*, http://almanac.afpc.org/sites/almanac.afpc.org/files/Boko%20Haram%20August%202014_0.pdf, accessed March 9, 2016

¹³⁴The Sharia (also spelt Shariah or Shari'a) is the Law of Islam. The term means "way" or "path".

Hallaq, Wael B. *An Introduction to Islamic Law*. (Cambridge University Press 2009), <https://iuristebi.files.wordpress.com/2011/07/an-introduction-to-islamic-law.pdf>, accessed October 15, 2016

¹³⁵Obinna Anyadike, "Boko Haram and National Security Challenges in Nigeria; Causes and Solutions" (2013), 4(5) *Journal of Economics and Sustainable Development* 34, <http://iiste.org/Journals/index.php/JEDS/article/viewFile/4849/4927>, accessed March 9, 2016.

¹³⁶ "Nigerian Army Confirms Death of fake Abubakar Shekau", Vanguard News, September 24, 2014, <http://www.vanguardngr.com/2014/09/nigerian-army-confirms-death-fake-abubabar-shekau/>, accessed March 9, 2016

¹³⁷Obinna Anyadike, "Analysis: Carrot or Stick?-Nigerians divided over Boko Haram", *IRIN News*, July 16, 2012, <http://www.irinnews.org/report/95874/analysis-carrot-orstick-nigerians-divided-over-boko-haram>, accessed March 9, 2016.

¹³⁸ "Terrorist Financing in West Africa" (2013), Financial Action Task Force (FATF) Report, p.17

<http://www.fatfafi.org/media/fatf/documents/reports/tf-in-west-africa.pdf>, accessed March 9, 2016

¹³⁹ Ibid at note 99

The group becomes deadly each year. Around 60 per cent of attacks and fatalities are armed assaults using guns, with a quarter of attacks and fatalities from bombings. Suicide bombings account for five per cent of all attacks. Boko Haram is known for instigating sectarian violence between Christian and Muslim groups and has attacked both churches and mosques in an attempt to instigate hatred and unrest among the two groups. Like other large terrorist groups, Boko Haram shows concern over the way it is depicted in the media. The group has specific journalists which they contact directly to claim responsibility for various attacks. They regularly release videos online, including in response to the international 'Bring Back Our Girls' campaign which was started in protest of the school girls kidnapped in Chibok. Just recently in June 2016, there was a report that Boko Haram has opened a radio station, suspected to be located along Nigeria-Cameroon border.¹⁴⁰ Chapter 4 deals extensively with accounts of terrorist attacks between 2012 and 2016.

3.2.3.3. Al-Qa'ida (Also Spelt Al-Qaeda)

Al-Qa'ida¹⁴¹ was formed in 1988 by Osama bin Ladin, a Saudi Arabian who was killed in 2011, and Abdullah Azzam, a Palestine Sunni scholar who was killed in 1989.¹⁴² The group, like the Taliban, rose during the Soviet war in Afghanistan. It strives for international jihad, and is the only international jihadi group to have successfully conducted large scale attacks in the West. The group was responsible for large scale attacks in New York, London and Madrid and was a main target of the NATO-led War on Terror following September 11. As a result, many of Al-Qaida's leadership have been killed and al-Qa'ida now adopts a decentralised structure using regional cells and affiliated organisations instead of a centrally controlled organisation. While direct acts of terrorism attributed to Al-Qa'ida have been relatively lower since 2011, activity by Al-Qa'ida affiliated groups has risen.¹⁴³ The group is opposed to other forms of Islam including Shia, and other major religions as well as Judaism. Al-Qa'ida also views the West as allied to Israel, and determines this relationship as responsible for the poverty of many Muslim countries.¹⁴⁴ The organisation seeks to rid the Muslim world of any western influence and implement an Islamic caliphate, or state, under sharia law.¹⁴⁵ Following the capture or assassination of many of the group's leaders, the structure and leadership of the organisation has decentralised into regional cells. The current leader is Ayman al-Zawahiri, who reportedly was one of the architects of the September 11 attacks and served as bin Ladin's physician in the 1980s.¹⁴⁶ His whereabouts have remained unknown since he went into hiding following the overthrow of the Taliban. Nasser Abdul Karim al-Wahyuhi is the leader of Al-Qa'ida in the Arabian Peninsula (AQAP), the most active franchise of al-Qa'ida. Khalid al-Habib was named as the organisation's military commander after it was falsely believed he had been killed in U.S. drone strikes in 2006. He is believed to oversee internal operations in Afghanistan and Pakistan. Originally the organisation was funded by bin Ladin's personal wealth and fundraising.¹⁴⁷ Recently, ransoms for hostages have been a major source of revenue for Al-Qa'ida. According to a New York Times

¹⁴⁰<http://www.eventschonicles.com/shocking-read-what-boko-haram-did-that-can-make-army-suffer/>, accessed June 16, 2016

¹⁴¹Al-Qa'ida is alternatively spelt Al-Qaeda which means "The Base", "The Foundation", or "The Fundament"; Bergen Peter, *The Osama Bin Laden I Know: An Oral History of Al Qaeda's Leader* 2nd ed. (New York: Free Press 2006).

¹⁴²www.cfr.org/terrorist-organizations-and-networks/al...k-al-qaida-al-qaida/p9126, accessed March 13, 2016

¹⁴³ Institute For Economics and Peace *Global Terrorism Index 2014* (Institute For Economics and Peace: New York 2014), p 54

¹⁴⁴"Al Qaida's Ideology", *U.KMI5 Security Service Handbook*, <https://www.mi5.gov.uk/home/the-threats/terrorism/international-terrorism/the-nature-of-the-threat/al-qaidas-ideology.html>, accessed March 13, 2016.

¹⁴⁵Christopher Blanchard, "Al Qaeda: Statements and Evolving Ideology" (2007), *Congressional Research Service (CRS) Report for Congress*, <http://fas.org/irp/crs/RS21973.pdf>, accessed March 13, 2016.

¹⁴⁶ "Al-Qaeda's Remaining Leaders" *BBC News* June 16, 2015, <http://www.bbc.com/news/world-south-asia-11489337>, accessed March 13, 2016

¹⁴⁷Peters Gretchen, "How Opium Profits the Taliban" (2009), *United States Institute of Peace Peaceworks*, no. 62pp.11-15.

report, Al-Qa'ida has raised \$125 million from ransoms since 2008, with \$66 million from 2013 alone.¹⁴⁸ The source of the majority of ransom payments is reportedly European governments and companies. The size of Al-Qa'ida is hard to measure as many significant leaders from Al-Qa'ida have been killed or imprisoned and the organisation is largely decentralised. The central organisation has decreased in size in recent years, with the former CIA Director, Leon Panetta, claiming in mid-2010 that there were fewer than 100 Al-Qa'ida members in Afghanistan. However, its affiliation with other organisations, especially in Africa, has increased.¹⁴⁹ Al-Qa'ida and its affiliates are estimated to have 3,700 to around 19,000 members. While the organisation is split into sects such as Al-Qa'ida in the Islamic Maghreb, al-Qa'ida in Syria, Al-Qa'ida in Somalia, Al-Qa'ida in the Indian Subcontinent and Al-Qa'ida in the Arabian Peninsula, the organisation is also indirectly affiliated with at least 18 other terrorist groups and has connections with Boko Haram and Al-Shabaab.¹⁵⁰ Prior to the death of bin Ladin the group was responsible for a number of high profile attacks within western countries such as September 11, the London and Madrid bombings, as well as a string of smaller attacks. However, recently it hasn't committed large scale acts of terror. This may be because of the much reduced organisational capacity. Other attacks such as suicide bombings, armed attacks, IEDs, kidnapping and hijackings have also been employed by the organisation. The number of terrorist attacks attributed to Al-Qa'ida dropped significantly in 2013 to 166 from 405 in 2012, while the organisation was still responsible for the death of 559 people and injury of 1,245 others.¹⁵¹

3.2.3.4. Taliban

The group was founded in 1994 by Mohamad Omar.¹⁵² The group was originally a mixture of Mujahedeen who fought against the Soviet invasion of Afghanistan in the 1980s and a group of Pashtun tribesmen. The Taliban took control of Afghanistan in 1996 and ruled until 2001, when they were overthrown by the American-led invasion of Afghanistan. They have since regrouped as an insurgency movement to fight the now former Karsai administration and the NATO-led International Security Forces (ISAF).¹⁵³ Now known as the 'Neo-Taliban' or the Quetta Shura Taliban due to the current location of their leadership, the organisation has rebranded itself as an independence movement in an attempt to gain support as it endeavours to recapture and take control of Afghanistan. The group has rebranded itself as an independence movement rather than a fundamentalist organisation.¹⁵⁴ Mullah Omar who began his involvement with the Taliban in 1996 is said to head the organisation. While there have been several reports of his death, none have been confirmed. The global heroin trade has been a major source of revenue for the Taliban.¹⁵⁵ In 2008 it was estimated that the opium trade financed as much as 40 per cent of the Taliban's activities. The U.S. has also accused Iran for supplying militants with Iranian-made weapons including road side bombs, one of the

¹⁴⁸Rukmini Callimachi, "Paying Ransoms, Europe Bankrolls Qaeda Terror", *The New York Times*, July 29, 2014, <http://www.nytimes.com/2014/07/30/world/africa/ransoming-citizens-europe-becomes-al-qaedas-patron.html>, accessed March 13, 2016

¹⁴⁹Bruce Hoffman, "Al Qaeda's Uncertain Future" (2013), 36(8) *Journal of Studies in Conflict & Terrorism* 635-653.

¹⁵⁰*Supra* note 99

¹⁵¹*Ibid*

¹⁵²<http://rulers.org/indexo.html#omar>, accessed March 13, 2016

¹⁵³"Mullah Mohammed Omar". *The Independent News* July 31, 2015,

<http://www.independent.co.uk/news/people/mullah-mohammed-omar-co-founder-and-leader-of-the-taliban-who-fought-the-soviets-before-presiding-10428546.html>, accessed March 13, 2016

¹⁵⁴*Ibid*

¹⁵⁵UNODC, Afghanistan Opium Survey 2013,

http://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghan_report_Summary_Findings_2013.pdf, accessed March 13, 2016; Ahmed Rashid, "The Taliban: Exporting Extremism". (1999) 22(35) *Foreign Affairs*.

main forms of attacks used by the Taliban.¹⁵⁶ In 2010 the estimated size of the Taliban was said to be 36,000 to 60,000.¹⁵⁷ The main targets of the Taliban are government administration, police and military personnel, specifically targeting coalition and Afghan forces as it stages an insurgency campaign to recapture the state. Taliban has been responsible for 75 per cent of civilian casualties in Afghanistan since 2010. In 2013 the Taliban were responsible for 649 acts of terrorism with 234 associated deaths.¹⁵⁸ While suicide bombings are used for around 10 per cent of attacks, the majority of Taliban incidents have been via roadside bombs, explosive devices or armed attacks. There has been an increase in targeting of military and police in recent years.

3.3 Vulnerability of Africa to Terrorism

President John Mahama of Ghana at the United Nations debate in 2014 says that Africa is “especially vulnerable” to terrorism. The president said that in West Africa in particular, the free movement of people and trade, across 15 countries, also contributes to this vulnerability.¹⁵⁹ Nearly all countries in Africa have been victims of terrorist acts. In Africa a significant number of citizens are living in abject poverty. Terrorists use the opportunity to recruit young people who are disillusioned and unemployed. Africa is vulnerable to terrorism because countries in the region experience: conflicts, weak governance, collapsed state institutions; porous borders thus allowing extensive and uncontrolled movement of people and illegal weapons, increased extremist religious ideology and radicalisation of vulnerable groups. These factors create fertile ground for the existence of terrorism.

3.3.1 Conflicts, Weak Governance and Statelessness

Africa has experienced severe civil and inter-state conflicts, which coupled with weak governance and statelessness have led to instability, poverty, and political isolation. These factors contribute towards the vulnerability of African Nations to terrorist exploitation. After independence from colonial powers in the 1960s, disputes over natural resources such as diamonds, gold and cobalt often led to armed conflict that evolved into guerrilla warfare. These wars surfaced again at the end of the Cold War in 1989 and the dawn of new international conflicts worldwide brought new challenges of unprecedented scope and complexity to Africa in the early 1990s. Ever since then Africa has become a region where conflicts thrive. Some of the most challenging conflicts currently in the world are in Africa. Bad leadership is another factor that characterizes Africa Nations. When a Government is weak, terrorist will capitalise on this to wreak havoc. Statelessness in a strictly legal sense refers to individuals or groups who are not considered nationals by any state. Such persons have few rights in a state-driven international system. Individuals and groups may become stateless through forced migration, during periods of violent conflict and/or political transition. Their statelessness may persist from the absence of rule of law in weak states with poor governance. Citizens can also lose citizenship through revocation or withdrawal. This can stem from exclusive nationalist ideologies during periods of political unrest and can be used as a tool of war. The irregular distribution of citizenship and the failure of the state to represent the interests of all citizens is likely to impact upon societal stability and leads to conflict. Denial of citizenship and exclusion deprives the stateless and marginalised of key goods and may result in lack of trust in state institutions. It may also result in a sense of humiliation and alienation that can transform into group mobilisation and fuel violent conflict. The conflict between Boko Haram and the Nigerian government throughout 2015 is the deadliest conflict that Africa is currently experiencing and has

¹⁵⁶Greg Bruno and Lionel Beehner, “Iran and the Future of Afghanistan”, Council on Foreign Relations, March 30, 2009, <http://www.cfr.org/iran/iran-futureafghanistan/p13578>, accessed March 13, 2016.

