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JOINT COMMUNICATION TO THE COUNCIL

EU Counter-terrorism Action Plan for the Horn of Africa and Yemen

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Introduction

- 1.1** The Commission and the High Representative hereby propose a Counter Terrorism Action Plan for the Horn of Africa and Yemen, implementing the counter-terrorism strand of the EU Strategic Framework for the Horn of Africa¹.
- 1.2** This Strategic Framework for the Horn of Africa focused on five key areas: (1) building robust and accountable political structures; (2) contributing to conflict resolution and prevention; (3) mitigating security threats emanating from the region; (4) promoting economic growth; and (5) supporting regional economic cooperation. This recognises the EU's long-term commitment to the countries and peoples of the Horn of Africa region. This Action Plan will implement the counterterrorism strand of this Framework, taking advantage of the current window of opportunity to seek to identify counterterrorism efforts that can contribute to achieving tangible progress towards several of these goals, while emphasizing the crucial nexus between development and security and the critical connection between the Horn of Africa and Yemen.
- 1.3** In order to bring coherence between EU internal and external security, this Action Plan builds also upon existing EU policies in the field of Freedom, Security and Justice, in full compliance with the European Security Strategy² and the European Union Internal Security Strategy³, while fully taking into account EU and Member States ongoing activities and actions.
- 1.4** This Action Plan also recognises the importance of the overarching relationship between the EU and the African Union, the EU's support for the African Union's continent-wide activities in counter-terrorism and the specific support given by the EU to AU led actions to restore security to the Horn of Africa, in particular the African Union Mission to Somalia (AMISOM).
- 1.5** The aim is to promote local ownership and security by linking counterterrorism efforts to regional development, while strengthening social and political institutions in partnership with national governments in the Horn and in Yemen and regional institutions, as well as in coordination with other international actors such as the UN (implementation of the UN Global Counter-Terrorism Strategy) Other bodies already providing counterterrorism support to the region include the Inter-Governmental Authority on Development (IGAD), East African Community (EAC), Common Market for Eastern and Southern Africa (COMESA), East African Police Chiefs Organisation (EAPCO), Financial Action Task Force (FATF) and various UN

¹ Council conclusions on the Horn of Africa and its Strategic Framework, 14 November 2011
² A Secure Europe in Better World, European Security Strategy, Brussels, 12 December 2003
³ Communication from the Commission to the European Parliament and the Council; the EU Internal Security Strategy in Action: five steps towards a more secure Europe, 22 November 2010, COM(2010) 673 final

entities and bodies, including Interpol. The Global Counter-Terrorism Forum (GCTF) also contributes to counter-terrorism efforts in the Horn of Africa region. The EU can build upon the momentum these efforts are generating. The EU's co-chairmanship of the GCTF Horn of Africa Working Group together with Turkey, an active "non-traditional" donor to the region is particularly important in this respect.

1.6 Responsibility for carrying out the actions listed resides with the EU within its respective fields of competence, as defined by the Treaties, and with Member States. In order to ensure the complementarity and efficiency of their actions, the EU and the Member States will coordinate, as appropriate, their actions in Brussels and on the ground. The EU Special Representatives for the Horn of Africa and for Sudan and South Sudan will contribute to implementation of this Action Plan, in accordance with their respective mandates.

1.7 This Action Plan should be adjusted periodically and be sufficiently flexible so as to respond to new challenges as they arise.

Objectives

2.1 The Action Plan seeks to achieve the following:

- strengthen respect for the rule of law and human rights in counterterrorism efforts both within national and regional strategies and institutions;
- increase law enforcement cooperation;
- support capacity building measures to address conditions conducive to the spread of terrorism and foster societal resilience against incitement, recruitment and violent radicalisation;
- raise awareness of the need, and strengthen the institutional capacities in relation to , anti-money laundering and countering terrorist financing.

