

Africa: Moving the Boundaries

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Border Control and Movement of Terrorist Groups in West Africa

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Abstract

Borders in West Africa are undeniably porous. This is an issue of concern for West African governments, individuals, civil society groups and the international community as a whole. This porosity has contributed to the easy movement and crossing of borders by terrorists in attacking innocent people and targets across the sub-region of West Africa. Boko Haram (a terrorist group), which has its headquarters in the Borno State in Nigeria, easily crosses the Nigerian border as it attacks targets in Cameroon, Chad and Niger. Al-Qaida in the Islamic Maghreb (another terrorist group) from Algeria, has a base in the northern part of Mali and easily crosses the Malian border and attacks targets in Burkina Faso, Niger and Cote D'Ivoire. In understanding why borders in West Africa are porous, this paper identifies a number of contributing factors including: the lack of clearly identifiable sub-regional and national border control policies; lack of political will; lack of intelligence gathering; lack of capacity, and; lack of cooperation and coordination (networked borders) with other States. Measures to strengthen border control and policy recommendations are offered.

Introduction

Borders and boundaries are a defining trait of human civilization. They can be used to express everything from one person's property lines to the farthest reaches of a global empire. Additionally, people often form identities based on local, state, or national borders. The earliest known land maps were created roughly four thousand years ago in the Middle East. These maps were used to show property ownership within a region. As civilizations expanded and explored new areas, maps became an important way of defining the known world, and of designating regions of control. Some of the most common borders between regions or nations are natural boundaries, defined by the environment itself. Oceans, rivers, and mountain ranges all serve to divide land masses into distinct areas (Global Issues in Context 2016).

In Africa, however, boundaries were demarcated through political means. The conference held in Berlin, Germany, in 1884–1885 formalized the arbitrary boundaries that the European colonial masters had scrambled in their colonies. Many of these same boundaries remained as national borders even after the colonies achieved independence from their European occupiers several decades later (African Union Border Programme 2013). Okumu (2011) intimates that African countries are increasingly facing the daunting task of managing these borders in ways that secure their territorial integrity; and he adds that they struggle to prevent illegal entries and exiting of people, goods and animals.

Borders in West Africa are undeniably porous and that is an issue of concern for West African governments, individuals, civil society groups and the international community as a whole. This porosity has contributed to easy movement and crossing of borders by terrorists in attacking innocent people across the sub-region of West Africa. Boko Haram (a terrorist group), which has its headquarters in the Borno State in Nigeria, easily crosses the Nigerian border as it attacks innocent people and infrastructure in Cameroon, Chad and Niger. Al-

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Qaida in the Islamic Maghreb (another terrorist group), originally based in Algeria and with another base in northern Mali, easily crosses the Malian border to attack targets in Burkina Faso, Niger and Cote D'Ivoire. This paper seeks to investigate why this level of border porosity in West Africa has become pronounced and the measures and policy recommendations that can be adopted to secure the borders in preventing the movements of terrorist groups within West Africa. The first part of the paper seeks to: theorize borders and conceptualize border control and terrorism; outline the need for border control; outline the characteristics of West African borders, and indicate the African Union (AU) and the Economic Community of West African States' (ECOWAS) border instruments and policies adopted thus far. The second part delves into the factors that account for the porosity of West African borders and its effects on the politico-socio-cultural lives of West African states and their citizens. Finally, the third part discusses the measures and policies that can be adopted to strengthen West African states' borders in order to contain the ease with which terrorists easily cross borders.

The theory of complex and networked borders

A border theory that best suits contemporary West Africa is Complex and Networked Borders (CNB). This theory maintains that borders are mobile and highly differentiated in nature. This means that, states can have reciprocal arrangements such that domestic border controls can be located abroad. For instance, the United Kingdom (UK) now has reciprocal arrangements with both Belgium and France to locate domestic border controls in those countries. In 2004, British immigration officials began operations in Lille, Calais and Paris, checking the documents of those seeking to travel to the UK (Rumford 2006). According to the CNB theory, borders are diffused throughout society. Guiraudon and Lahav's (as cited in Rumford 2006) refer to this as "remote control", where border control takes place at different points in society not simply at the territorial limits. In addition, the state is increasingly "privatizing" aspects of border security by, for example, requiring airlines, hotel keepers and owners of internet cafés to document movements and uncover those whose presence is undesirable.