¹⁵⁷Jerome Starkey, “Major-General Richard Barrons puts Taliban Fighter Numbers at 36,000”, *The Times*, March 3, 2010

¹⁵⁸ Supra note 140 at p.55

now spread firmly into neighboring countries as well. The other international terrorist hot spot in Africa is the Mali-Algeria-Libya triangle.

3.3.2. Porous Borders: Free Movement of People and Illegal Weapons

Porous borders represent a major challenge to ensuring security and stability in Africa. It allows for easy accessibility of dangerous military-style weapons to non-members states across the region. This is particularly true in the Calabar-Proliferation of small arms in Nigeria which remains a major challenge in an effort to reduce crime and insurgency in the West Africa sub region. This proliferation is further made worse by the security forces' inefficiency to prevent the influx of these weapons. Terrorists are exploiting the deficiency in the enforcement capacity of Security agencies to kill and destroy.¹⁶⁰ Nigeria shares 773km border stretch with Benin Republic, 87km with Chad and then an entire stretch of 1,049km with Niger republic and 1,690km with Cameroon. The Nigeria Immigration Service, NIS announced that there are about 1,487 illegal routes to Nigeria through these borders.¹⁶¹ At the onset of the conversion of Boko Haram the philosophy group into a terror organisation, United States cables as reported by Wiki leaks, were following a certain Abu-Mahjin (Terrorist Identities Data mart Environment, TIDE number 24350378), a Chadian national with ties to al Qaeda, who the US detected, was on mission to organise some sort of terror operation in Nigeria.¹⁶⁰ It is doubtful that Nigeria paid any attention and initiated preemptive measures to this foreign hatched mission to destabilise the nation, taking advantage of Nigeria's porous borders and lax in security.¹⁶¹ Since then, there has been an inflow of extremists from Nigeria's neighbors, many with dire economic situations. These hired agents are recruited and sent in to Nigeria to conduct varying level terrorist activities. It is suspected that "Abubakar Shekau, himself is a foreigner, and when he was allegedly shot, it was easy for him to easily flee to Mali. There are hundreds of training camps in Chad, Niger and Cameroon, being run by foreigners from as far as the Middle East and Israel regions, where recruits from these nations are hired. Niger is a major haven for these camps, due to the level of insecurity, poverty and derelict government in the nation ravaged by famine. The May 21, 2016 suicide attack on a police station in Taraba state, on Nigeria's border with Cameroon, illustrates the growing level of insecurity at this border post. The abduction and murder of a family of foreigners in Cameroon is just another example of the consequence of non-tendered borders and the regional nature of the threat. In June 2015, Mohammed Jinjiri Abubakar, the commissioner of Police, Kaduna State Command, disclosed that nationals of Chad, Cameroon and Niger Republics are responsible for most of the terrorism acts in the North.¹⁶² Continuing that many such nationals had been arrested in relation to terrorism across the region.

3.3.3. Radical Islam in Africa

First, there is need to fully grasp the growing influence of Islam, in Africa. The most widely practiced religion in Africa is Islam and that is why there is an increase in the growth of Islamic militant groups across Africa. Islamic militants can be found in half of the northern part of Africa—from Mauritania in the west to Somalia in the east. The most prominent of these groups are the: Al-shabab, Al-Qaeda in the Islamic Maghreb, Boko Haram, Ansar Al-sharia, etc.

Secondly, there is need to distinguish Islamists and jihadists from the overall Muslim population. An Islamist is any Muslim who wants to impose and enforce Sharia — whether by violent or nonviolent means. A jihadist is an Islamist terrorist. The Muslim Brotherhood uses mostly nonviolent means to create Shariah-compliant constitutions. Islamist terrorists — like al Mourabitoun and al Qaeda affiliates Ansar al Shariah (Partisans of Islamic Law), Katibat Moulathamine (The Masked Brigade) and Ansar Dine (Helpers of the

¹⁶⁰https://wikileaks.org/plusd/cables/09STATE67105_a.html, accessed March 19, 2016

¹⁶¹<http://newsrescue.com/wpcontent/uploads/2012/06/who-is-chadian-abumahjin-running-boko-in-nigeria.jpg>, accessed March 19, 2016

¹⁶² "Chadians, Nigerian, Cameroonians Responsible for Terror in The North", *Nigerian Daily Trust*, June 20, 2012

Islamic Religion), which attacked the American mission in Benghazi, assaulted the Algerian gas plant and helped take over northern Mali respectively. ISIS affiliate Boko Haram (Western education is a sin) in Nigeria which drew international outrage for kidnapping schoolgirls and is considered by the Institute for Economics and Peace (Global Terrorism Index) as the globe's most deadly terror group, use violent means to install and enforce Shariah. Islamic militant groups have been considered a threat by the United Nations.¹⁶³ Militants and armed radical groups have expanded throughout the Sahel and Sahara over the last decade under the umbrella of Al-Qaeda in the Islamic Maghreb (AQIM). They move from one country to another and operate in areas that cover parts of south-west and south Libya, southern Algeria, northern Niger, north-east Mauritania and most of northern Mali. Poorly administrated, these vast desert spaces provide the groups with an ideal terrain. They also have connections in northern Nigeria, especially with home-grown militant group Boko Haram. There are several reasons that Islamic militancy has flourished. One significant factor is the perceived arrogance and corruption of urban elites. The marginalisation of poorer communities - both in rural areas and smaller towns - and minority ethnic groups has further alienated them from the governing classes. Disgruntled young men have been happy to join radical groups that not only offer them an ideology, but money. And it is the widespread drug trafficking in the region that is believed to have enriched militant groups. The terrorist attack on the Radisson Blu Hotel in Bamako in November 2015, Mali (a former French colony) portrays how deadly Islamic extremism can be. It occurred a week after deadly Islamic terrorist attacks in Paris, France, which took the lives of at least 129 innocents and injured 352 others. The Islamic State of Iraq and Syria (ISIS) claimed responsibility for the Paris attacks. The Malian local Islamic terrorist group Al Mourabitoun (The Sentinels in Arabic, with ties to al Qaeda in the Islamic Maghreb, composed mostly of Tuaregs and Arabs from the northern Mali regions, including Algerians, Tunisians, and other nationalities) reportedly claimed responsibility for the hotel attack in Bamako.¹⁶⁴

In Nigeria, Christians are confronted with the growing threat of radical Islam in the form of the extremely violent anti-Christian Boko Haram sect, which was declared a terrorist organisation by the U.S. Nigeria has been described as Africa's most populous country. Just over 50 percent of the people are Christians, who form the majority in southern Nigeria; Muslims account for another 45 percent of the population, largely living in northern Nigeria. There are 30 million Catholics in the country. In 2012, close to 1,000 Christians died because of their faith in Nigeria, according to reports, and Boko Haram is responsible for the deaths of at least 700 Christians in 2013.¹⁶⁵ Boko Haram wants an Islamic state in the North, imposing Shariah law on everyone. Hence, everything that is an obstacle to implementing that goal becomes a target for violence. Those obstacles include the government itself, the constitution, as well as the police and the army. Christians, moreover, are associated with the West, with the values of freedom and democracy and the promotion of education. That is why Boko Haram is even attacking schools and killing children. These radicals believe that Western education should be forbidden — anything that builds up the Christian ethos.

3.4. The Rise of International Terrorism and Its Impact in Africa

The rise of International or Transnational Terrorism can be considered to be as a result of globalisation. With the increased ability to move between state borders, to project oneself instantly through global media such as television and internet, creates the possibility of widening conflicts which once were the territory of a single nation state, to anywhere else in the world. This means that terrorism is not territorially

¹⁶³ "How Islamic Militancy Threatens Africa" *BBC News* May 29, 2013

¹⁶⁴ Fred Gedrich "Radical Islam in Mali and Greater Africa: The Threats Facing the West Today", <http://www.breitbart.com/national-security/2015/11/21/radical-islam-mali-greater-africa-threats-facing-west-today/>, accessed March 19, 2016

¹⁶⁵ Joop Koopman "If Nigeria Falls to Islamic Extremists, All of Africa will be at Risk", http://www.huffingtonpost.com/joop-koopman/if-nigeria-falls-to-islamic-extremists_b_4532300.html, accessed March 19, 2016

bound as before. Globalization is an important factor in the spread of international terrorism. The Internet, cell phones and international travel provides a facilitating environment.

Blomberg, Hess & Orphanides works in 2004¹⁶⁶ showed that African growth, indeed, reacted differently than other regions and the world at large to International terrorism and other growth determinants. For example, Africa displayed the smallest response to investment shares. These authors also found that Africa had a much larger growth reaction to terrorism than the global or other regional samples. Africa has been plagued by terrorism and internal conflicts over the last few decades; thus, it is of interest to discern the economic ramifications of these hostile influences. Another impact of international terrorism in Africa focus on transnational terrorist groups (e.g., al-Qaida, Fatah, al-Jihad, Abdullah Azzam Brigades, Armed Islamic Group, Islamic Union, Army for the Liberation of Rwanda, and Revolutionary United Front) have active cells or infrastructure in Africa. The links between terrorists organization is a major evidence of the impact of international terrorism in Africa. These international or transnational terrorist groups find Africa a safe haven for terrorists. In particular, al-Qaida has operated out of Sudan, Somalia, Liberia, Kenya, Tanzania, and Comoros.¹⁶⁷ In recent years, failed and weak states, mineral wealth, and emerging Islamic extremism attracted transnational terrorist groups that sought bases in Africa. Africa is blessed with natural resources including oil. Given recent discoveries of rich offshore oil reserves in West Africa, Africa's oil supplier status has grown. Consequently, terrorist attacks in Africa have the potential to disrupt crucial supply lines to the industrial world. The next section assesses how sensitive African economies are to terrorist-induced economic stress. Africa contains many developing countries that receive foreign aid, such countries' economies are particularly sensitive to the harmful influence of terrorism.¹⁶⁸ It is essential to quantify the impact of terrorism on growth if rich countries and multilateral institutions allocate aid properly and attribute reduced growth to its proper cause.

3.5. The Adverse Effect of Terrorism on Growth in Africa

Terrorism is a significant threat to the peace and security of countries and their populations. The presence of terrorism can threaten the growth of countries. It can lead to political changes and has even contributed to changes in governments. Furthermore, terrorist activity can have significant negative economic consequences for countries. To date, the costs of terrorism on countries in Africa have remained under-analysed. As a result of this, this section of study will determine the adverse effect of terrorism on growth in Africa. Terrorism affects Africa's economic and political development in the following ways:

3.5.1. Humanitarian Catastrophe

Terrorism has a devastating effect on families and livelihood of a country. It leads to massive destruction of infrastructure, the destruction of telecommunication facilities, frequent attacks on markets and businesses, short business hours and have made many relocate to other safer parts of the country, bringing down incomes and increasing poverty levels. The estimated number of deaths from terrorism in Africa is quite alarming. Nigeria suffers the highest number of civilian deaths in African.¹⁶⁹ Boko Haram violence has led to rising death rates among Nigerian citizens, while thousands are also killed in Central African Republic, South Sudan, Somalia and other African countries. More than 1 million people are thought to have been displaced by Boko Haram as civilians flee their homes fearing violence, according to the International

¹⁶⁶Brock Blomberg, Gregory Hess, Athanasios Orphanides, "The Macroeconomics Consequences of Terrorism" p.6, <http://www.carnegie-rochester.rochester.edu/Nov03-pdfs/HessPaper.pdf>, accessed April 10, 2016

¹⁶⁷ Princeton Lyman and Stephen Morrison, "The Terrorist Threat in Africa" *Foreign Affairs* 2004 p.8

¹⁶⁸Philip Keefer & Loayza, *Terrorism, Economic Development and Political Openness*, (New York: Cambridge University Press) p.10

¹⁶⁹<http://www.theguardian.com/global-development/2015/jan/23/boko-haram-nigeria-civilian-death-toll-highest-aced-african-war-zones>, accessed April 1, 2016

Organisation for Migration (IOM). The refugees are joining camps in neighbouring Cameroon, Chad and Niger, raising the prospect of a regional humanitarian crisis, according to IOM.¹⁷⁰ Nigeria, South Sudan and Somalia were the bloodiest conflicts on the continent when combatants and deaths from riots and protests were included.¹⁷¹

Some experts believe there are no criteria to quantify the loss to the economy. Many children have died, and many have become orphans due to terrorist onslaught that killed their parents and guardians, while such children continue to suffer deprivation. Many families have been scattered, and their ambitions cut short. In terms of properties, the scenes of each bomb blast present a scenario of massive waste and destruction. As such, some have concluded that any figure that is thrown up from any source may be a scratch on the surface.

Terrorism has led to violation of human rights and commission of war crimes by both the insurgents and the government forces. The military and police, for instance, have committed human rights abuses and extra-judicial killings. A prominent case in point is the killing of the pioneer leader of the Boko Haram sect, Mohammed Yusuf, in 2009 by the Nigerian Police.¹⁷² On the side of the insurgents, heinous human rights abuses and war crimes have also been committed. Relevant instances include forced conversion of people of other faiths to Islam, wanton attacks on churches and mosques, murder, torture and persecution of members of other religions, killing of women, children and civilian (noncombatant), populations.