Principles

3.1 Underlying values: The EU pursues a global civilian counter-terrorism approach in addressing terrorism on the basis of criminal justice, rule of law and the protection of fundamental rights, as notably set out in the Charter of Fundamental Rights of the European Union⁴. The EU condemns terrorism unreservedly in all its forms and manifestations. Measures taken to counter terrorism must be in full compliance with international law, in particular human rights law, refugee law, and international humanitarian law. This Action Plan should be seen in the context of these EU fundamental values, and must encourage the development of practical operational networks between relevant stakeholders to support long-term institutional changes in the countries of the Horn of Africa and Yemen that align with international human rights standards and obligations. It should also support accountability and transparency in governance and institutions, supporting the separation of political institutions from law enforcement, and fostering visibility, transparency and

⁴ The Charter of Fundamental Rights of the European Union, done at Strasbourg on 12 December 2007 : OJ C 303 p.1 of 14.12.2007.

accountability, including by promoting community engagement with state law enforcement institutions.

- 3.2 Comprehensive approach and long-term commitment:** The EU is committed to pursue a comprehensive long-term engagement with the Horn of Africa region on counter-terrorism/security, uniting EU and Member States' efforts on counter-terrorism and related development assistance to Horn of Africa region to ensure a holistic approach and to enhance the nexus between development and security. Full and coordinated use should be made of available EU and Member State financial instruments and related development assistance to support the Horn of Africa region in a coherent and complementary way in its security/counterterrorism efforts.
- 3.3 Real partnership:** The EU must ensure full ownership of this Action Plan by the countries of the region and work in partnership with them including involving civil society. This will mean distinguishing between different States and regional actors, promoting local national and regional institutional needs, supporting the drafting and implementation of country-tailored counterterrorism legislation and developing programming based on credible and locally-derived evidence. Enhanced cross-border collaboration and confidence building between Horn of Africa States and Yemen should be encouraged. Regular consultation and coordination between donors should be ensured.

Priority areas of action

- 4.1** Activities already being undertaken by EU Member States in the Horn and Yemen suggest receptiveness in the region for enhanced EU engagement around three relevant lines of action relevant for counterterrorism that require greater attention:
- Efforts promoting the rule of law in law enforcement cooperation;
 - Countering and preventing recruitment and violent extremism; and
 - The strengthening of anti-money laundering and countering terrorist financing (AML/CTF) arrangements.
- 4.2** Given that the Horn of Africa and Yemen governments are currently focused on one or more of these issues internally, prioritisation and implementation of this Action Plan will provide opportunities for deeper engagement and possible dialogue on security in the longer term. Encouraging regional collaboration will also help to build states trust in each other and foster enhanced cooperation within a rule-of-law framework.
- 4.3** Focusing on areas aimed at *preventing* terrorism will encourage governments and other key stakeholders in the region to engage with actors outside of the traditional military and security sectors and will enable the EU to support the relevant governments in their efforts to strengthen fundamental institutional capacities in the areas of criminal justice and financial oversight, for example by supporting criminal justice and rule of law initiatives in areas of investigation, conviction, imprisonment and rehabilitation across the region.
- 4.4** Action should focus primarily on the most fragile areas, beginning within Somalia itself and then including a core cluster of countries around Somalia i.e. Djibouti,

Ethiopia, Kenya. This will be, complemented by action for all the countries of the Horn and at the regional level. Yemen is included in regional concepts for the Horn in response to increased cooperation between terrorist groups based in Somalia and Yemen, including increased terrorist travel between the two, and the spill over effect across the Bab-el Mandeb strait;

4.5 Rule of law in law enforcement cooperation

There is a growing recognition in the Horn of Africa that effective management of common regional and transnational threats can only be achieved through cooperative law enforcement arrangements, and a mutually respected rule-of-law framework aligned with international human rights obligations and standards. Criminal networks, pirates and terrorist groups operate across the region's internal borders, illustrating starkly the need for enhanced cross-border law enforcement cooperation. The EU is well positioned to offer national governments and regional institutions assistance by placing increased emphasis on strategically coordinated multi-session cross-border cooperation capacity building support within the region. There is a growing interest from regional actors in promoting independent judicial systems, and fostering awareness in the strategic benefits of operating within a rule-of-law and human rights based counterterrorism framework. Activities could include:

