



GCTF

GLOBAL COUNTERTERRORISM FORUM

**Sahel Capacity-Building Working Group
Technical-Expert Level Meeting on Border Security**
15-16 May 2012
Grand Hotel du Niger
Niamey, Niger

Co-Chairs' Summary

Niger and the United States co-chaired this technical-expert level meeting of the Global Counterterrorism (GCTF) Sahel Capacity-Building Working Group. This meeting brought together experts from GCTF members, regional states, and regional and other multilateral organizations.

In her opening remarks, U.S. Ambassador to Niger Bisa Williams hoped the meeting would build upon existing efforts to strengthen counterterrorism (CT) cooperation and capacities in this critical region. She said the event was an opportunity to foster the emerging network of border security practitioners in the Sahel. Ambassador Williams said the meeting should produce recommendations in three inter-related areas: 1) legal and law enforcement matters; 2) official entry/exit points; and 3) open borders.

In his opening statement, Nigerien Minister of Justice and acting Minister of Foreign Affairs, Cooperation, African Integration, and Nigeriens Abroad Marou Amadou outlined the CT challenges the region confronts and said the meeting should be open to discussing an approach to addressing trans-border security issues. There are many threats faced by the region, including drug and weapons trafficking, and the Sahel is a place of choice for criminals of all kinds. He stressed that in order to address the challenges, participants should discuss ways to close the existing gaps and provide recommendations to implement so that criminals are steered away from the region.

The meeting co-chairs, Ambassador Moussa Sangare, Technical Counsellor to the Minister of Foreign Affairs, Cooperation, African Integration, and Nigeriens Abroad, and Deputy Coordinator Shari Villarosa of the Bureau of Counterterrorism at the U.S. Department of State, provided an overview of the meeting objectives, including identifying challenges, good practices, and concrete recommendations for improving border security in the Sahel to counter terrorism in the region.

Session One: Legal framework for border control: Challenges and good practices

Panelists from the UN Office of Drugs and Crime (UNODC) and the European Union (EU) outlined the international and regional legal framework for border control, noting that each state has the right to determine who can enter and stay, and under what conditions. It was emphasized that the UN Universal Declaration of Human Rights protects an individual's right to leave a

country, and international conventions on refugees and torture also make up the legal framework for border control.

In the ensuing discussion, participants voiced concerns of challenges to immigration controls and the capacity of nations to identify refugees, provide personnel to patrol border areas and provide overall good border management to address problems related to porous borders in the future. Among the challenges is the right of return for refugees under international law and the fact that in some cases, displaced persons seeking to enter another country do not possess proper documentation. It was noted that some conventions limit the possibility for States to debate sovereignty over the border and accepting or refusing people. It was only noted that a State may cite security concerns as a basis for denial of refugee status. It was recommended, therefore, that there should be regular information sharing among states, such as via a database that contains information on people that should be provided to appropriate authorities in each State on demand. It was also noted that there should be training on international laws and understanding the legal framework, as well as identifying and distinguishing criminal elements from refugees.

Session Two: Customs controls: Challenges and good practices

Panelists from the World Customs Organization (WCO) and the U.S. Department of Homeland Security (DHS) focused on good practices for customs enforcement. WCO provided information on intelligence gathering and controlling fraud. It noted that information sharing and the tracking of smuggling helps customs personnel to counter terrorism, control fraud and increases intelligence exchange. Again, it was mentioned that each state in the Sahel should establish a single control point for all documents at those crossing the borders, and all customs organizations should adopt international standards to facilitate trade, specifically those contained in WCO's SAFE Framework. Due to resource and personnel constraints, it was emphasized, most countries in the region are unable to do the work that needs to be done to meet these standards.

DHS presented on the importance of security measures on borders and intelligence-driven protection. Regional cooperation and cooperation with neighbors are necessary to border control improvements. Among government agencies within a country, it was stressed, there should be trust and cooperation in order to combine efforts and provide efficiencies in border security, such as a shared mission and efforts between customs administrations and border control personnel. Communications assistance and planning are crucial for countries working together in these efforts. Meeting participants concluded that cooperation and ensuring that agencies are aware of good border control practices and regulations are important to having targeted control of the borders.

Session Three: Securing maritime and air borders: Challenges and good practices

Panelists from the International Civil Aviation Organization (ICAO) and the Spanish and Senegalese governments provided practical perspectives on securing maritime and air ports of entry. ICAO recommended increased focus on data collection, analysis, and sharing among countries and international organizations, as well as the use of the ICAO Public Key Directory and Interpol's Lost and Stolen Travel Document Database. ICAO noted that all states have a

responsibility to issue a separate passport to each person and they should intensify their efforts to safeguard the security and integrity of their passports. Spain discussed the intersection between maritime and air borders and globalization, noting that its model for integrated border management has four tiers: 1) measures in third countries; 2) cooperation with neighboring countries; 3) border control (checks and surveillance); and 4) control measures inland. With regard to piracy and other challenges to maritime security, participants said there is a need for not only legal frameworks, but also enhanced capacity, including additional border security equipment, and training. Among the challenges discussed were linking the different databases used by governments and multilateral organizations; the sharing of information among states (e.g., providing Advanced Passenger Information); automation of biometric checks; and effective deployment of readers.