3.5.2. Economic Effect

Terrorism is undermining GDP growth and weighing down overall economic performance in affected countries. The International Monetary Fund now includes terror threats among the major risks to the economic outlook in Nigeria.¹⁷³ In Tunisia and Kenya economic indicators in these countries have been revised downward after terrorist incidents. Following the attacks by the Islamic State, for example, Tunisia's projected annual GDP growth for 2015 was cut from 3% to 1%. The tourism sector is expected to experience a 45% decline – implying a drop in revenue of some \$1.1 billion. The damage to the sector and, more broadly, to investors confidence will trickle across Tunisia's economy, pushing down output, fiscal revenue, and foreign reserves.¹⁷⁴ The fight against terrorism is sucking up scarce financial resources. Military missions is costly, and the unpredictability of terror strikes often requires extra spending on security, which sometimes causes governments to miss their fiscal targets. After the Garissa University attack, for example, the Kenyan government increased security-related spending by 0.3% of GDP and provided additional financial assistance to the tourism sector.¹⁷⁵

In addition to the outlays required to equip the armed forces engaged against Boko Haram, Nigerian officials estimate that billions of dollars will be needed to rebuild the north's ravaged infrastructure.¹⁷⁶ Similarly, Chad's soldiers fought alongside French troops against terrorists in Mali, and now they have coalesced with those of Nigeria and Cameroon in fighting Boko Haram. In April, 2015 the country was granted \$170 million in debt relief to payoff for years of economic reform.¹⁷⁷ But now it is being forced to use part of

¹⁷⁰<http://www.iom.int/news/boko-haram-may-have-displaced-over-million-nigeria-iom>, accessed April, 2016

¹⁷¹*Ibid*

¹⁷²Okoli, Al Chukwuma & Lortyer, Philip, "Terrorism and Humanitarian Crisis in Nigeria: Insights from Boko Haram Insurgency" (2014), 14(1)*Global Journal of human-social science*8

¹⁷³Nigeria: 2014 Article IV Consultation-Staff Report; Press Release; and Statement by the Executive Director for Nigeria, March 2015.

¹⁷⁴What is terrorism costing Africa? World Economic Forum, <http://www.weforum.org/agenda/2015/12/whatisterrorismcostingafrika/>, accessed April 1, 2016

¹⁷⁵Koffialle, "The Economics of Terrorism in Africa", *The New Times Rwanda December*18, 2015, <http://www.newtimes.co.rw/section/article/2015-12-18/195380/>. Accessed April 1, 2016

¹⁷⁶*Ibid*

¹⁷⁷*Ibid*

its hard-won fiscal space to finance the fight against terror. The countries at risk are among the most promising frontier markets. In Nigeria, which recently became Africa's largest economy, a dynamic private sector has been diversifying an economy that has long been dominated by oil production. Similarly, Kenya, home to a thriving ICT sector, is leading the world in the rollout and leveraging of mobile money.¹⁷⁸ If these economies are upset, they risk dragging down Africa's overall performance.

3.5.3. Terrorism Undermines Nation Building

Nation-building has to do with everything that promotes nation's wellbeing, its health, environmental, food, economy, political, social and physiological and all these, stands to be greatly affected by the state of security or insecurity of that nation. The concern for nation building as a policy to promote State building in societies with multiple ethnic and religious cleavages is critical in an African continent characterized by underdevelopment, political instability, conflict, insurgencies, and human development challenges. Today, skills, industriousness, productivity and competitiveness are the determinant factors of national greatness and not the size of its population or the abundance of its natural resources. Thus, a nation's real wealth is its people and their capacity to be productive, creative and industrious. Terrorism cripples Nations building. The nefarious activities of the terrorists can affect the foundation of a nation's corporate existence and nation building.

Furthermore, the destructions of properties, especially public buildings, private buildings, and markets, affect these areas' socio-economic development. Government activities in the most affected states are at a standstill and the money which would have been used to develop the state are expended on curbing the excesses of the insurgents. The hallmark is the breakdown of socio-economic activities and increased poverty in the affected areas.

The impact of terrorism on national development has significant consequences on commercial activities and the economy. The consequences of terrorism are disastrous for the people of a nation, both rich and poor. The normal social life gets totally disturbed and many innocent lives go in vein. The productivity of people is miserably stalled as the commercial activities are distorted and the prices of products/commodities surge, as well as the dream of living a life of happiness and peace is shattered. Economic and social development of the society ceases to be uncertain. In fact, terrorism not only weakens the established political authority but also brings about political instability. Hence, terrorism represents a challenge not just to the bases of civilized society, but also to the very foundations of the world order because it destroys the will of a civilized society to defend itself. As a matter of fact, terrorism is a war against civilization.

Apart from the economic and monetary costs associated with terrorism, there are also social and psychological costs. Terrorism erodes inter-communal trust and destroys the reservoir of social capital that is so vital to building harmonious societies and pooling together community energies for national development. Since the insurgency commenced in Nigeria, tourist attraction centers like Argungu fishing festival, the Yankari game reserves, Mambila Plateau, Othman Dan Fodio tomb, the millennium park and other parks in the Northern part of the country have been witnessing low patronages. It is estimated that Nigeria had lost over N80billion on tourism.¹⁷⁹

Also, Kenya which depends on its tourist industry, for its livelihood, has suffered a blow as a direct result of terrorisms. Fear is often enough to make holidaymakers cancel their much-anticipated safari or beach holiday. Therefore, it follows that people involved in volunteer projects and international development aid work may also deter from traveling to countries with threats of terrorism. Many Western Governments have warned their citizens who are tourists and have discouraged them from travelling to certain areas of Africa. Foreign nationals are often advised to exercise extra vigilance and caution in public places and at

¹⁷⁸Supra note 174

¹⁷⁹Uche Ezenwile , Rosemary Anazodo, Chidolue, Dorothy Nkechi "The Effect of Insurgency on Nation Building in Nigeria(2009-2014)" (2015), 4(3) *Indian Journal of Research* 6-10

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public events in some African countries consequently labeling the entire country insecure. On the whole, terrorism is a threat to the survival and existence of a human race.

4| Terrorist Activities in Africa: Selected Case Studies

Although the rise to prominence of major African terrorist groups like Boko Haram (Nigeria), Al-Shabaab (Somalia, Kenya) and Al-Qa'ida in the Islamic Maghreb (Algeria) are relatively recent phenomenon, Africa has been under attack from terrorist organisations for over two decades now. What is new is the increased frequency of such attacks and the deadliness of these attacks. Below are some of the most recent and deadliest attacks on Africa soil.

4.1. Case Studies

4.1.1 Kenya

4.1.1.1. Garissa University Terrorist Attack

On April 2, 2015, gunmen stormed the Garissa University College in Garissa, Kenya. They killed 148 people¹⁸⁰ and injured 79 or more. The Somali-based Islamic terrorist group Al-Shabaab claimed responsibility for the attacks. The attack was said to have been organised by a man named, Mohamed Ali, who was later confirmed dead by Al-Shabaab on June 1, 2016¹⁸¹The gunmen took over 700 students hostage, freeing those who are Muslims and killing those who identified themselves as Christians. Four of the attackers were later killed, while five men were later arrested in connection with the attack, and a reward was placed for the arrest of suspected organiser. The attack was the deadliest in Kenya since the U.S Embassy bombings in 1998 and is the second deadliest overall, with more casualties than the 2002 Mombasa attacks, the 2013 Westgate shopping mall attack, the 2014 Nairobi bus bombings, the 2014 Gikomba bombings, the 2014 Mpeketoni attacks and the 2014 Lamu attacks. The Nairobi-based security analyst Abdiwahab Sheikh said the incident highlights how the government has failed to improve the security situation in the country. According to him "The government has not learned anything from the Westgate attack."¹⁸²

4.1.2. Somalia

4.1.2.1. Chinese Embassy Terrorist Attack

On July 26, 2015, an attacker drove a car rigged with bombs into the gate of a hotel in Somalia's Capital, setting off explosions that left 15 people dead and over 40 injured. The militant group Al-Shabaab claimed responsibility for the suicide attack, saying that they intended to target the western diplomats. The Jazeera Palace Hotel where the suicide bombing took place was frequented by foreign diplomats, as it housed the embassies of China, Qatar, and the United Arab Emirates. China's embassy, located on the top two floors of the hotel, was damaged in the bombings. One member of the embassy's security staff died from severe injuries sustained from the bombings. Al-Shabaab said that the attack was in retaliation for the killings of

¹⁸⁰ "Death Toll from Kenyan Attack Rises to 148", <http://www.rte.ie/news/2015/0403/691817-kenya/>, accessed April 1, 2016.

¹⁸¹<http://www.aljazeera.com/news/2016/06/al-shabaab-confirms-death-of-garissa-attack-leader-160619125725418.html>, accessed June 20, 2016

¹⁸²"Al Shabaab Kills at least 147 at Kenyan University; Siege Ends",<http://www.reuters.com/article/us-kenya-security-college-idUSKBN0MT0CK20150402>, accessed April 1, 2016

innocent civilians during the offensive.¹⁸³ China's embassy in Somalia was closed from 1991 until October 2014 due to the violence in the country.¹⁸⁴ However, China grew optimistic about Somalia's security after 2012 and eventually announced in July 2014 that it would reopen its embassy in Mogadishu.¹⁸⁵ The tragedy of July 26 shows that Somalia has more work to do concerning the security situation in the country.

4.1.2.2. Somalia Hotel Attack

On February 26, 2016, Takfiri Al-Shabaab militants in Somalia attacked a hotel and a nearby garden in the Capital Mogadishu, killing 10 people and injuring over 25 others. The terrorist detonated two car bombs near a security checkpoint close to a Peace Garden park, killing two guards. The militants then set off another car bomb about 30 minutes later after storming the hotel near the presidential palace but Somali security forces thwarted their attempt to enter the building. The hotel is popular with government authorities and foreign businessmen.¹⁸⁶ On March 5, 2016, in a move to stop what the U.S military said was an imminent threat against the U.S troops and African peacekeeping threat against Somalia, a U.S. strike in Somalia killed as many as 150 suspected Al-Shabaab fighters. They also killed the key leader of the Al-Shabaab militant group who was involved in two attacks in Mogadishu more than a year ago, killing Americans. It was the US military's second strike in a month on terrorist targets in Somalia, a country against which the U.S has never declared war.¹⁸⁷

4.1.3. Egypt

Terrorist attacks in Egypt are linked to Islamic extremist. Targets have included government officials, police tourists and the Christian minority. Terrorism increased in the 1990s when the Islamist movement Al-Gama'a Al-Islamiya targeted high-level political leaders and killed hundreds in its pursuit of implementing traditional Sharia law in Egypt.¹⁸⁸ Ayman Al-Zawahiri, an Egyptian doctor and leader of Egyptian Islamic Jihad group, is believed to be behind the operations of Al-Qa'ida. Four out of 30 people on the United States Federal Bureau of Investigation "most wanted terrorist list" are Egyptian.¹⁸⁹

4.1.3.1. Downing of Metrojet Flight 9268

On October 31, 2015 Metrojet Flight 9268 mysteriously dropped out of the sky over the Sinai Peninsula killing all 224 passengers onboard. It was an international chartered passenger flight, operated by Russian airline. They had just departed from the international airport in Egypt en route to the Airport in Russia. The aircraft, was carrying mostly tourists, there were 219 Russian, four Ukrainian, and one Belarusian. With its death toll of 224 people, the crash of Flight 9268 is the deadliest both in the history of Russian aviation and within Egyptian territory. It is also the deadliest plane crash of 2015. ISIL has now

¹⁸³Shannon Tiezzi "Deadly Terrorist Attack in Somalia Hits Chinese Embassy", *The Diplomat*, July 28, 2015
<http://thediplomat.com/2015/07/deadly-terrorist-attack-in-somalia-hits-chinese-embassy/>, accessed April 1, 2016

¹⁸⁴*Ibid*

¹⁸⁵*Ibid*

¹⁸⁶Omar Nor and Ray Sanchez "Gunmen Storm Hotel in Mogadishu; 15 killed, Police Say" *CNN News* June 25, 2016,
<http://edition.cnn.com/2016/06/25/africa/mogadishu-hotel-explosion-gunfire/>, accessed April 1, 2016

¹⁸⁷Barbara Starr, "U.S. Claims to have Killed 150 Fighters from Al-Shabaab in Somalia" *CNN NEWS*, March 7, 2016,
<http://edition.cnn.com/2016/03/07/politics/somalia-us-claims-to-have-killed-150-fighters/>, accessed April 1, 2016

¹⁸⁸ Murphy, Carlye, *Passion for Islam: Shaping the Modern Middle East: The Egyptian Experience*, (New York: Scribner 2002), p.4

¹⁸⁹ "Most Wanted Terrorists", *FBI*, https://www.fbi.gov/wanted/wanted_terrorists, accessed April 1, 2016

several times claimed responsibility for the terrorist attacks. Many countries are now making efforts to upgrade airport security measures over fears that ISIL may plan more of such attacks.¹⁹⁰

4.1.4. Mali

4.1.4.1. Bamako Hotel Attack

In November 2015, Islamist militants took 170 hostages and killed 20 of them in a mass shooting at the Radisson Blu hotel in Bamako, the capital city of Mali.¹⁹¹ The Radisson Blu hotel in Bamako is in a business district that is close to the embassies, and is frequented by foreign businesspeople and government employees. The Malian commandos raided the hotel and freed the surviving hostages. Al-Mourabitoun claimed that it carried out the attack in cooperation with Al-Qa'ida in the Islamic Maghreb, an Al-Qa'ida member confirmed that the two groups cooperated in the attack.¹⁹² Three United Nations staff were safely removed from the hotel but it remains unknown how many were caught inside. UN peacekeepers supported the Malian Armed Forces by reinforcing security around the hotel. 25 US Special Forces were in Bamako at the time of the attack and assisted Malian forces in evacuating civilians to secure locations.¹⁹³