4.5.1 Fostering trust between Horn of Africa States on counterterrorism cooperation The region continues to be challenged by piracy as well as the side-effects of historical and contemporary inter-ethnic, inter-clan and inter-state conflicts that have generated some elements of distrust between different governments, and between members of civil society and governments. Taking these contextual issues into account the EU and its partners should foster closer cooperation with existing relevant EU capacity building activities, for example in the field of CSFP/counter-piracy. The EU and its Member States could also focus their counterterrorism assistance on activities supporting practical cross-border interactions to build national and regional trust, by developing and supporting country specific measures under the following initiatives:

- joint investigation teams;
- joint training programs;
- study visits and staff exchanges;
- opportunities for practitioners to work together to draft legislation and tackle regional terrorism threats;
- efforts to raise criminal and legal professional standards;
- trust-building between and within states and civil society.

4.5.2 Strengthening border management and border community security - weak border management allows terrorist and criminal groups safe space to operate, and to generate an economic base – through the illegal sale and transit of commodities, such as livestock and grain, and from taxation of both licit and illicit activities such as piracy. The development of improved border management skills and institutions will

depend on the provision of both training and equipment, and will also require greater attention to community based policing and border-community cooperation, recognising the particular challenges posed by the needs of nomadic communities. Activities could include:

- providing border management capacity building;
- supporting the development of a more accountable community-policing framework with explicit commitments to social cohesion, community resilience and human rights.

4.5.3 Strengthening capacities and transforming institutional practices in the criminal justice sector -Criminal justice sector programming should build on the awareness raising and training exercises developed in the region in recent years, which have dealt with practical subject-matters such as border security, community policing, investigations and intelligence gathering. Activities could include:

- effective and better coordinated practical institutional reform of criminal justice institutions;
- support to security sector reform aiming at establishment of civilian oversight bodies for accountable security institutions;
- modernization of national criminal justice institutions, based on rule of law and full respect for international human rights standards;
- sustained partnerships between law enforcement institutions in the Horn of Africa and their counterparts in the EU and its Member States to foster long-term organisational change in the criminal justice sector.

4.6 Countering and preventing recruitment and violent extremism

Increased communication and dialogue between states and community organisations can strengthen rule-of-law based counterterrorism cooperation while also addressing the underlying grievances that provide conditions conducive to the spread of terrorism. Numerous civil society groups in the region already play an important role in reducing inter communal tensions and preventing violent conflict.⁵ Activities could include:

4.6.1 Undertake community engagement to prevent violent extremism – vulnerable groups, including: youth, refugees, ethnic or religious minorities, residents of urban slums, prison populations, and politically marginalized groups, can be at risk of radicalisation. Terrorist recruiters can see opportunities to target fragile communities and expand the ideological, logistical and financial support-base of their organisations. Activities could include:

⁵ Ongoing civil society activities include conducting and disseminating research, monitoring, advocating, lobbying or providing oversight over government activities. Civil society also support sustainable development, provide humanitarian relief, improve governance, empower marginalized populations such as women and youth, offer professional and technical expertise and constructively facilitate conflict resolution and negotiation.

- better support those communities whose children and families are being targeted for recruitment as they are often best positioned to counteract these efforts;
- engage with local organizations and both secular and religious authority figures that are intimately aware of community perceptions and have a deep understanding of particular grievances or drivers of radicalisation;
- engage -- in the Horn of Africa, Yemen and amongst diaspora communities in Europe -- with civil society organizations, community leaders or other credible authority figures such as religious leaders, women's groups and youth organizations to identify and address grievances, encourage participation in democratic life, discourage violent extremism and prevent terrorist travel from Europe to the region;
- engage in projects to prevent and counter terrorist propaganda enhancing participation in the fights in the region (Yemen and Somalia);
- engage also with civil society, including charitable organisations, based in the diaspora which are themselves providing assistance to Somalia to ensure that they are aware of the risks of misappropriation of the money flows by terrorist organisations and help them to ensure that this assistance does not get misdirected;
- development of common information matrices to ensure that limited resources are strategically deployed.