In effect, networked borders (that is, those not necessarily located at the perimeter; airports, travel agents, railway stations) constitute a barrier to the mobility of "outsiders" without economic means or proper travel documentation. Borders may take the form of political boundaries and securitized perimeters, but they are also increasingly mobile and dispersed and, a consequence, more commonly encountered and frequently traversed (although not by all). Importantly, borders are not experienced in the same way by all people (Rumford 2006); what operates as an impermeable barrier to some, constitutes open doors to others. CNB theory explains why border control in West Africa is lax. Border control in West Africa is not networked and there is lack of cooperation and coordination between and among West African states. This theory, therefore, helps to strengthen the argument that border control in West Africa ought to have extraterritorial focus underpinned by coordinated policies, while territorial border control is equally strengthened with support from the private sector.

Defining border control

According to Okumu (2011), border control is about asserting territorial sovereignty by enforcing the boundary through permanent surveillance. By implication, what border enforcement and surveillance mean is that the state must have the capacity to trace the movement and use of goods and data and the actions of people once they are in the national territory. In this paper, border control, border security and border management are used

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interchangeably. Border control is understood as networked and consists of many stakeholders working to secure the sovereignty of states.

Defining terrorism

The first key element of terrorism is that there is violence or the threat of violence and it is deliberate, arbitrary, intentional, and a predetermined strategy undertaken primarily for political reasons (Makinda 2003; Jackson 2010; Primoratz 1990, Lutz & Lutz 2004). For Jackson (2010), the targets of terrorist violence are not necessarily the victims of the violence, but rather the audiences to the violence. From this perspective, terrorism is a form of political communication rather than direct military action. In his view, political violence must have an identifiable organization in order for it to be classified as terrorism. For the United States Department of State, there must be sub-national actors or clandestine agents perpetrating violence to advance a cause. This includes groups pursuing religious goals, national/ethnic/linguistic/regional goals, left-wing ideological goals, right-wing ideological objectives, groups whose goals involve a clear mixture of objectives to the extent that no single one predominates, and the use of terrorism by governments, especially in contexts where “unofficial” groups undertake the action rather than government agencies (Lutz and Lutz 2004). There must be identifiable targets and perpetrators of the violence. The United States Department of State and scholars like Makinda (2003) maintain that non-combatants are targeted as was the case in New York and Washington DC on 11 September 2001. These non-combatants include military members who are attacked during peacetime.

Why the need for Border Control?

Border control helps to facilitate or limit the movement of people, animals, plants and goods in and out of a country. It ensures that borderlines are secured and ports of entry are controlled. Border control further ensures that the rules under which people cross borders are legally adhered to and that goods moved across borders have been paid for (e.g. excise tax, levies). Most importantly, it helps to prevent the transmission of diseases, smuggling operations and terrorism, among others (Okumu 2011).

Characteristics of West African borders

African borders were drawn during the colonial period and are a Westphalian concept classified by Hartshorne (1938) as super-imposed boundaries. Compared to Europe and North America, Africa is relatively new to the Westphalian concept of boundaries. That is not to suggest in any way that borders did not exist in Africa prior to contact with external influence, particularly that of Europe. Borders have always existed as social phenomena that govern inter-human and inter-communal relationships. Similarly, African pre-colonial socio-political structures and institutions have, in their own rights, functional categorizations that can be equated to present-day borders. There are about 110 inter-state boundaries in Africa and numerous other intra-state borders that crisscross the length and breadth of the African continent. The origins of all of these borders can be traced to colonialism and imperialism during the late nineteenth and early twentieth centuries. Therefore, it was the treaties, agreements and exchanges of notes and protocols between the various colonial powers that provided the legal basis for present-day boundaries (African Union Border Programme 2013).