4.1.5. Sudan

Terrorism in Sudan is one of the important problems facing the country. The country is a good place for terrorist to recruit. Sudan has been on the United States list of state sponsors of terrorism since August 1993. Sudan has been under diplomatic sanctions by the United Nations since 1996. Sudan is in a strategic position to export its Islamic revolution because of its borders with Egypt and Libya and six African countries, including Ethiopia, which has a large and impoverished Muslim population. Terrorism was introduced to Sudan in the early 1990s when Osama Bin Ladin and his followers came to the country and built a training camp infrastructure as well as setting up a business and finance network.¹⁹⁴

4.1.5.1. Sudan Plane Explosion

On February 4, 2016, a wheelchair-bound suicide bomber blew him up before being sucked out of a plane in a failed terrorist attack. The man was able to bypass airport security by smuggling the device in his wheelchair before moving to another seat once on board. Somalia-based terror group Al-Shabaab which has close links to Al-Qaeda is thought to be behind the blast that ripped a hole in the side of the jet.¹⁹⁵

4.1.6. Cameroon

Since 2013 the Nigeria-based Boko Haram militia has successively expanded its terror attacks and bombings into Cameroon¹⁹⁶. In July 2014, Boko Haram attacked the Cameroonian deputy prime minister's residence in the north of the country and captured his wife. French and Chinese citizens have also been

¹⁹⁰"Egypt Admits Bomb Most likely Scenarios for Downing Metrojet", <http://abcnews.go.com/international/putin-suspend-russian-flights-egypt-deadly-jet-crash/story>, accessed on April 2, 2016

¹⁹¹Searcey, Dionne, Nossiternov, Adam, "Deadly Siege Ends After Assault on Hotel in Mali" *International New York Times* November 20, 2015, accessed April 2, 2016

¹⁹²Callimachi, Rukmini, Bulos, Naih, "Mali Hotel Attackers are Tied to an Algerian Qaeda Leader" *International New York Times*, November 21, 2015, accessed April 2, 2016

¹⁹³"World News Liveblog", http://live.reuters.com/Event/World_News?Page=138, accessed April 2, 2016

¹⁹⁴<http://www.defenddemocracy.org/sudans-sponsorship-of-terrorism-violence2>, accessed April 2, 2016

¹⁹⁵"South Sudan Plane Crash: Dozens Killed Near Juba Airport", *BBC News*, November 5, 2015, <http://www.bbc.com/news/world-africa-34719679>, accessed April 2, 2016

¹⁹⁶Denis M. Tull, "Cameroon and Boko Haram. Time to Think beyond Terrorism and Security", https://www.swp-berlin.org/fileadmin/contents/products/comments/2015C42_tll.pdf, accessed April 2, 2016

kidnapped, with large ransom payments suggesting that the group enjoys a solid financial base.¹⁹⁷The conflict entered a new stage during the Nigerian presidential elections of March 2015. The constant aggressive action by the Nigerian army and the neighbouring states (above all Chad) forced Boko Haram onto the defensive. Since then the group has shifted its strategy from direct confrontation to guerrilla tactics and terrorist attacks, and the number of attacks and suicide bombings has shot up in both Nigeria and Cameroon. Since mid-July 2015 Boko Haram has conducted at least three suicide attacks. In February 2016, two female bombers attacked the Cameroon.¹⁹⁸ The blast also killed the attackers who had joined the mourners pretending to be family members. Also in January 18, 2016 terrorists attacked a mosque.¹⁹⁹ Also there was a twin suicide attack at a public school in Kerawa earlier in the year.²⁰⁰ Cameroon has been a victim of series of terrorist attacks by Boko Haram insurgents who have killed thousands and displaced more than two million people.

4.1.7. Tunisia

In the Tunisia borders, Libya, there is a continuing conflict and an absence of security. Islamist terrorist groups operate on the borders because they are porous. Terrorist attacks have increased in Tunisia since 2013. In March 18, 2015, tourists were killed including a British national, in a terrorist attack at the Bardo Museum in the center of Tunisia.²⁰¹ On June 26, 2015, 38 foreign tourists were also killed²⁰². On November 24, 2015, a number of security personnel were killed in a suicide attack on a police bus. As a result of the attack on the police bus, a state of emergency was imposed in Tunisia.²⁰³ It has been extended a number of times. On March 22, 2016 it was extended for a further three months to 22 June 2016.²⁰⁴

4.2. Terrorism in Nigeria: A Challenge in the 21st Century

According to the latest Global Terrorism Index (GTI) report²⁰⁵, Nigeria currently ranks the third most terrorised country in the world. This clearly illustrates the challenges facing Nigeria. The GTI uses four critical indicators to score the impact of terrorism. These indicators are as follows:

- Total number of terrorist incidents in a given year;
- Total number of fatalities caused by terrorism in a given year.
- Total number of injuries caused by terrorism in a given year.
- The approximate level of total property damage from terrorist incidents in a given year.

¹⁹⁷<http://www.aljazeera.com/news/africa/2014/07/boko-haram-kidnaps-wife-cameroon-vice-pm-2014727121842187354.html>, accessed April 2, 2016

¹⁹⁸<http://punchng.com/suicide-bombers-kill-six-injure-30-in-cameroon/>, accessed April 2, 2016

¹⁹⁹<http://www.independent.co.uk/news/world/africa/cameroon-attack-suicide-bomber-kills-at-least-12-people-at-mosque-a6808636.html>, accessed April 2, 2016

²⁰⁰<http://www.africanews.com/2016/01/28/cameroon-twin-suicide-attacks-at-a-public-school-in-kerawa/>, accessed April 2, 2016

²⁰¹<http://www.reuters.com/article/us-tunisia-security-idUSKBN0ME18E20150318>, accessed April 2, 2016

²⁰²<http://www.aljazeera.com/news/2015/06/foreign-tourists-fly-tunisia-killings-150627070852836.html>, accessed, April 2, 2016

²⁰³<https://www.theguardian.com/world/2015/nov/24/explosion-on-tunisian-military-bus>, accessed April 2, 2016

²⁰⁴<http://tunisia-tn.com/tunisia-state-of-emergency-extended-three-months/>, accessed April 2, 2016

²⁰⁵The **Global Terrorism Index (GTI)** is an attempt to systematically rank the nations of the world according to terrorist activity. The index combines a number of factors associated with terrorist attacks to build an explicit picture of the impact of terrorism over a 10-year period, illustrating trends, and providing a data series for analysis by researchers and policymakers. It is the product of Institute for Economics and Peace (IEP) and is based on data from the Global Terrorism Database (GTD) which is collected and collated by the National Consortium for the Study of Terrorism and Responses to Terrorism (START) at the University of Maryland. The GTD has codified over 125,000 cases of terrorism.

The above factors are used to create a weighted five year average for each country, taking into cognisance the lasting effects of terrorism in that context. The score given to each country in essence indicates the impact of a terrorist attack on a society in terms of the fear and subsequent security response.²⁰⁶ It was in the light of the above factors that Nigeria was rated the third most terrorised country of the world. In effect, figures pertaining to fatalities of terrorism in the country have more than doubled. Nigeria's increase in deaths is the biggest ever recorded with 5,622 deaths according to the GTI report.²⁰⁷ Nigeria is only better than two largely Islamic countries – Iraq and Afghanistan – that were ranked first and second respectively. Pakistan and Syria are ranked fourth and fifth to complete the top five most terrorised countries. The only African countries closer in ranking to Nigeria are Somalia and Libya which are in the eighth and ninth positions respectively. France, which recently experienced deadly terrorist attacks that killed about 160 people in Paris, is ranked 36th, same as the United States of America. "Terrorist attacks are much more lethal in Nigeria than any other country," the GTI report said. The report, released on November 16, 2015 by the Institute for Economics and Peace, said the Islamist terror group in Nigeria, Boko Haram, overtook ISIL in 2014 to become the most deadly terrorist group in the world.²⁰⁸

4.2.1. Causes of Terrorism in Nigeria

There are several factors attributed as being responsible for terrorism in Nigeria. The factors range from corruption, poverty, unemployment, religious extremism, illiteracy among others. However terrorism in Nigeria can be viewed as a product of "bad governance." The failure of the State to provide purposeful leadership and deliver the dividends of "good governance" to the people can have a devastating effect in the long run. State neglect and State terrorism breeds a "culture of terrorism" and other segments, individuals and groups in the society imbibe this dominant political culture as a way of life, although there are other factors like economic marginalisation, ethnic and religious fanaticism which influence terrorism. Corruption, poverty and unemployment constitute the main causes of terrorism in Nigeria. Economic deprivation, political marginalisation, frustration and civil disobedience in Nigeria are all by products of corruption. When public officers and politicians at federal, State and local government levels steal public funds allocated to build schools, hospitals, industries and provision of basic social services like water, electricity and road infrastructure, Nigerians are denied good governance.

Bad governance in Nigeria has created a situation where the wealth of the nation is in the hands of a few. Poverty becomes the order of the day in a country plagued with bad governance. The youths especially are negatively affected —socially, psychologically and economically. When these youth become frustrated, they can easily be brainwashed and indoctrinated into illegal activities and terrorism. Terrorism in Nigeria has been described as the price we pay for producing a "reserved army" of deprived, deprived, frustrated and unemployed youths as a consequence of official corruption and a dysfunctional federal system of government.²⁰⁹ Corruption does not end with the stealing of public resources; it undermines justice, economic development and destroys public trust in government and political leaders. Corruption is a major cause of mass poverty. The National Bureau of Statistics (NBS) report for 2014 reveals that 112.47 million Nigerians (about 70%) live below \$1.00 per day, as a result, they could barely afford the minimal standards of food, clothing, health care and shelter. The NBS further reports that 20.3 million Nigerians are jobless. The figure is inclusive of 5.3 million unemployed youths and an average of 1.8 million graduates who enter into the labor

²⁰⁶ Global terrorism Index 2015

²⁰⁷ *Ibid*

²⁰⁸ The Institute for Economics and Peace is an independent, nonpartisan, non-profit think tank with offices in Sydney, New York and Mexico City.

²⁰⁹ <http://www.thenewswriterng.com/?p=16130>, accessed April 2, 2016

market annually. The North-West and North-East recorded the highest poverty.²¹⁰ It is easy to see the connection between corruption, unemployment, poverty and terrorism. The large mass of poverty stricken unemployed youths constitute fertile soil for recruitment as foot soldiers by terrorist organisations. There is a common saying that “the idle mind is the devils workshop”. Unemployment and poverty make our youths vulnerable to terrorism and other criminal act. Poverty and unemployment are fertilizers for terrorism. All these factors explain the rise of terrorism in Nigeria.

4.2.2. The Boko Haram Challenge

Boko haram, whose name roughly translates to “Western education is forbidden”, is based in Nigeria’s North/East region and is also active in Chad, Niger and northern Cameroon. The deadly Boko Haram sect has overtaken the Islamic state of Iraq Al-Qaeda, but in March 2015, it announced its allegiance to ISIS.²¹¹ Boko haram began in Bauchi State on July 26, 2009 and since that time; the group has extended its activities to other Northern states as well as to other parts of Nigeria. The group’s leader is Abubakar Shekau. Since the current insurgency started in 2009, it has killed 20,000 and displaced 2.3 million from their homes and was ranked as the world’s deadliest terror group by the Global Terrorism Index in 2015.²¹²

After its founding in 2002, Boko Haram’s increasing radicalisation led to a violent uprising in July 2009 in which its leader was summarily executed. Its unexpected resurgence, following a mass prison break in September 2010, was accompanied by increasingly sophisticated attacks, initially against soft targets, and progressing in 2011 to include suicide bombings of police buildings and the United Nations office in Abuja.²¹³ The government’s establishment of a state of emergency at the beginning of 2012, extended in the following year to cover the entire northeast of Nigeria and led to an increase in both security force abuses and militant attacks. Its ultimate goal is to make Nigeria an Islamic State and uphold only the laws as set out in the Koran. This group believes Islam detests western civilisation and that western education is blasphemous. Literally, “Boko Haram” means ‘western education is a sin’ or “forbidden”.

Boko Haram killed more people than their fellow Islamists, claiming 6,644 lives compared to 6,073. Nigeria accordingly experienced a staggering 300 percent rise in terrorism deaths in 2014, although other militant groups take partial blame for the increase. In particular the Fulani militants killed 1,229 in Nigeria.²¹⁴ Also Amnesty International, AI, in its latest report have revealed that the Boko haram terrorist have killed at least 1,600 people in Nigeria, Niger, Chad and Cameroon since Buhari’s assumption to power in May 29, 2015.²¹⁵

It was alleged in the early 2000s that the creation and sponsorship of Boko Haram was by a famous politician in Borno State.²¹⁶ Boko Haram is thus an Islamist insurgent group that arose from political, social and religious discontent within the Nigerian State. The recruits of the sect are mostly youths from the northern parts of Nigeria that are dissatisfied with the economic, political and social status quo. They include unemployed youth, stark illiterates, and refugees from neighbouring African countries. Thus, the sect explores the social-economic negativities of the country to recruit and radicalise its members.²¹⁷

²¹⁰*Ibid*

²¹¹ Sannni Mohammed “2015 Global Terrorism Report Reveals Shocking Boko Haram Stats” *Post Nigeria* November 20, 2015.

