



Voices of the Sahel: Criminal justice responses to terrorism

New York, 23 July 2019
*United Nations Headquarters,
Conference Room 5
3 to 5pm*

Background

In recent years, a surge in violence and armed conflicts has exacerbated development, environmental, and security challenges in the Sahel, fuelling a migration crisis and contributing to rising inequality and diminishing economic opportunities. The natural and porous borders of the Sahel have facilitated the transnational operations of smugglers and nonstate armed groups. In this state of declining human security, youth have been increasingly exposed to the risk of recruitment by armed groups and forces.

The complexity and the multidimensional nature of these challenges testify to the need to respond to the Sahel crisis in a comprehensive and integrated manner. A number of strategies, notably the United Nations Integrated Strategy for the Sahel, the African Union Strategy for the Sahel Region, and the European Union (EU) Strategy for Security and Development in the Sahel, have been developed alongside major security efforts that include the United Nations Multidimensional Stabilization Mission in Mali, the G5 Sahel Joint Force, the French operation Barkhane, and EU Missions to Mali and Niger, among others.

Although these efforts have achieved certain security objectives, long-standing community grievances and development challenges must also be addressed. The military and security response is not without its risks, as communities are caught in the crossfire and human rights violations can exacerbate tensions, undermine the trust between communities and state actors, and contribute to conditions conducive to the spread of terrorism.

In the Sahel, an increasing number of young people are being prosecuted for terrorism-related offences. In many cases, military actors have been the first responders on the ground, and have detained individuals without the judicial police authorities' involvement. Many cases have been dismissed for lack of sufficient or admissible evidence. Ambiguities in the law also persist where the protective framework of minors conflict with the repressive anti-terrorism framework. Improved coordination between the various actors in the entire judicial chain is therefore necessary to confront these challenges, and to improve the effectiveness of the judiciary's response to terrorism.

Recommendations of the Chief Justices of Sahel Supreme Courts

On 2 March 2018, in Dakar, Senegal, the Chief Justices of the supreme courts of Burkina Faso, Chad, Mali, Mauritania, Niger, and Senegal, members of the Association of Francophone Supreme Courts (AHJUCAF), unanimously adopted a set of recommendations¹ that set out guidelines on the specific role of justice in counterterrorism efforts in the region to guarantee a response that is both effective and upholds human rights and the rule of law.

These guidelines are the result of deliberations led by the supreme courts of the Sahel in seminars and study visits conducted in Mali, Mauritania, Niger and Senegal over two years, with the financial support of the governments of Canada and Japan, and the International Organisation of la Francophonie (OIF). The document translates for the first time the political will of the supreme courts of the Sahel countries to present a unified front in respecting fundamental rights in the fight against terrorism, building on international instruments and other guidance including the Global Counterterrorism Forum's (GCTF) good practices documents.

Objectives of the Meeting

The discussions will highlight key recommendations and explore the approaches adopted by the Sahel countries to respond to human rights challenges in the fight against terrorism, alongside the military response in the region. Questions will focus on evidentiary challenges, the coordination between actors in the criminal justice chain, and judicial governance reforms in the fight against impunity, access to justice, and respect for human rights in the light of the experiences of the Sahel countries.

¹ Accessible at: <https://www.globalcenter.org/publications/when-the-dust-settles-judicial-responses-to-terrorism-in-the-sahel-quand-la-poussiere-retombe-la-justice-face-au-terrorisme-dans-le-sahel/>.



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Agenda

3pm OPENING REMARKS

- **Ms. Melissa Lefas**, Director of Criminal Justice and Rule of Law Programming at the Global Center on Cooperative Security (Global Center)
- **H.E. Mr. David Drake**, Special Representative of Canada to the Global Counterterrorism Forum
- **Ms. Patricia Herdt**, Deputy Permanent Representative of the International Organization of la Francophonie (OIF)

3:10pm PANEL DISCUSSIONS

Introduction by Ms. Junko Nozawa, Senior Legal Analyst at the Global Center. Discussion moderated by Mr. Jean-Paul Jean, Chamber president at the French Court of Cassation and Secretary General of the Association of Francophone Supreme Courts (AHJUCAF).

- **Hon. Justice Badio Camara**, Chief Justice of the Supreme Court of Senegal
- **Mrs. Alizeta Koné Compaoré**, Secretary General, Ministry of Human Rights and Civic Promotion of Burkina Faso

4:20pm QUESTIONS AND ANSWERS

4:55pm FINAL OBSERVATIONS

- **Mr. Julien Savoye**, Legal Officer, UN Counterterrorism Executive Committee Directorate

***** Interpretation will be provided in French and in English.*****

A reception will follow at 6pm at the OIF Office, located at 801 Second Avenue, Suite 605.