Present-day borders are artificial and arbitrary and cut across cultural heritages and divide ethnic groups and tribes into different States (for example, Ewe people of Ghana and Togo, Hausa people of Nigeria and Niger, Kissi people of Guinea and Sierra Leone, among others).

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The borders were arrived at without reference to the social, political, or cultural characteristics of the people they partitioned. A clear indication of the arbitrariness of the borders is the fact that 44 per cent of African boundaries either follow meridians or parallels, and another 30 per cent follow rectilinear or curved lines. Furthermore, the 104 international borders existing in Africa in 1984 and 1985 have dissected 177 cultural areas or groups. The artificiality and arbitrariness of African borders are also the products and reflections of the rivalries between the imperial powers in the late nineteenth and early twentieth centuries. In addition to these rivalries were the obsessions to exclusively claim certain real or imagined African resources. Consequently, most African borders are poorly defined and porous and have been a source of conflict on the continent. For example, tensions between Burkina Faso and Mali (Agacher Strip), Cameroon and Nigeria (Bakasi Peninsula), Guinea and Sierra Leone (Yenga dispute), Burkina Faso and Benin (Koualou Town), among others.

Political and legal instruments: The African Union and the Economic Community of West African States

Measures have been adopted to help mitigate the many border related tensions in Africa by the African Union (AU), including the 1964 and 1986 Resolutions that were adopted by the Organization of African Unity (OAU) on peaceful resolution of border disputes between African states. Subsequently, the AU (which succeeded the OAU), in its Constitutive Act, Article 4 (b) emphasized on the maintenance of the status quo of borders that were inherited during independence. Additionally, in July 2002, there was a Memorandum of Understanding on the delineation and demarcation of African boundaries which was expected to have ended in 2012, but in 2007 it was extended for another 10 years and is now expected to be achieved in 2017 (African Union Border Programme 2013).

However, ECOWAS as a sub-regional body has no comprehensive border control policy for its member states except in some protocols where border related issues have been mentioned. For instance, the 1999 ECOWAS Protocol relating to the Mechanism for Conflict Prevention, Management and Resolution, Peacekeeping and Security, under Article 46, talks about control of cross-border crime. The ECOWAS Convention on Small Arms and Light Weapons of 2006 under Article 22 also makes reference to controlling cross border crimes. The ECOWAS Conflict Prevention Framework emphasizes cross-border initiatives and proper management and the ECOWAS Counterterrorism Strategy and Implementation Plan also addresses aspects of border management, but does not comprehensively address border insecurity issues as a whole (Lamprey 2013).

Reasons for the porosity of borders in West Africa

Most West African states lack clearly identifiable national border control policies. What are perceived as border policies are the various actions undertaken by the sectors and ministries dealing with border-related issues. As such, there is lack of synergy, coordination and cooperation within and between departments, and between countries. Until recently in Nigeria, the police, customs and immigration officers were under the Ministry of Police Affairs and Interior; all were responsible for dealing with border related issues in an uncoordinated manner.

Definition and scope of what constitutes border control has been limited to the confines of sovereign states and this does not warrant coordinated policy and actions to be adopted and implemented effectively to control borders in the face of globalization which has created gaps

