

Building Stronger Partnerships to Prevent Terrorism: Improving Counterterrorism Cooperation in the Horn

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Instead of addressing (and possibly repeating) what my colleague, Abebe said on the work that ICPAT is doing in Eastern Africa, I hope to concentrate in my presentation on another objective set fourth in the introduction: "This session will seek to re-evaluate US counterterrorism policy in the Horn of Africa..."

We all would want to see a Somalia where the following characteristics are a reality: Stability, prosperity, good governance, respect for human rights, rule of law, and due process. How to achieve this objective whilst the country is being categorized, as a 'collapsed state' and being confronted by internal turmoil with growing international implications is, however, another question. The next brief discussion will summarise the US strategy and hopefully present another counterterrorism option for consideration.

In brief, the United States clearly has a dual counterterrorism strategy in the Horn:

- Winning hearts and minds through addressing humanitarian needs, most notably through the drilling of wells and providing necessary medical and veterinary services.
- Military engagement in eliminating terrorists and those associated with acts of terrorism, in particular those implicated in the bombings in Kenya in 1998 and 2002. For example:
 - Following Ethiopia's invasion of Somalia in late December 2006, the United States initiated air strikes on 8 and 9 January 2007 where US forces killed approximately 70 people in Ras Kamboni and Afmadow, in southern Somalia. Abu Talha al-Sudani, Fazul Abdullah Mohammed and Saleh Ali Saleh Nabhan was the primary targets of the attacks. The aftermath of the attack increased anti-American sentiment in their support for Ethiopia. Ayman al-Zawahiri capitalized on this sentiment and called on militants to carry out suicide attacks on Ethiopian troops – the first targeting Ethiopian troops were carried out on 19 April 2007. Prior to this attack, extremists executed two suicide bombings in Baidoa, targeting the Transitional Federal Government (TFG) of Somalia.
 - On 1 March 2007 US forces staged a missile strike in Dusamareb targeting a house suspected to be used by extremists. Aden Hashi Ayro, a senior commander of the militant group al-Shabab was the target of the attack. Although Ayro and another Islamist leader were killed, along with three others in the house, casualties also included people from surrounding homes.
 - On 14 September 2009 Saleh Ali Saleh Nabhan was killed in a helicopter strike near Barawe. Nabhan was also mentioned as a target in the March 2007 strike.

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The election of President Barak Obama brought with it expectations that the United States will move away from a strong military approach to a new era in counterterrorism. This assumption was specifically taken from the decision to replace 'Global War on Terrorism' with 'Overseas Contingency Operation.' But what does this phrase really mean? Considering that drone attacks and considerable civilian casualties in the Afghanistan theatre still continues, driving radicalization and recruitment efforts for the Taliban.

Returning to Somalia, the election of President Obama brought with it a small change: Instead of using cruise missiles, as with the March 2007 attack, or gunships as with the January 2007 attacks, the United States called in its special forces in the 14 September 2009 attack, resulting in the targeted elimination of Nabhan. Helicopters involved in the attack also picked up Nabhan and others killed and injured in the attack (for identification purposes). A clear attempt to limit unnecessary casualties the attack resulted in creating another martyr to be used in a propaganda war. Ultimately, any military action has consequences and unfortunately having superior military capabilities can be a curse. This leaves people to ask: should we never engage terrorists, just to be categorized as being 'weak' against terrorism? The answer is a definite 'no', but before deciding on an approach, those deciding on the best course of action should consider the implications their actions will have on the broader strategy (in Somalia), but also on how to counter radicalization efforts abroad. It is an unfortunate reality that the elimination of terrorists and extremists are being used to radicalize others, allowing the 'virus' to spread even further. The latter specifically refers to the recruitment potential for foreign fighters to Somalia. But what is the other option? The answer: a criminal justice response to terrorism.

Identifying terrorists through intelligence (most importantly through court-directed intelligence), arrest and prosecution of suspected terrorists not only provides states with a moral high ground, it also limits the propaganda value terrorists can gain from if or when a suspect is eliminated. It is also hoped that through setting a standard, countries with poor human rights records will no longer have an excuse to 'invest' in military armaments, while support for the police and judiciary is of a lesser concern. At the same time initiatives to promote terrorism as a crime and associated reforms, for example adopting new legislation to prevent and combat terrorism – in line with UN instruments – are being hampered when an almost exclusive military approach as an example is set. Despite the fact that it is not the case, that is the perception that was created.

Understandably, assessing the situation in retrospect while not on the ground has its advantages, but it can equally be considered as irrelevant and detached from reality. While recognizing this possibility, going after terrorists with the intention of arresting and ultimately prosecuting them has a number of advantages, as highlighted in the Nabhan case below:

- Nabhan would not have received the title 'martyr' and its associated propaganda value.
- Implicated in previous acts of terrorism in the region, the arrest of Nabhan could have strengthened a regional criminal justice response – including identifying legislative inadequacies.

- It would have sent the right signals, most notably: 'you will face your victims; be brought to justice; and ultimately people will forget about you.'

In summary, the United States in its new approach to prevent and combat terrorism is encouraged to consider capturing suspected terrorists while using the military in ungoverned territories, such as Somalia – while it brings with it additional risks as witnessed in the Black Hawk Down incident. For the United States, to execute this operation would have been a process of convincing and careful planning. Clearly having the necessary intelligence capabilities, the United States is encouraged to refine its operations with the focus on arresting suspects. This should be based on the strategic objective of not creating new and unknown enemies amongst the immediate target, but also those being radicalized through the Internet and other media outlets. Moving forward the best approach should be that all actions considered and initiated are consistent in relaying the same message – winning hearts and minds, while bringing identified terrorists to justice.