²¹² Global Terrorism Index 2015 p.14

²¹³ “Boko Haram Crisis: Nigerian Military Chiefs Given Deadline”, *BBC NEWS*, 13 August 2015

²¹⁴ “Boko Haram Kills More People Than ISIS As Total Hits Historic High”, <https://www.rt.com/news/322529globalterrorismindexreport/>, accessed April 8, 2016

²¹⁵*Ibid*

²¹⁶ Sheriff F. Folarin, “Insurgency and National Security Challenges in Nigeria: Looking Back, Looking Ahead” p.7, Department of Political Science and International Relations Covenant University, Ota, Nigeria

²¹⁷*Ibid*

4.2.3. The Effect of Boko Haram Insecurity in Nigeria

Since the emergence of the Boko Haram insurgency in the North-east Nigeria in 2009, life in the region has been dreadful. Their source of livelihood has been cut short and life for them is a painful experience. Since the outbreak of violence in 2009, the north-east, Borno and Yobe States in particular, has ceased to know civil normalcy. Suicide and car bombings have become the part of their daily lives. Boko Haram has destroyed their lives and properties. The Northern parts of Nigeria are no longer a safe place to live.

One of the most dreadful impacts of Boko Haram bombings and killings was the fear that the hatred it has so far generated may ultimately endanger Nigeria's continued existence as one nation. For instance, millions of non-indigenes in the northern parts of Nigeria, especially the Igbo's were desperate to return to their home states before they could get killed. Two pregnant women gave birth to babies in the bush while fleeing from suspected Boko Haram insurgents that attacked Gunti Gumi village of Alkaleri Local Government area, Bauchi State.²¹⁸

The infiltration of the group into government shows the seriousness of the challenge posed by the Boko Haram sect to national security and the survival of Nigeria as a whole. Without security hardly is anything possible. The severe security threats to life and property posed by Boko Haram across the country sends wrong signals to the international community that Nigeria is not safe for investment. This is because insecurity is a risk factor that investors dread and makes them move elsewhere. Boko Haram has threatened the existence of Nigeria as a nation. Similarly, many National Youth Service Corp (NYSC) members of southern origin have been rejecting their postings to the north while those already serving there begged the Commission's headquarters in Abuja daily seeking redeployment from states in the north. The insurgency has increased insecurity across the country leading President Goodluck Jonathan to declare a state of emergency in December, 2011 covering 15 local government areas across the north.²¹⁹ Also, in May, 2013, another state of emergency was declared in three states of Borno, Yobe and Adamawa in the north eastern Nigeria.²²⁰ This made Boko Haram more hostile. Nigeria has witnessed unprecedented level of insecurity from Boko Haram insurgency. In this year, 2016 there have been series of bomb blasts in Nigeria. Although the Nigerian Army had been able to recover some communities that were under the Boko Haram insurgency group, however there is still more to be done by the government to combat this menace.

4.2.4. Boko Haram Insurgency and Its Implications on National Development

Every aspect of human endeavour, be it health, environmental, food, economy, political, social and physiological etc, stands to be greatly affected by the state of security or insecurity of that nation. Nigeria has a lot of challenging security issues championed by the Boko Haram insurgency. This in effect can affect the development of a nation. Terrorism and insecurity, especially internal insecurity, is not a problem that is unique to Nigeria. The US, the UK and many other countries, face the challenges of insecurity within their borders on a daily basis. The difference between them and Nigeria is how they manage the threats; how knowledgeable and prepared they are; how they deploy resources against the threats; how effective they are; how patriotic and united these people are against threats of insecurity. The costs of fighting terrorism are tangible and intangible, economic or social, direct or indirect, physical or psychological. All this reduces how effective a nation can grow. Nigeria was ranked 14th in the list of the most failed states in the world out of the

²¹⁸"Women Give Birth to Babies in Bush Fleeing Attack by Insurgents", *Vanguard News* March 29, 2015, <http://www.vanguardngr.com/2015/03/women-give-birth-to-babies-in-bush-fleeing-attack-by-insurgents-2/>, accessed April 8, 2016

²¹⁹<http://www.vanguardngr.com/2011/12/boko-haram-read-jonathans-declaration-of-state-of-emergency-address/>, accessed April 8, 2016

²²⁰<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/nigeria/10057720/Nigeria-declares-state-of-emergency-in-three-states.html>, accessed April 8, 2016

177 countries considered in the ranking by the Fund for Peace, an American independent non-profit research and educational organisation that works to prevent violent conflicts and promote sustainable security in the world.²²¹ When the pillar of national security is weak, the structure quivers and sends sensations to the occupiers and potential occupiers of such structures. This is the case of Nigeria, where insecurity, due to terrorism, has continued to pose a threat to the nation's economy and investments.

In the wake of the country's crisis, many international agencies and countries began to issue travel warnings to their citizens about the dangers involved in travelling and doing business in some parts of the country. Precisely, the United States warned American citizens of the risks of coming to Nigeria, with particular emphasis to Akwa Ibom, Bayelsa, Delta, Rivers, Abia, Edo, Imo, Jos, Bauchi, Gombe, Yobe and Borno states; and the Gulf of Guinea and this has grave consequences for the development of the country.

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The Governor of Borno State, Nigeria, Kashim Shettima disclosed that the infrastructural damage done in the state by Boko Haram, the Islamic militant group, will cost more than \$1 billion to repair.²²⁵ For the past six years, Boko Haram has caused the destruction of hospitals, bridges, roads, schools, homes and lives in the north-eastern state. All of these funds could have been deployed to development programmes that the nations desperately need. The country therefore suffers financially due to the devastating effects of Boko Haram attacks.

Apart from the economic and monetary costs associated with terrorism, there are also social and psychological costs. For example the Boko Haram attacks have changed public life in the north drastically. With fewer social gatherings and activities in churches, mosques and schools- citizens in the North live in a constant state of fear. Children and education in the country also feel the impact. The abduction of the Chibok girl's has resulted in many children afraid to attend school. In short, Northerners live through the reality that their lives are always at risk.

Kaduna used to be one of the most prosperous cities in Nigeria and in many ways the industrial hub of the North, with over a dozen textile firms and prosperous trading companies. Today Kaduna is a tragically divided city in which Muslims live predominantly in the North and Christians predominantly in the South. All the textiles companies have shut down and most investors have packed up their businesses. Jos Plateau is following a similar pattern as most of their local economies are destroyed. The tragedy is that the collapse of local economies leads to further conflict. For most of the north, the insurgency has had a significant negative impact on the regional economy. Lebanese and Indian expatriates who have established businesses in Kano going back decades had to relocate to Abuja and the south. A good number have left the country altogether.

²²¹ The Fragile State Index 2015, <http://fsi.fundforpeace.org/rankings-2015>, accessed April 8, 2016

²²² Anthony Abayomi Adebayo, "Implications of 'Boko Haram' Terrorism on National Development in Nigeria: A Critical Review" (2014), 5(16) *Mediterranean Journal of Social Sciences* 483

²²³ <http://www.vanguardngr.com/2014/05/budget-2014-fg-sets-aside-n968bn-fight-boko-haram/> accessed on April 11, 2016

²²⁴ "Boko Haram: World Bank Earmarks \$800m to Rebuild Northeast", *Daily Post* April 1, 2016

²²⁵ <http://venturesafrica.com/boko-haram-is-costing-nigeria-much-more-than-bornos-1-billion/>, accessed April 11, 2016

Hotels, banks and other business sectors have witnessed significant reductions in their activities. It was not until recently that they came back to do business in Kano and to establish businesses. The border towns that have thrived on trade with neighbouring countries have also seen their businesses curtailed because of increasing restrictions on cross-border traffic. In Kano alone, an estimated 126 industries closed down in 2012²²⁶. However new industries are cropping up daily in Kano and the fear of people is that Boko Haram insurgency will not shatter them again. Another aspect is the massive movement of southerners from the north, many of them which are professionals. No one wants to take employment in the north. There are always massive vacancies from the north because people are scared to go and work in the north. Boko Haram insurgency and terrorism is a bad signal to foreign investors. No matter the economic reform of a nation, if there is insecurity, such reforms will yield no results. No investor will invest in a nation that is not secure and safe.

JP Morgan Chase and Company, a leading global financial services firm and one of the largest banking institutions in the United States, with operations worldwide, began the process to exclude Nigeria from the Government Bond Index in 2015.²²⁷ Foreign investors have shown hesitation to invest in Nigeria because of corruption and lack of power, and Boko Haram's presence has contributed significantly to their concern. As of today there is pressure on banks' capital, foreign investors are dumping Nigeria, stocks in the exchange market are falling, and Nigeria is set to lose about \$4 trillion in passive funds outflow, according to prediction from financial analysts.²²⁸ Directly and indirectly, various types of businesses are negatively impacted by the activities of Boko Haram in the country. Jobs have been lost due to the disruption caused by Boko Haram, and this has affected the rate of unemployment in Nigeria. If Nigeria does not come up with counter-terrorism measures, more losses in revenue generation would be recorded.

4.2.5. Selected Incidents of Boko Haram Attacks in Nigeria

The year 2016 began on a worrisome note for Nigeria as Islamist sect Boko Haram continued attacks across Nigeria's north. In 2015 alone Nigeria witnessed several daring attacks by terrorist groups, who appeared to have strengthened their arms and acquired more. The insurgent groups showed a higher level of sophistication in planning coordinated attacks that cost the lives of thousands of people between 2012 and 2015. In 2013 Boko Haram killed 64 people who were attending services in mosques and 16 attending church services in over 11 separate attacks. In 2013 there were 11 private citizens who were beheaded²²⁹. The year 2016 though still very new, had its own share of terrorist's attacks. Below are the most deadly incidents of terrorist's attacks in Nigeria in 2015 and 2016.

4.2.5.1. 2015 Baga Massacre

The **2015 Baga massacre** was a series of mass killings carried out by the jihadist group Boko Haram in the Nigerian town of Baga and its environs, in the state of Borno, between January 3 and January 7, 2015. The attack began on January 3 when Boko Haram overran a military base that was the headquarters of the Multinational Joint Task Force containing troops from Chad, Niger, and Nigeria. The militants then forced thousands of locals from the region and committed mass killings that culminated on the 7th. Casualties have been reported to be so much but their extent is unclear. Several western media reported that "over 2,000" people are thought to have been killed or "unaccounted for", but local media reported "at least a hundred" casualties, while the Nigerian Ministry of Defense said that no more than 150 people in total had been killed,

²²⁶ Supra at note 223

²²⁷ <http://venturesafrica.com/jp-morgan-excludes-nigeria-from-government-bond-index-a-blessing-in-disguise/>, accessed April 10, 2016

²²⁸ *Ibid*

²²⁹ "Nigerian forces kill 13 Boko Haram militants after church attacks" CNN News January 2, 2013, <http://edition.cnn.com/2013/01/02/world/africa/nigeria-boko-haram-operation/>, accessed March 9, 2016

including militants.²³⁰ Several government officials denied that the fatalities were as extensive as reported, with some even claiming that the massacre had never taken place or that the Nigerian military had repelled the militants from the region, a claim that was refuted by local officials, survivors, and the international media.²³¹

Baga and at least 16 other towns are thought to have been destroyed as over 35,000 people are reported to have been displaced, with many feared to have drowned while trying to cross Lake Chad and others trapped on islands in the lake.²³² The attacks are said to have resulted in Boko Haram extending its control to over 70% of Borno State, while its leader, Abubakar Shekau, claimed responsibility for the massacre in a video statement, saying that they "were not much" and that the group's insurgency "would not stop".²³³ A large number of commentators criticised what they saw as insufficient coverage of the massacre in the international news media, suggesting it was indicative of an ingrained bias towards African affairs. Others condemned the degree to which the government of Nigeria and local media was downplaying or even ignoring the attacks, adding that local apathy was ultimately responsible for the amount of attention which foreign media chose to place on the massacre. The responses of government officials were considered to be closely related to the highly contested presidential election that was going to take place that year.²³⁴

4.2.5.2. July 2015 Mosque Massacres

July has seen the highest level of violence against civilians in Nigeria in Boko Haram's history. In June and July, 90% of all fatalities involving Boko Haram were civilian fatalities – a rate higher than that recorded at the Baga Massacre in January with a third of the fatalities resulting from the twenty-eight suicide bombers. What is important to note here is that Boko Haram has definitively moved to attacking the civilian population in the past two months. On July 1, 2015, around 50 Boko Haram gunmen descended on to the historic town of Kukawa, 110 miles Northeast of Maiduguri, and slaughtered 97 people. The attack came during Islam's holy month of Ramadan.²³⁵ Boko Haram continued the next day, this time in the Northeastern town of Potiskum. The male suicide bomber killed 6 people including himself. The suicide attack was on the Redeemed Church on the Bauchi Road, in Potiskum, Yobe State.

Two of Boko Haram's most prominent attacks happened early in the month, July 5-6, when at least 44 people were left killed in two bomb attacks in Jos – one on a mosque where a well-known anti-boko Haram preacher was giving a sermon and another at a restaurant where many were gathered to break the Ramadan fast. Targeting Mosques which they believe to have moderate sheikhs is a sign that Boko Haram are able to identify those who are against the movement's ideologies, and demonstrating that they are willing and able to punish them. Sheikh Muhammad Sani Yahya Jingir survived the attack and is known for preaching against Boko Haram. He has written a book which criticises the group called Boko Halal.