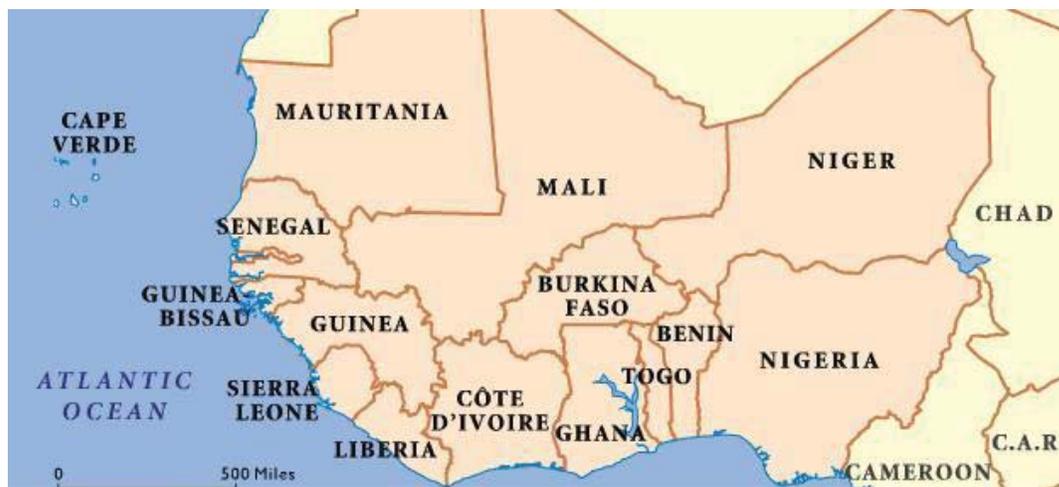
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in traditional border management and control. Moreover, there is lack of political will and commitment of resources to effectively manage borders. For example, the ECOWAS Community Levy for the first quarter of 2016 stood at 185 million dollars; a worrying development is that most member states are not paying their dues for ECOWAS projects (Vanguard Nigeria Newspaper 2016). Furthermore, there is poor motivation among border personnel which has led to extortion and bribery at the various border posts. This has culminated into nefarious activities at the various border posts. Moreover, there is inadequate intelligence gathering and sharing between agencies and countries and a lack of state of the art facilities and equipment to secure and manage borders.

One Major Effect of the Porosity of West African Borders



One major effect of the porosity of West African borders is the ease with which terrorists cross borders to engage in what is called “TEAR”, an acronym for “THEY ENTER, ATTACK and RETREAT”. Two such prominent terrorist groups are worth discussing. They are Al-Qaeda in the Islamic Maghreb (AQIM) and Boko Haram.

Al-Qaeda in the Islamic Maghreb (AQIM)

Al-Qaeda in the Islamic Maghreb (AQIM) is a Salafi-jihadist militant group operating in the Sahara and Sahel. The group traces its provenance to Algeria's civil war in the 1990's and has in the past decade become an al-Qaeda affiliate with regional ambitions. AQIM and its offshoots pose the primary transnational terror threat in North and West Africa. The group aligned with al-Qaeda in the 2000's to stage high-profile attacks and improve recruiting and fundraising and has the ultimate aim of ridding North Africa of Western influence and overthrowing governments deemed apostate, including those of Algeria, Libya, Mali, Mauritania, Morocco, and Tunisia. It aims to install fundamentalist regimes based on Sharia (Laub and Masters 2015). A successful Algerian counterterrorism campaign forced AQIM from its operational base near the Mediterranean to the Sahel region that includes Niger, Mauritania, and Mali, where the group has established footholds. AQIM and its affiliates recently launched an attack in Mali in November 2015, Burkina Faso in January 2016, and Ivory Coast earlier in March 2016. This has largely been possible due to the ease with which AQIM is able to cross the porous borders of the victim states.

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Boko Haram

Boko Haram was formed in 2002 and have a strict, fundamentalist interpretation of the Qur'an and believe that the creation of Nigeria by British colonialists imposed a Western and un-Islamic way of life on Muslims. The founder of Boko Haram, Mohammed Yusuf (1970-2009) set up a religious complex, which included a Mosque and an Islamic school. Many poor Muslim families from across Nigeria, as well as neighboring countries, enrolled their children at the school. But Boko Haram was not only interested in education. Its political goal was to create an Islamic state, and the school became a recruiting ground for jihadists. The most commonly accepted translation of the name "Boko Haram" in the indigenous *lingua franca* Hausa, is: "Western education is forbidden". *Boko* originally means fake, but came to signify Western education, while *haram* means forbidden. It has also been translated as "Western influence is a sin" and "Westernization is sacrilege". The group's official name is Jama'atu Ahlis Sunna Lidda'awati wal-Jihad, which in Arabic means "People Committed to the Propagation of the Prophet's Teachings and Jihad".