4.6.2 Deepen and share regional knowledge base on violent extremism - A deeper and broader evidence base of how violent extremism operates in the region will help both to ensure that government counterterrorism efforts in the region are properly tailored to addressing the drivers of violent extremism and terrorism, and at the same time help to protect against the possible misuse of counterterrorism tools to repress political opposition and civil society:

- improve strategic allocation of limited resources by the EU and other international partners;
- support campaigns to promote interfaith dialogue and democratic participation;
- support activities that facilitate the creation of knowledge and its strategic analysis and effective dissemination in the form of good or best practices;
- promote madrassah reform projects (in particular in Kenya and Somalia).

4.7 Strengthening arrangements to counter money laundering and financing of terrorism (AML/CFT)

4.7.1 The Horn of Africa financial sector remains vulnerable to money laundering and terrorist financing. Strengthening the foundations of anti-money laundering and countering terrorist financing mechanisms is crucial for the promotion of economic integration in the region, by combating the illicit money flows that fuel corruption,

terrorism and crime, undermining local growth and development. There is a growing awareness that future growth, development and access to global finance markets will depend on effective implementation of AML/CFT mechanisms and a strengthened partnership with the financial private sector. Activities could include:

- frame AML/CFT mechanisms as stepping-stones to ensuring global financial market access, and thus contributing to the region's high growth rates;
- engage legislators, parliamentary committees, private sector actors and business associations in the region to raise awareness of the costs of money-laundering and terrorist financing, at both the national and regional level.

4.7.2 Establish and enhance Financial Intelligence Units (FIUs) – there are discrepancies in the extent of development of FIUs in the region. A tailor made and well coordinated approach is necessary therefore to advance the establishment of FIUs where they are non-existent and strengthen those nascent ones recently established. Activities could include:

- coordinated packages of AML/CFT capacity-building assistance with a particular focus on strengthening FIUs – in full complementarity with the actions undertaken by the EU to address piracy;
- involving a Financial Action Task Force (FATF) -Style Regional Body (FSRB) in the programme delivery process to ensure local ownership.

4.7.3 Broaden and strengthen practical AML/CFT partnerships - The development of stronger AML/CFT arrangements, especially Financial Intelligence Units, will require a web of partnerships across the region with government agencies, private sector actors (especially financial institutions and other financial intermediaries such as remittance agents) and civil society actors. Actions could include:

- capitalizing on the significant contribution of the informal financial sector and cash-based transactions;
- convening multi stakeholder policy discussions, information sharing and trust-building.

Additional country specific measures

5. The specificities of the region make it necessary to distinguish between different states and actors. In addition to the thematic issues outlined in chapter 4, complementary country measures are a necessary precondition for effective implementation this Action Plan.

Humanitarian aid is provided based solely on needs and strict adherence to humanitarian aid principles.

5.1 Yemen

The proximity of Yemen to the region, illegal trafficking of all kinds, including the trafficking of human beings, interconnection between various criminal and terrorist

groups, the instability of the country and the existence of safe havens pose a security threat to whole Horn of Africa region. The EU is engaged in Yemen to help combat terrorism within the country, and the inclusion of Yemen in this Action Plan is necessary if any EU action in the region is to be successful. Special attention could be given to:

- further support Yemen in the security sector reform aiming at establishment of civilian oversight bodies for accountable security institutions;
- support Yemen in integrating into regional organisations;
- prevent terrorist travel to Yemen;
- research on the involvement and the role of foreign fighters;
- focus on countering violent extremism, while paying special attention to diasporas.

5.2 Somalia

As the major destabilising factor in the Horn of Africa, Somalia is at the centre of the EU counter-terrorism efforts in the region. Putting Somalia on a sustainable recovery path, while establishing security and effective governance at all levels is, therefore, essential to tackle the terrorist threat emanating from the crisis situation in Somalia. The EU is engaged in Somalia through a comprehensive approach through diplomatic, development, security as well as humanitarian actions. Special attention could be given:

- efforts to build stable and accountable administrations and relevant institutions in Somalia, in close cooperation with relevant efforts done under CSFP;
- focus on direct and indirect reach-out efforts by Somali counterparts to radical groups in Somalia;
- prevent terrorist travel to Somalia;
- support counter radicalization efforts in Somalia and promote reconciliation efforts and peace building;
- strengthen local administrations' capacities in providing rule of law and justice;
- support to the Somali security sector;
- focus on de-radicalization, disengagement and education, including vocational training for job creation while paying special attention to diasporas;
- helping to rebuild basic financial infrastructure in Somalia;
- harnessing the social and financial capital held in the Somali informal financial sector;

- conducting outreach to and engagement of a range of non-traditional partners, such as Somali remittance organizations and informal foreign exchange agents.