Boko Haram attacks continued, with a fresh attack on Tuesday July 7, on Nigeria's northern university town of Zaria. The bomb blast killed 25 people. By Friday July 10, reports from Nigeria's Premium times said Boko Haram militants have taken over the highway linking Maiduguri and Damaturu, capitals of

²³⁰ "Boko Haram Crisis: Nigeria's Baga Town Hit by New Assault". *BBC World News*, January 8 2015, <http://www.bbc.com/news/world-africa-30728158>, accessed April 10, 2016

²³¹ Olanrewaju, Timothy, "One Week after Boko Haram Attack, Corpses Litter Baga". *The Sun (Nigeria)*, January 9, 2015, <http://sunnewsonline.com/new/?p=99371>, accessed April 10, 2016

²³² Supra a note 155

²³³ "Boko Haram claims Baga Massacre and Threatens Nigeria's Neighbours". *The Guardian*. January 22, 2015

²³⁴ Supra note 223

²³⁵ "Nigeria and Boko Haram Tracker" *A Bi-monthly Report of the University of South Florida Global Initiative on Civil Society and Conflict*, Issue 3, August 3, 2015

Borno and Yobe states respectively.²³⁶ At around the same time, the Borno state police commissioner, Aderemi Opadokun, confirmed fresh attacks by the Boko Haram sect on Monguno town. The attack claimed at least 43 lives. Boko Haram attacked the villages of Kalwa, Misala and Gwollam, all under Monguno local government area of Borno state. They killed 43 of the villagers either by gunshots or slitting their throats. It was believed the terrorists had also carted away large cache of arms from the barracks.²³⁷

4.2.5.3. 2016 Maiduguri Suicide Bombings

Two female suicide bombers killed 22 people in March at a mosque outside the northeastern Nigerian city of Maiduguri. The attack, which also wounded 18 people, occurred during morning prayers in the village of Ummarari, six km (four miles) from the center of the capital of Borno state in Africa's most populous country and biggest energy producer. It was the first such assault in the northeast since early February, when two suicide bombers - also women - blew themselves up at a camp, for internally displaced people in Dikwa, 85 km (50 miles) from Maiduguri. 22 people were killed and 18 others sustained various degrees of injuries. The first attack targeted a mosque, while the second blast was about 50 meters away, a few minutes later, there was no immediate claim of responsibility for the attack, but it resembled others by Boko Haram in its campaign to carve out an Islamic state in the region.²³⁸

4.2.5.4. Female Suicide Bombers attack Nigeria's Camp

In February 11, 2016, two female suicide bombers between the ages of 17 and 20 blew themselves up in a camp in northeastern Nigeria, set up to shelter people from terrorism, killing at least 58 people. But others were spared when a third intended bomber realised at the last minute that her family had taken shelter there, too, and refused to detonate her explosives. The victims were staying in a camp for people who had been displaced by Boko Haram violence in Nigeria's Borno state. There were three female bombers who entered the camp around 6:30 a.m. disguised as displaced persons, two of them set off their explosives in the camp while the third refused after realising her parents and siblings were in the camp. Two other would-be bombers were also in the group but failed to set off their explosives for unknown reasons.²³⁹

4.2.5.5. Boko Haram Burned Kids Alive

Also in February, Two nearby camps housing 25,000 people who have fled Boko Haram were attacked by Boko Haram. The firebomb huts and screams of children burnt to death were heard. Several people were killed or wounded in the the attack, which lasted for nearly four hours. Three female suicide bombers blew themselves up as part of the assault, but there was little information about the sequence of events that led to the deaths of the children²⁴⁰. Nigeria's Vanguard newspaper reported that the assault came after claims by the government that Boko Haram militants no longer had the ability to carry out such major attacks other than through suicide bombings. Nigeria government had previously said that its military drove the extremists out of towns and villages in the region last year.²⁴¹

²³⁶<http://www.premiumtimesng.com/news/top-news/186488-breaking-boko-haram-militants-seize-damaturu-maiduguri-road.html>, accessed April 10, 2016

²³⁷*Ibid*

²³⁸<http://www.premiumtimesng.com/news/top-news/212246-nigerian-troops-kill-2-female-suicide-bombers-near-military-base-gwoza.html>, accessed April 10, 2016

²³⁹<http://www.vanguardngr.com/2016/07/army-foils-female-bombers-attack-borno-idps-camp/>, accessed April 10, 2016

²⁴⁰<http://www.usatoday.com/story/news/world/2016/01/31/boko-haram-attack-village/79623914/>, accessed April 10, 2016

²⁴¹<http://www.vanguardngr.com/2016/02/over-50-killed-70-injured-as-terrorists-attack-borno/>, accessed April 10, 2016

4.2.5.6. Terrorist attack on Dalori Village

At least 86 people are killed and hundreds others injured in an attack by Boko Haram militants on Dalori Village some 4 kilometers from Maiduguri, Nigeria. The attack was a reprisal to the Civilian Joint Task Force, and it began when militants in two cars and on motorcycles entered Dalori and began to shoot at residents and firebomb their huts. One estimate is that perhaps more than 100 militants were involved in the attack. The attack lasted for about four hours, and the militants allegedly burnt children alive. The Nigerian Army was unable to fight the militants until reinforcements arrived, causing Boko Haram to retreat. The insurgents hunted down fleeing villagers, and three female suicide bombers blew themselves up among people who had escaped to the neighbouring village of Gamori. The exact death toll is not known, but at least 86 people are confirmed to have been killed. 62 others were treated for burns at the State Specialist Hospital in Maiduguri. Large parts of Dalori village were completely destroyed in the attack. Questions have been raised over how the militants were able to attack a settlement so close to army headquarters in Maiduguri, how they were able to have likely driven past roads patrolled by soldiers and vigilantes unhindered and how they were able to attack the village for several hours before the army intervened and drove them out.²⁴²

4.3 Counter-Terrorism Measures in Africa

Counter-terrorism (also spelt counterterrorism and also called anti-terrorism) involves the practice, military tactics, techniques, and strategy that government, military, law enforcement, business, and intelligence agencies design to combat or prevent terrorism.

Paul Wilkinson defines counter- terrorism as:

"... practices, tactics, techniques, and strategies that government, militaries and other groups adopt to fight terrorism".²⁴³ Counter-terrorism is defined in the U.S. Army Field Manual as "Operations that include the offensive measures taken to prevent, deter, preempt, and respond to terrorism."²⁴⁴Counter-terrorism may employ counter-insurgency measures. According to the U.S. Government Counterinsurgency Guide (2009), counterinsurgency may be defined as "comprehensive civilian and military efforts taken to simultaneously defeat and contain insurgency and address its root causes"²⁴⁵

4.3.1. United Nations Action to Counter-Terrorism

Although the countering terrorism has been active on United Nations' agenda for decades, the attacks on the United States on September 11, 2001 prompted the Security Council to adopt Resolution 1373 which requires all member states to enact counter-terrorism legislation.²⁴⁶ Resolution 1373 obligates member states to provide measures to suppress terror financing; ensure proper border control including effective procedures to check travel documentation; and possess a national criminal code to prosecute acts of terrorism²⁴⁷. If the United Nations Member States fail to comply with the above-mentioned regulations, they will be subjected to sanctions.

The resolution for the first time established the Counter-Terrorism Committee (CTC). Guided by Security Council resolutions 1373 (2001) and 1624 (2005). The CTC works to bolster the ability of United

²⁴² "Another Brutal Attack by Boko Haram Highlights the Weakness of Nigeria's military". *The Economist*, February 5, 2016

²⁴³ *Ibid* note 30 at p.6

²⁴⁴ Jason Rinehart, "Counterterrorism and Counterinsurgency." (2010) 4(5) *Perspectives on Terrorism* p.2

²⁴⁵ <http://www.state.gov/documents/organization/119629.pdf>, accessed May 10, 2016

²⁴⁶ "Security Council Unanimously Adopts Wide-Ranging Anti-terrorism Resolution; Calls for Suppressing Financing, Improving International Cooperation", *United Nations Press Release*, September 28, 2001, <http://www.un.org/News/Press/docs/2001/sc7158.doc.htm>, accessed May 10, 2016

²⁴⁷ United Nations Security Council Resolution 1373 (2001),

[http://www.un.org/en/sc/ctc/specialmeetings/2012/docs/United%20Nations%20Security%20Council%20Resolution%201373%20\(2001\).pdf](http://www.un.org/en/sc/ctc/specialmeetings/2012/docs/United%20Nations%20Security%20Council%20Resolution%201373%20(2001).pdf), accessed May 10, 2016

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Nations Member States to prevent terrorist acts both within their borders and across regions. Resolution 1373 (2001), adopted unanimously on 28 September 2001, calls upon Member States to implement a number of measures intended to enhance their legal and institutional ability to counter terrorist activities, including taking steps to:²⁴⁸

- Criminalise the financing of terrorism
- Freeze without delay any funds related to persons involved in acts of terrorism
- Deny all forms of financial support for terrorist groups
- Suppress the provision of safe haven, sustenance or support for terrorists
- Share information with other governments on any groups practicing or planning terrorist acts
- Cooperate with other governments in the investigation, detection, arrest, extradition and prosecution of those involved in such acts; and
- Criminalise active and passive assistance for terrorism in domestic law and bring violators to justice

The resolution also calls on States to become parties, as soon as possible, to the relevant international counter-terrorism legal instruments. Resolution 1624 (2005) pertains to incitement to commit acts of terrorism, calling on UN Member States to prohibit it by law, prevent such conduct and deny safe haven to anyone "with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of such conduct."²⁴⁹

A historic milestone was reached in 2006 when, for the first time, all Member States of the United Nations agreed on a global strategy to coordinate their counter-terrorism efforts. The Strategy is a unique instrument to enhance the efforts of the international community to counter terrorism along four pillars:

- Addressing conditions conducive to the spread of terrorism;
- Preventing and combating terrorism;
- Building Member States' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard;
- Ensuring the respect for human rights for all and the rule of law as the fundamental basis for countering terrorism.²⁵⁰

With regard to Africa, the former Secretary-General of the UN, Kofi Annan identified five elements which he termed the five Ds for which is the principle and comprehensive strategy to counter terrorism in Africa in his keynote address at the International Summit on Democracy, Terrorism and Security in 2005 which are:²⁵¹

- Dissuade disaffected groups from choosing terrorism as a tactic to achieve their goals.
- Deny terrorists the ability to carry out their attacks
- Deter them from supporting terrorists
- Develop capacity to prevent terrorism; and
- Defend human rights in the struggle against terrorism

²⁴⁸ "United Nations Action to Counter-Terrorism" (2009), Publication of the Peace and Security Section of the Department of Public Information.

²⁴⁹United Nations Security Council Resolution 1624,(2005),<http://www.state.gov/j/ct/rls/other/un/65761.htm>, accessed May 11, 2016

²⁵⁰<http://www.un.org/en/sc/ctc/action.html>, accessed May 11, 2016

²⁵¹Israel Adoba Oche, "Africa and the Resurgence of Terrorism -Revisiting the Fundamentals", (2014) 2(2) *Global Journal of Arts Humanities and Social Sciences* pp. 1-13

4.3.2. International Counter-Terrorism Legal Instruments

The United Nations and its agencies have developed a number of international agreements to enable the international community to take action to counter terrorism and bring those responsible to justice. Treaties, mainly in form of conventions, oblige member states to take stringent steps to root out terrorism out of the globe. There are 19 universal legal instruments that have been developed and adopted under the auspices of the United Nations and related intergovernmental organisations. Most of these instruments are in force and provide a legal framework for multilateral actions against terrorism and criminalise specific acts of terrorism, including hijacking, hostage-taking, terrorist bombings, financing of terrorism and nuclear terrorism.²⁵² The instruments create international legal obligations for states parties to adopt, in their own laws, substantive criminal and procedural criminal law measures to counter various forms of conduct, exercise jurisdiction, and provide international cooperation that enables states parties to either prosecute or extradite alleged offenders. The universal scheme's overall objective is to harmonise all national laws to create a preventive and legal measure that will provide a strategy to counter terrorism.

4.3.3. African Union Counter-Terrorism Measures

The African Union (formerly the Organisation of African Union) has made efforts to combat terrorism. These efforts led to 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 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 was entered into force in December 2002 and to date, 40 Member States have ratified it.²⁵³ To give concrete expression to the commitments and obligations of Member States under the 1999 Convention and the other international Counter Terrorism 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 Counter Terrorism measures that 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.²⁵⁴ In 2004, the AU established the African Centre for the Study and Research on Terrorism (ACSRT) in Algiers as a means to centralise information and research on terrorism and to develop counterterrorism capacity building programs.²⁵⁵ 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 Protocol recognises the growing threat of terrorism in the continent and the growing linkages between terrorism, drug trafficking, transnational organised crimes, money laundering, and the illicit proliferation of small arms and light weapons.²⁵⁶ To further strengthen AU counter terrorism efforts, in October 2010, the AU appointed a Special Representative for Counter-Terrorism and, in 2011, the AU Assembly adopted the African Model Law on Counter-Terrorism to assist states in harmonising legislation on terrorism.²⁵⁷

²⁵²"United Nations Action to Counter Terrorism: International Legal Instrument,"

<http://www.un.org/en/counterterrorism/legalinstruments.shtml>, accessed May 11, 2016

²⁵³The African Union Counter Terrorism Framework African Union Peace and Security Department,

<http://www.peaceau.org/en/page/64-counter-terrorism-ct>, accessed May 12, 2016

²⁵⁴*Ibid*

²⁵⁵<http://www.peaceau.org/en/page/2-3591-static-about-african-centre-for-study-and-research-on-terrorism-ACSRT>, accessed May 12, 2016

²⁵⁶*Ibid*

²⁵⁷<https://unoau.unmissions.org/counterterrorism>, accessed May 12, 2016

On September 2, 2014, the AU convened a Heads of State-level Peace and Security Council (PSC) meeting in Nairobi, Kenya resulting in a PSC decision setting out a series of objectives for both AU Member States and the AU Commission.²⁵⁸ The PSC tasking of the AU Commission included establishing a Counter Terrorism Fund and convening an annual AU Coordination Forum to coordinate efforts in counter-terrorism. Pursuant to the AU Non-Aggression and Common Defence Pact, the PSC called for the establishment of specialised joint counter-terrorism units at the sub-regional level within the framework of the African Standby Force (ASF) and, pending the achievement of the ASF, the African Capacity for Immediate Response to Crises (ACIRC). The PSC also welcomed efforts to enhance legislation, intelligence sharing, operational capability and coordination through the various AU-led initiatives including the Sahel Fusion Liaison Unit (UFL), the Nouakchott Process, the Committee of Intelligence and Security Services of Africa (CISSA) and the African Centre for the Study and Research on Terrorism (ACSRT). The Council also welcomed the creation of the African anti-terrorism Model Law, which will seek to harmonise domestic counter terrorism legislation, and endorsed the AU Assembly decision to establish the African Mechanism for Police Cooperation (AFRIPOL) in its role to enhance inter-state police cooperation, particularly in addressing transnational crime. The Council also expressed their determination to operationalise the PSC Sub-Committee on Counter-Terrorism and called on this Sub-Committee to develop a capacity to investigate financial support to terrorist groups and strengthen the AU sanctions regime.²⁵⁹

The AU's counter-terrorism framework is a significant element of Africa's overall counter-terrorism scheme. The AU framework and institutional action has helped place global counterterrorism norms into an African context' however, the AU lacks a system for monitoring implementation of measures by states even if they do ratify. The AU is also unable to verify which member states comply with or actually implement the African and global schemes. Moreover, the AU's well-known weakness in dealing with human rights issues affects the organisation's credibility and effectiveness as a counter-terrorism body. Moreover, many states do not have comprehensive counter-terrorism legislation in place, and among those that have introduced counter-terrorism related legislation covering various criminal acts, these laws tend not to be comprehensive and specific enough.²⁶⁰ Despite all these counter terrorism measures, many African governments remain deeply ambivalent about terrorism as a security priority.