Boko Haram declared a caliphate and joined ranks with the Islamic State. Islamic State accepted the pledge and named the territory under Boko Haram's control as the Islamic State of West Africa Province. In August 2016, Boko Haram apparently split with the Islamic State over appointment by the Islamic State of a new leader to take over the affairs of Boko Haram (BBC News Website). Boko Haram easily crosses the borders of Niger, Chad (in Central Africa) and Cameroon (in Central Africa) to attack, kill and retreat. This is a worrying development as both AQIM and Boko Haram have attacked and killed innocent people in eight (8) countries within a very short space of time.

Measures for effective border control in West Africa

Several measures can be taken for effective border control in West Africa:

1. ECOWAS must have a common border control policy framework for its member states and member states must develop comprehensive national border control policies within the ECOWAS framework;
2. Member States must equip their officers with the state of the art facilities and build their technical capacity;
3. Intelligence gathering and sharing between and among states ought to be promoted and networked;
4. ECOWAS must liaise with other sub-regional bodies like Southern African Development Community (SADC), East African Community (EAC), and other development partners for this venture, and;
5. Last but not the least, member states must mobilize resources domestically to support their policy direction and this can be done through: (1) savings, for instance, the heritage fund in Ghana; (2) effective tax collection through formalizing the informal sector and taxing them, instituting a proper legal framework for tax regulation, having a formidable fiscal regime and simplifying the processes and procedures of tax registration; (3) rationalizing government expenditures by balancing spending on investments and consumption and putting a stop to sharing of state monies with friends and cronies; (4) arresting capital flight from the shores of West Africa; (5) expansion of market base in West Africa must be given serious consideration by diversifying production, embarking on manufacturing, improving the tourism and mining sectors among others.

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Conclusion

The porous borders in West Africa are due to a number of factors. Prominent among them are the lack of policies to guide the actions of ECOWAS member states and lack of arrangements to deal with border-related issues. Border control is not networked and there is a lack of synergy, cooperation and coordination within and between departments, and between states. Above all, there is lack of technical capacity and the needed resources to advance mechanisms to strengthen West African borders. Effective border control is therefore needed to stop the ease with which terrorist cross borders to attack, kill and retreat with impunity by networking borders through African initiatives by developing sound border policies by the sub-regional body (ECOWAS) and member states. These policies require effective mobilization of domestic resources by West African states while external financial assistance ought to be complementary.

By way of developing sound border control policies by both the ECOWAS and its member states, the following recommendations are given:

- (1) The policies ought to take into consideration the impact of globalization on traditional borders;
- (2) The border policies must be developed in such a way to serve as a bridge to refugees and asylum seekers and barrier to criminals particularly terrorists;
- (3) Serious consideration ought to be given in the type of investments that will be adopted in border control (whether a fence wall will be erected, border patrol agents will be deployed or high level of surveillance and radar technology will be adopted);
- (4) Border control policy directions should be extraterritorial and ought to embody legislations aimed at conducting border controls before an individual reaches the actual physical border (e.g. the intensification of visa regimes, imposition of passenger identification duties on carriers before travel, with non-compliance leading to significant sanctions under various carriers' liability schemes), and;
- (5) Border control policy ought to co-opt the private sector into performing elements of immigration control. The privatization of immigration control occurs both before and after entry, as well as both extraterritorially and within a state's territory. Prime examples of privatized immigration control are the obligation on carriers to conduct identification checks before travel (Weber 2015), the obligation on carriers to collect personal data on their passengers and to transmit these data to state authorities before travel and the obligation on employers to conduct identification checks on their employees and to refrain from employing irregular migrants (ibid 2015).

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