5.3 Kenya

Kenya is an important player in the region. It is already the target of various terrorist groups aiming at destabilizing the country, and these attacks might in future target the Kenyan government and institutions as well as foreign interests. The proximity with areas of instability increases the threat of radicalisation and illegal activities, including illicit trafficking and money laundering. Special attention could be given to:

- support to security sector capacity building, including through regional counterterrorism cooperation and establishment of national ct coordination structures;
- countering and preventing incitement, recruitment and violent radicalisation;
- strengthening capacities for anti-money laundering and countering terrorist financing activities, including through enhancement of the Financial Intelligence Unit;
- strengthening border management and border community cooperation and security.

5.4 Djibouti

The possibility of international terrorist activity in Djibouti has long been perceived as high, Even if Djibouti's importance to terrorists derives from its transit capabilities rather than its potential as a base for international terrorist organizations, there is still a serious threat of the spread of violent extremism and radical movements in the country. Special attention could be given to:

- support Djibouti in managing the refugee influx from Somalia and Ethiopia.

5.5. South Sudan

Terrorism in South Sudan is one of the important problems, considering that many terrorist groups have established their activities within South Sudan territory. Furthermore, weak infrastructures allow for illegal entities movement. South Sudan is not member of any international agreement related to counter-terrorism. Special attention could be given to:

- support for the rule of law and good governance;
- further support airport security in Juba International Airport;
- support South Sudan in ratification of relevant international agreements related to terrorism.

5.6. Uganda

Even if Uganda does not face significant terrorism problems it has been the subject of terrorist attacks in the past, primarily motivated by Uganda's involvement in Somalia. Uganda could play an important role in the regional context in order to build awareness and cooperation on a regional basis where Uganda is very active. Special attention could be given to:

- Uganda's role in programmes aiming to foster trust between the Horn of Africa states, and to exchange staff and knowledge;
- benefiting from Uganda's experience from operating in Somalia (AMISOM).

5.7 Ethiopia

Ethiopia has significant operational counterterrorism capabilities and potential, and must be a full part of any regional counterterrorism Action Plan. Special attention could be given to:

- improving the domestic legislative framework related to terrorism; in line with international standards;
- promoting inter-faith dialogue;
- encourage Ethiopia to continue to play a positive regional role, especially among East African Police Chiefs and within IGAD.

5.8 Eritrea

Eritrea could potentially be a useful partner in the fight against terrorism because of its extensive knowledge and networks in the region. Equally, it can also be a source of instability. As Eritrea is currently trying to break its isolation, there might be entry points for collaboration in the field of security and counter terrorism. Special attention could be given to:

- supporting reintegration of Eritrea in IGAD;
- supporting involvement of Eritrea in discussions on regional security.

5.9. Other regional players

The actions of other regional countries including in particular Sudan and Tanzania will also be important, and these countries will be engaged further as the Action Plan develops and in the light of prevailing political circumstances.

Promotion of effective multilateralism – international and multilateral action

6. Diplomatic engagement in multilateral and international formats is necessary to promote a common vision and build a common perception of security threats, to tackle both cross-border security and address development challenges at the highest level. To this end the EU could:

- engage with the UN in promoting UN measures related to counter-terrorism, the UN Global Counter-Terrorism Strategy and support the I-ACT activities in the region;
- collaborate with international stakeholders on measures countering terrorism financing;
- coordinate with partners, including through the Global Counter-Terrorism Forum (GCTF), and with Horn of Africa countries on capacity building measures;
- systematically include Horn of Africa security issues in the dialogue with the GCC and individual Gulf countries, and explore options for collaboration on AML/CTF;
- in its policy for Northern Africa, increase efforts to counter arms trafficking as weapons from Libya remain a destabilising factor, e.g. in Sudan's Darfur region;
- enhance information sharing at the EU level and with international partners including, Interpol and the World Bank.