4.3.4. U.S Counter-Terrorism Measures in Africa

United States' focus on terrorism in Africa became much more pronounced after the September 11 attack. For the first time since 1993, the United States deployed American troops on the continent, with the establishment in late 2002 of the Combined Joint Task Force–Horn of Africa (CJTF-HOA) in Djibouti.²⁶¹ Combined Joint Task Force – Horn of Africa (CJTF-HOA) is a joint task force of United States Africa Command (AFRICOM). It originated under Operation Enduring Freedom – Horn of Africa (OEF-HOA) as part of the States response to the September 11, 2001 attacks.²⁶² CJTF-HOA consists of about 2,000 servicemen and women from the United States military and allied countries. Currently, the task force has an assigned area of interest that includes Sudan, Somalia, Djibouti, Ethiopia, Eritrea, Seychelles and Kenya. Outside this Combined Joint Operating Area, the CJTF-HOA has operations in Mauritius, Comoros, Liberia, Rwanda, Uganda and Tanzania. In addition, President Bush announced a \$100 million counterterrorism initiative for

²⁵⁸<http://www.peaceau.org/uploads/psc-455-comm-terrorism-nairobi-2-09-2014pdf.pdf>, accessed May 12, 2016

²⁵⁹ Jolyon Ford "African Counter-Terrorism Legal Frameworks A Decade After 2001" *Institute for Security Studies*, p. 35 <http://www.africa-union.org/Terrorism/terrorism2.htm>, accessed May 13, 2016

²⁶⁰*Ibid* at p.37

²⁶¹ Lauren Ploch, "Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa" (2011), *Congressional Research Service Report* p.20

²⁶² "United States European Command: Operations and Initiatives",

<https://web.archive.org/web/20070109185740/http://www.eucom.mil/english/Operations/main.asp>, accessed May 26, 2016

East Africa and the Horn in 2003. At the same time, the U.S. European Command (EUCOM) organised a series of training and military support operations in the Sahel, the program later blossomed into the much larger Trans-Sahara Counter terrorism Initiative that now involves both North African and Sahelian states.²⁶³ Counterterrorism efforts became even more pronounced in U.S. Africa policy after the Islamic Court Movement took power in Mogadishu, Somalia, in 2006, leading to the Ethiopian invasion of Somalia.²⁶⁴

The United States established in 2005, the Trans-Sahara Counterterrorism Partnership (TSCTP). In 2009, it also established the Partnership for Regional East Africa Counterterrorism (Preact) They are U.S. funded and are designed to build the capacity and cooperation of military, law enforcement, and civilian actors across North, West and East Africa to counter terrorism.²⁶⁵

Critics have stated that Despite AFRICOM's multiyear efforts to build up partner militaries in Sahelian states, such as Mali, Niger, Burkina Faso and Nigeria, the militaries have been largely inadequate in fighting off the new wave of violent extremists. It has been said that it is better for the United States to shift more efforts to bring down local threats like Boko Haram while continuing to help partner states like Mali and Nigeria strengthen their police and military efforts through training and armament programs.²⁶⁶

4.3.5. Ratification Level of African Counter Terrorism Measures

In the context of what has been stated above about African Counter-terrorism measures not effective, the problem facing African countries is the generally poor and uneven pattern of ratification of counter-terrorism instruments. There have been repeated and high-level statements by African leaders, about the need to ratify instruments.²⁶⁷ However, despite a notable increase in the levels of ratification and implementation of these instruments much work remains to be done in Africa to achieve a stronger international legal framework that can deny safe haven to terrorists. It must be noted that ratification is of course not sufficient. Implementation of ratified instruments remains as important as ratification itself, and Africa is marked by relatively poor rates of conversion of ratifications into national legislation. The United Nations Security Council stated in 2004, in terms that are still applicable:

*"...universal ratification of the international antiterrorist conventions is an important way to broaden anti-terrorist activities, as stated in paragraph 3(d) of [Security Council Resolution 1373 of 2001]. A significant impetus to ratification was initiated in 2001 and many countries have become party to the main conventions, although important regional disparities remain. However, the reports submitted to the CTC [the Counter-Terrorism Committee of the Security Council] reveal that too many countries ratify these conventions without proceeding to adopt internal enforcement measures, without which these conventions can have no practical effect. There must be follow-up machinery, either through technical assistance programmes or as part of the work of CTC, in order to monitor the relevance and effectiveness of the implementation of these conventions."*²⁶⁸

Even when ratification is secured, it may not amount to much more. Some officials in African countries have suggested to researchers that where ratification has occurred, terrorism-related

²⁶³ Supra note 7 at p.1

²⁶⁴ *Ibid*

²⁶⁵ U.S Country Reports on Terrorism 2014, <http://www.state.gov/j/ct/rls/crt/2014/>, accessed May 26, 2016

²⁶⁶ <https://www.washingtonpost.com/news/monkey-cage/wp/2016/02/01/the-u-s-cant-fight-terrorists-in-africa-so-guess-what-it/>, accessed May 26, 2016

²⁶⁷ *Ibid* at p.14

²⁶⁸ UNSC, Report by the chair of the Counter-Terrorism Committee on the problems encountered in the implementation of Security Council Resolution 1373 (2001), New York: United Nations Security Council, S/2004/70, Part C.

laws may be drafted 'to satisfy minimum international obligations' but officials then often pay 'little more than lip service to the international instruments, as their implementation is put on the back burner.'²⁶⁹This is often described as the 'checklist' approach to implementing UN and continental counter-terrorism commitments, which involves 'adopting laws and signing and ratifying treaties without implementing them, and participating in donor sponsored or funded training programs without applying the training',²⁷⁰

Ratification is important. However, its main drawback as an explicit element of the strategy is that both the pusher and the pushed end up focusing on achieving ratification in a way that may detract from dealing effectively with the actual rule of law or security challenges. In the final analysis Ratification is not enough, and implementation in law is not enough without making these laws as part of a coherent national strategy.

4.3.6. The Challenge of Combating Terrorism in Africa

Despite the effort by African States in combating terrorism, there are still deficiencies in the area of intelligence, for instance most of intelligence information (intel) are received from foreign intel about impending attack and in most cases such intel are generalised and thus makes it a difficult task to identify specifically the area of potential attack.

Counterterrorism machinery has hindered the fight against terrorism, particularly in Nigeria, where the military lacks proper equipment due to corruption. In cases where terror groups engage in cyber warfare and the State lacks the capacity to shut down the terrorist internet access. For example in the Westgate attack where the terrorist resulted into using twitter to play games with the public while the attack was still going on,²⁷¹ and same applies to the Boko Haram that record videos in the forest and post them on the internet. Corruption, poverty, oppression, marginalisation and religious extremism lead to radicalisation particularly among young people, which makes terrorism to flourish in Africa. Those factors can also have a combined effect as seen in the case of the Nigerian- Boko Haram and Somali-Alshabaabs, and usually awareness through civilisation and the use of media/internet have increased the spread of radicalism. The prison meant to be a correctional facility can in turn be a radicalisation zone as most terrorists are in the same confinement with other criminals.

Another Challenge is the fact that Africa does not manufacture weapon sophisticated to those used by the rebel, but by giving the middle-east weapons, it created an opportunity for such arms to slip into the hands of rebel groups in the North African region and further down the sub-Saharan region.

Weak anti-terrorism finance to combat terrorism has also contributed to the spread of terrorism in African region. A classic example is the African leaders and their support of terrorist organisations for strategic interest, for example Nigerian leaders in the case of Boko Haram,²⁷² and more often the Anti-terrorism Finance and Money Laundering (AML) regimes are inefficient to track those who sponsor terrorism. For example, it has been said that U.S sponsorship of rebels in Syria aided the finance and stability of Islamic State of Iraq and Syria (ISIS) which controls part of Iraq and Syria²⁷³—a group which Boko Haram pledged allegiance to i.e. literally receive orders from and carry out attacks with the mandates of ISIS.

²⁶⁹Hubschle Annette, "Terrorist Financing in Southern Africa: Are We Making a Mountain out of a Molehill?" (2007)*Institute for Security Studies* p 4.

²⁷⁰CGCC, "Implementing the UN Global Counter-Terrorism Strategy in Southern Africa", New York: Centre on 8

²⁷¹<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/kenya/10326863/Tweeting-terrorism-How-al-Shabaab-live-blogged-the-Nairobi-attacks.html>, accessed June 3, 2016

²⁷²"Terrorist Financing In West Africa" (2013) *Financial Action Task Force Report* p.20, <http://www.fatf-gafi.org/media/fatf/documents/reports/tf-in-west-africa.pdf>, accessed June 3, 2016

²⁷³Adinoyi Adavize Julius, "The Challenge of Combating Terrorism: Influence of External Factors on Home-Grown Terrorism in Africa" (2015) *Institute of Diplomacy and International Studies College of Humanities and Social sciences University of Nairobi, Nairobi, Kenya*. p.13

4.4. Measuring the Effectiveness of Counter-Terrorism Measures in Nigeria

Measuring success in counterterrorism can be as equally difficult as fighting terrorism. Often governments use general and well-known indicators for measuring success, such as decrease in number of attacks and casualties, success on tactical level, the number of terrorists killed or the amount of money frozen. However, quantitative data in each situation does not indicate a very accurate measurement of counterterrorism. Terrorist acts could get reduced in numbers due to other reasons. For instance, terrorists might use the gap timing to prepare another plot or be busy raising funds, undergoing training, and recruiting new members. The number of terrorist killed is not a correct indicator of success in counter-terrorism. Terrorist networks are international; hence the number killed is instantly compensated with the rotational mechanism.

In December 2015 Buhari claimed that the Boko Haram has been “technically defeated”. The military were able to reclaim a number of communities formerly under Boko Haram’s control. Recently he also disclosed that 11, 595 persons captured by the Boko Haram sect were freed between May 29, 2015 when he was inaugurated and February 2016.²⁷⁴ However, it appears that its success against the militants seems to have been exaggerated, and each time the army claims to have wiped out Boko Haram, the militants have quietly rebuilt. There have been claims that there are still some territories still under the control of boko haram. A security analyst and member of the Nigeria Security Network, Ryan Cummings, said Buhari’s claim that Boko Haram was not holding any territory was “difficult to assess because there is just no independent reporting from rural, northeastern Nigeria, specifically Borno state where a lot of the violence takes place”.²⁷⁵ The evidence that Boko Haram is now engaging in ‘hit and run’ attacks in city centers, including suicide bombings on soft targets, shows that it has not been completely defeated, but rather shows a return to its previous tactics. This means that, rather than claiming a ‘technical’ victory, the Nigerian government should focus its attention to urban operations.

There was a major breakthrough in Nigeria on October 13, 2016, when 21 of the missing Chibok girls were rescued. The release of the girls is the effort of the Federal Government led by President Muhammadu Buhari to rescue the girls. However there was a report that the captured Chibok girls were released after a prisoner swap by the Nigerian government, although, the Minister of Information and Culture, Lai Mohammed denied this report.²⁷⁶

A recurrent feature of counter-terrorism responses in Nigeria is the frequent deployment of the military to areas under Boko Haram's attacks. However, there have been a lot of challenges with this approach. As the military has been accused of extrajudicial killings, summary executions and torture likely serve as a further source of inspiration for Boko Haram's attacks. The International Criminal Court, ICC, believes crimes against humanity and possible war crimes have been committed by the Nigerian military and the extremist sect, Boko Haram, in the last six years of the terror group’s brutal insurgency in Nigeria’s North East region. A Preliminary Examination Report on Nigeria released by the ICC’s Office of the Prosecutor identified eight possible cases of crimes against humanity and war crimes under Article 7 and 8 of its statute, perpetrated by both the militants and the Nigerian military. Six of the possible cases were perpetrated by

²⁷⁴This was contained in a document tagged “Fact sheet on President Muhammadu Buhari’s first year in office” made available to journalists by the Office of the Special Adviser to the President on Media and Publicity., <http://www.punchng.com/>, accessed June 3, 2016.

