On 19-20 June, the International Institute for Justice and the Rule of Law (IIJ) held its inaugural workshop in Valletta, Malta. The topic was countering terrorist facilitation networks in the Sahel/Maghreb and the importance of enhancing interagency cooperation at the national, regional and international levels. The participants included law enforcement and judicial officials from Algeria, Burkina Faso, Chad, Libya, Mauritania, Morocco, Niger, Nigeria, Senegal, Tunisia, the United States, Turkey, France, The Netherlands, Spain, and the United Kingdom; representatives from the African Centre for the Study and Research on Terrorism, the German Judicial Academy, the East African Police Chiefs Cooperation Organization, United Nations Office on Drugs and Crime (UNODC), United Nations Counter-Terrorism Committee Executive Directorate (UN CTED), United Nations Counter-Terrorism Implementation Task Force (UN CTITF); and several non-governmental organizations. Malta’s Minister of Justice, Owen Bonnici, opened the workshop.

The workshop began with participants from the Sahel/Maghreb regions presenting on terrorism and foreign terrorist fighter (FTF) threats specific to their respective countries, as well as the significant shortcomings they face in their criminal justice sectors’ response to these threats. These participants also highlighted the problem of vast ungoverned spaces that allow terrorist groups to move relatively easily between countries and find refuge. They noted that this challenge can best be addressed by effective regional cooperation, which does not currently exist. They also highlighted the difficulty of identifying young men who intend to travel abroad and join terrorist groups prior to their actual departure.

Almost all of the Sahel/Maghreb countries have implemented legislative reforms to bring them in line with UN Security Council requirements and Global Counterterrorism Forum (GCTF) recommendations. Participants noted, however, that relevant legal regimes need to be fully reviewed and updated as appropriate to ensure they provide investigators and prosecutors with the tools and authorities necessary, including criminalizing preparatory acts, in order to address the evolving terrorism threat.

In addition, participants highlighted capacity and other institutional challenges to effective implementation of the existing relevant legal frameworks and procedural tools. In particular, they noted barriers to effective national interagency cooperation, such as hostile relationships, distrust, and competition among the police, security services, and
military. This was identified as a significant impediment to developing regional and international cooperation. As one presenter noted, "You cannot hope to have effective regional cooperation until you have an effective national interagency cooperation regime." All participants from Sahel/Maghreb countries concurred that consistent, sustained training programs at the national and regional levels are required to help address this challenge.

To enhance the quality of interagency cooperation, participants generally agreed that immersive training programs using exercises would be valuable. Such exercises can, inter alia, replicate real world events and build trust between agencies and individuals; develop specialization, decision-making skills, case and file ownership; and raise understanding on the use and protection of intelligence information. Such training is needed now, including to educate officials on how to use the new tools to conduct successful investigations and prosecutions, and should be repeated regularly.

In his closing remarks, Robert Strang, the IIJ’s interim Executive Secretary, said he hoped that future events at the IIJ would help promote the culture of cooperation and collaboration that so many of the participants had discussed. He noted that additional IIJ workshops are planned for September and October 2014, including a September launch of a GCTF initiative aimed at building cooperation networks among CT justice officials in the Sahel/Maghreb; the use of intelligence as evidence in CT trials; the implementation of the GCTF’s kidnapping for ransom good practices; and the first of four courses to be designed and delivered at the IIJ by the U.S. Institute for Peace, which will focus on what it means to counter terrorism within a rule of law framework.

More information about the IIJ, its mandate, and upcoming events and activities can be found on the IIJ’s-website: www.theIIJ.org.