Participants noted that cooperation on several levels (e.g., among agencies within a state, among states, and between states and international organizations) and among different stakeholders, (national and local governments, the private sector, and civil society) is needed to secure air and maritime ports of entry. As an example of internal collaboration, Senegal is implementing joint customs and marine collaborative platforms to enhance border security. Such cooperation helps in gathering intelligence needs that are shared at both the inter-agency and regional levels.

Session Four: Securing land borders: Challenges and good practices

Panelists from the International Organization for Migration (IOM), the African Union's African Center for Research and Study of Terrorism, and the governments of Turkey, Chad, and Niger described the multifaceted challenge of securing land borders and identified good practices in this area. One good practice elaborated by IOM and others is integrated border management, which rests on three pillars; intra-service cooperation, inter-service cooperation, and international cooperation. However, many countries find it difficult to get involved in the good management of the border due to challenges posed by a lack of resources, enforcement of legislation related to the rights of passengers crossing the borders, and free movement of goods. In order to implement proper land border security measures, participants underscored that states must share information, agree on key principles, and have knowledgeable personnel to handle travelers and goods.

Participants made numerous recommendations relating to the strengthening of cross-border security and information sharing, including: implementing integrated programs of social development, including security aspects; using databases to strengthen border post processes; and joint training for personnel. Some participants called for an international task force to address the border security challenges in the region, while all agreed that regional cooperation on training of security forces on border security enforcement and technologies will provide improvements and increased awareness of the challenges to securing land borders.

Session Five: Building regional partnerships and international cooperation

Panelists from the UN Counter Terrorism Committee Executive Directorate (CTED) and the U.S. Department of State Bureau of Counterterrorism noted the broad range of regional partnerships and international cooperation already in place in the region. CTED highlighted the

need for more practical and operational measures, such as joint patrols and better cooperation among police, gendarmerie, and customs units. CTED also identified a need to close gaps in the legal framework for border control, including with respect to hot pursuit of terrorists and other criminals across national borders. The United States mentioned some of the particular challenges to improve border security in the Sahel and mentioned some specific ways to improve regional cooperation such as through the provision of communication equipment to permit officials on different sides of the border to talk with each other.

In the plenary discussion, additional regional mechanisms to facilitate regional cooperation were highlighted. Participants mentioned the need for increased equipment and human resources, as well as quick exchanges of information between officials on different sides of the border and among all officials with border responsibilities. Some highlighted the need for a legal framework to permit hot pursuit across borders, while others were more comfortable with informal mechanisms.

Session Six: The way forward: gaps, good practices, and next steps

Participants stressed that improved border security and effective CT in the Sahel require coordination of regional mechanisms. It is essential for regional stakeholders to reach out broadly to different organizations. It was noted that many existing CT and border security tools have been developed. These can be implemented in the region if border personnel receive proper training to use them and if necessary legal frameworks are developed, accepted and agreed upon by all states in the region.

Participants also highlighted the importance of community outreach to gain the support of the population in border areas. They said governments should upgrade social services, including educational and health institutions, in vulnerable areas. Additionally, it was stressed that governments should act with the support of local populations, respecting human rights and good governance. Dialogue among international organizations, civil society groups, government agencies, and private sector actors is essential, it was asserted, to developing effective CT strategies.

Among the border security **challenges** highlighted were:

- The ineffective or insufficient use of the many existing tools for border control in the region. It was suggested that prior to developing new tools, countries should examine their use of existing tools, such as international databases of terrorists and terrorist activities, with training provided to the countries of the region on accessing these databases.
- Communicating effectively with local communities about the threats of terrorism and organized crime.
- Making local communities feel connected with the central government so that they feel both an interest in and an obligation to avoid criminal and terrorist activities.

Recognizing these challenges, participants agreed broadly on a number of **good practices**, including:

- Extending border security measures outward to other countries through both formal agreements and informal cooperation, and inward through greater enforcement of customs and immigration laws inside the country. This good practice necessarily depends on increasing internal and external information sharing.
- Using risk-based assessments to develop border enforcement strategies both at the national and regional level.
- Applying integrated border management by, among other things, co-locating customs and immigration forces and frontier police at air, maritime, and land ports of entry.
- Conducting awareness-raising activities targeting local communities, especially trans-border communities, in order to help them better understand border regulations and to give them more incentives, such as the extension of social services and other means of improving living conditions, to support border control and even to provide information to aid in border enforcement, including by self-compliance and self-enforcement. This requires, among other things, leveraging traditional community leaders and traditional venues of communication for pastoralists, such as watering sites.

Among the **recommendations** put forward were:

- Mapping existing databases that could help regional states with border control and training border authorities, police, and others in their effective use.
- Improving control over air ports of entry by, among other things, promoting the sharing of advanced passenger information from the ICAO.
- Further developing the concept of an African Arrest Warrant by accessing the expertise of international and multilateral organizations and partner nations, including those belonging to the GCTF.
- Enhancing and implementing training on the use of technologies and intelligence gathering to handle migration flows.
- Engaging in and supporting relevant programs in the region conducted by CTED, Interpol, and other international organizations.
- Developing an action plan for the implementation by regional states and supporting donors and agencies of the recommendations that emerged from this meeting, possibly through close collaboration and effective coordination.
- Promoting the development of harmonized border security strategies for each country in the Sahel as well as a broader regional strategy, possibly in cooperation with ECOWAS and other regional organizations.