²⁷⁵“Is President Buhari correct that Boko Haram are 'not holding any territory' in Nigeria?” *Africa Check* February 1, 2016, <https://africacheck.org/reports/ispresidentbuharicorrectthatboko Haramarenotholdinganyterritoryinnigeria/>, accessed May 3, 2016.

²⁷⁶<https://www.naij.com/1007390-released-chibok-girls-not-swap-lai-mohammed-speaks-released-21-chibok-girls.html>, accessed October 13, 2016

Boko Haram while two were by the Nigerian military, ICC said.²⁷⁷ This is quite alarming considering the fact that the military that should protect its citizens are the ones wrecking more havoc.

On October 9, 2012 members of the Joint Task Force (JTF) "Restore Order", went on a killing spree after a suspected Boko Haram bomb killed an officer. Media reported that JTF killed 20 to 45 civilians and razed 50 to 100 houses in the neighborhood. The JTF commander in Maiduguri denied the allegations. On November 2 of the same year, witnesses claimed the JTF shot and killed up to 40 people during raids in Maiduguri. The army claimed it dismissed some officers from the military as a result of alleged abuses committed in Maiduguri, but there were no known formal prosecutions in Maiduguri by year's end. There were also reports that uniformed military personnel and paramilitary mobile police carried out summary executions, assaults, torture, and other abuses throughout Bauchi, Borno, Kano, Kaduna, Plateau, and Yobe states. The national police, army, and other security forces committed extrajudicial killings and used lethal and excessive force to apprehend criminals and suspects, as well as to disperse protesters. Authorities generally did not hold police accountable for the use of excessive or deadly force or for the deaths of persons in custody. Security forces generally operated with impunity in the illegal apprehension, detention, and sometimes extrajudicial execution of criminal suspects.²⁷⁸

The Nigerian military seems to be too weak to fight the terrorist groups. They are short of basic equipment, including radios and armoured vehicles. Their motivation to fight is said to be very low. Most of the times, before the attacks by the insurgent groups, the military receive warnings but only attack when it is too late. For example, there were reports that before the kidnapping of the Chibok girls, that the Nigerian military received several warnings but did not stop the insurgents. Likewise, during the raid by boko haram in Maiduguri, the town's people claimed that they could see houses burning, yet the soldiers in Maiduguri allowed Boko Haram to destroy Dalori for hours before driving them out. It seems that their morale increased when the new president bought new ammunitions for them, however this did not prevent further attacks by boko haram. One major challenge to fighting terrorism in Nigeria is the corruption of the leaders. For example on November 2015, the former national security adviser Sambo Dasuki and ex-minister of defense Raymond Dokpesi were arrested on charges of looting funds meant to fight Boko Haram.²⁷⁹ The level of corruption in high places is a major deterrent to the effectiveness of counter-terrorism measures in Nigeria. The recent rescue of some of the Chibok girls and the recent talk by the military to go into the Sambisa forest to rescue all of the Chibok seems to give some hint of hope. However what is needed is more action rather than talk. There have been speculations that there are links between the consistent killings of citizens by Fulani herd's men and boko haram. Fulani herdsmen are the new face of terrorism in Nigeria. They have graduated from carrying bows and arrows, to carrying deadly and sophisticated weapons, including AK-47 assault rifle which they deploy against host communities across the country. In their latest atrocity, hundreds of cattle herders descended on Ukpabi Nimbo, Uzo-Uwani Local Government Area of Enugu State leaving a bloody trail. The herdsmen killed 46 people, injuring several others. They burnt down houses and vehicles in the village. These show that Nigeria still has a lot of work to do in combating terrorism. The criminal herdsmen should be given the same kind of treatment being dished out to the Boko Haram terror group.

While Boko Haram appears to have been driven from most major population centers, there is evidence that they still hold territory and have operational bases in some remote rural areas such as the

²⁷⁷"ICC Lists 8 Possible War Crimes Against Nigerian Military, Boko Haram" *Premium Times*, June 2, 2016. <http://www.premiumtimesng.com/news/headlines/193142icclists8possiblewarcrimesagainstnigerianmilitarybokoharam.html>

²⁷⁸"Nigeria: Boko Haram Attacks Likely Crimes Against Humanity". *Human Rights Watch*. 11 October 2012, <http://www.hrw.org/news/2012/10/12/nigeria-boko-haram-attacks-likely-crimes-against-humanity>, accessed June 1, 2016

²⁷⁹<http://www.premiumtimesng.com/news/headlines/194241-2-2billion-arms-deal-why-efcc-arrested-dokpesi-ex-governor-bafarawa.html>, accessed June 1, 2016

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Sambisa Forest. There are also claims by displaced residents that the militants remain active in remote areas like Gwoza and Monguno. Some analysts have also criticised Buhari's assertion that Boko Haram has "technically" been defeated as the "defeat that never was". The Nigerian government has effectively sought to equate loss of territory by Boko Haram with defeat. According to Max Abrahms²⁸⁰, assistant professor of political science at Northeastern University in Boston, told AFP²⁸¹ that "It is always a bad idea for the leaders of countries to declare highly active terrorist groups dead." He also said that "History shows that terrorist groups are extraordinarily difficult to snuff out once they have reached a critical mass. The truth is that terrorism is very easy to perpetrate."

Historically, Boko Haram's strategy has not centered on territorial control or conventional military operations, but hit-and-run guerilla warfare tactics and suicide bombings that terrorise and demoralise. While it appears that Boko Haram is no longer governing key areas and cannot launch conventional military attacks, their insurgency remains deadly. The recent suicide bombings that have left dozens dead and injured are evidence of this.

²⁸⁰<http://www.northeastern.edu/cssh/faculty/max-abrahms>, accessed June 3, 2016

²⁸¹Agence France-Presse (AFP) is an international news agency headquartered in Paris, France. Founded in 1944, AFP is the third largest news agency in the world, after the Associated Press (AP) and Reuters.

5| Conclusions and Recommendations towards a Policing Nexus Mechanism to Counter Terrorism in Africa

5.1. Summary of Findings

The objective of this study was to establish the impact of terrorist attacks on African Nations.

This study has shown that the threat terrorism poses to Africa is significant. Both transnational and domestic terrorism pose a significant strategic threat to Africa nation states and to international peace and security generally. Also the study has proven that Africa is a breeding ground for terrorists due to its vulnerability to terrorism. This study examined the factors that create fertile ground for the existence of terrorism such as conflicts, weak governance, collapsed state institutions; porous borders thus allowing extensive and uncontrolled movement of people and illegal weapons, increased extremist religious ideology and radicalisation of vulnerable groups. Finally, in order to combat terrorism, this study critically examined various Counter-terrorism measures that have not been effective by estimation. Due to the level of sophistication of these terrorist groups, it is a dangerous illusion to believe that some simple military or political solution can eradicate terrorism. In view of the risks of terrorism triggering wider wars or escalating to the level where weapons of mass destruction are employed, it is vitally important to develop far more effective and widely supported mechanisms in preventing and combating terrorism. The next section proffers recommendations towards an effective counter-terrorism measure.

5.2. Recommendations

Since the terrorist attacks of September 11, 2001, of the 60 terror plots against the United States, 53 of them were thwarted long before the public was in danger.²⁸² The United States has a successful track record of preventing terror attacks, therefore Nigeria can learn from their success stories. Based on this the following recommendations have been outlined

5.2.1. Early Disruption of Terror Plots Requires Early Intelligence

In most of the terrorist's plots, the United States Law enforcement was able to disengage any plot early before any attack on its citizens. Often, informants and undercover agents were inside the operation—an objective that could not have been achieved without obtaining intelligence early on. The consequences of insufficient intelligence or late intelligence are severe. Nigerian military have severally being accused of not taking action despite several warnings of intending attacks. Nigeria therefore needs a more effective intelligent squad.

5.2.2. Concentrate More on Potential Targets

Terrorists target areas are highly populated. These are potential targets for most terrorists operations. Most of the Terrorist plots in the U.S span a wide spectrum of potential targets from local shopping malls to the Empire State Building. They had clear trends in terms of which localities are most at risk, such as major metropolitan areas like New York City and the Washington, D.C., metropolitan area. The New York bridges have been targeted on multiple occasions. While President Buhari's effort to move the

²⁸² Jessica Zuckerman, Steven Bucci and James Jay Carafano, "60 Terrorist Plots Since 9/11: Continued Lessons in Domestic Counterterrorism", <http://www.heritage.org/research/reports/2013/07/60-terrorist-plots-since-911-continued-lessons-in-domestic-counterterrorism>, accessed June 5, 2016

military headquarters to Maiduguri the north eastern city where Boko Haram was founded is commendable, counter-terrorism measures must focus more on the northern-rural areas of the country, where Boko Haram attacks are very extreme.

5.2.3. The Public Is Important in Preventing Terror Attacks, but Should Not Be the First Line of Defense

In the U.S, the Richard Reid plot in 2001²⁸³ (foiled plot 1) and the Christmas Day plot in 2009²⁸⁴ (foiled plot 29), as well as the Times Square plot in 2010 (foiled plot 31)²⁸⁵, are three examples of how everyday citizens have prevented terror attacks. In the Times Square plot, bystanders noticed suspicious behavior when a man tried to detonate a bomb and immediately reported his actions to police. Luckily, Shahzad's bomb was faulty and authorities were able to apprehend him—but only after he hopped on a plane at JFK airport. Shortly after the Times Square incident, the Obama Administration hailed the foiled plot as a counterterrorism success story. While it was technically successful in the sense that no one was harmed, relying on citizens to detect and thwart a terrorist act is far from an effective strategy. This does not mean that there is no role for citizens in the overall counterterrorism effort. Citizens, much like state and local law enforcement, have an excellent understanding of their own communities.

5.2.3.4. Taking Drastic Measures to Fortify the Land

The United States took far-reaching drastic measures to fortify their land. In partnership with public and private sectors and the general public, US home security worked hand in hand to build a new home security outfit by unfolding programs geared towards effective forestalling of any security threats. Maximised the ability to respond and recover from terror attacks, established fusion centres, nationwide suspicious activity reporting initiative, grant funding, visa security programme putting effective measures to control illegal immigrants at sea and airports and border control posts. These operational and proactive measures put in place by US decapitated and degraded Terrorism. Africa and Nigeria especially, ought to learn a lesson from this, has one of the major challenge to fighting terrorism in Nigeria is the lack of Security in the country. Nigeria has become a place where anyone can work in and work out. Therefore the recent move by President Buhari to make anyone coming to Nigeria possess a visa before entrance is highly commendable and the right step in the right direction, but more effort needs to be made to make Nigeria a more secure place. The Nigerian military needs to be well trained and equipped. Training is very crucial for any security personnel. The United states' government stated that it could not give Nigerians some of its weapons as they were afraid that the military might not handle those weapons effectively, thereby putting the citizens in danger. The need for adequate training of our military cannot be overemphasized. Finally the lessons learnt from the U.S can serve as a way to identify future reforms as well as maintain the tools that have worked repeatedly to stop acts of terrorism. African Government should continue to examine past successes and failures so as to know the areas they need to work on the more.

5.3. The Establishment of an Effective and Institutionalised Counter Terrorism Unit (CTU)

Nigeria needs to establish a Counter-terrorism unit. The purpose of this unit should be to integrate national counter-terrorism efforts and strategies. For the CTU to be legitimate under the law there is a need for it to be enacted. This will give it Legal recognition. The role of the CTU should be to collect and analyse all terrorism-related intelligence and disseminate the finished product to the country's law. The United States intelligence unit is so powerful that is why it can quickly detect terrorist activities. The CTU should not be

283 Pam Belluck, "Crew Grabs Man; Explosive Feared," *The New York Times*, December 23, 2001,

<http://www.nytimes.com/2001/12/23/us/crew-grabs-man-explosive-feared.html>, accessed June 5, 2016

284 "Christmas Day 'Bomber' Umar Farouk Abdulmutallab Charged," *The Sunday Times*, January 7, 2010,

http://www.timesonline.co.uk/tol/news/world/us_and_americas/article6978736.ece, accessed June 5, 2016

²⁸⁵ Supra note 191

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involved in field investigations or field operations and consequently does not require the legal powers and authority to arrest, detain, interview, or effect searches. For example in the United Kingdom there is a separation between security and policing. Security agencies in the U.K. do not have powers of arrest or prosecute and they need to work closely with the police and Crown Prosecution Service.²⁸⁶ This adds another level of control and prevents abuse of authority as the police ensure that these actions are lawfully executed. It should define the role and responsibilities of the unit as well as the parameters within which it can operate. There must be a mechanism to ensure that the CTU operates within a democratic framework and is accountable to civil society. The CTU can be rendered accountable for its actions by having executive, legislative, and judicial control over the activities of the unit. The CTU can play a leading role in making Nigerians more proactive in dealing with the threat of terrorism. The CTU will have to adopt an organisational structure that will allow it to effectively perform the tasks required by its mission and recruit the appropriate workforce. And in addition to its primary role, the CTU must also work with the civil society to develop proactive measures in the struggle against terrorism.

²⁸⁶ Ian Leigh, "Intelligence and the Law in the United Kingdom," p. 641

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Terrorism is a global menace. This book therefore provides a vivid description of how organized terrorists operate. Terrorists are an organised network and understanding their patterns of operations may assist in combating future attacks. Africa particularly represents the highest incidence of terrorist Attack. However Nigeria is top on the chart of African countries with deadly terrorist attacks. Above all, this book is a study on terrorism and organised terrorist groups. It proffers solutions on fighting this menace called Terrorism.



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