



Counter-Terrorism
Centre of Excellence

EAPCCO CTCoE Issue Paper 7 / 2022

EAPCCO CTCoE Practical Guidelines to Enhance Effective Border Security Measures in Eastern Africa

Funded by the Government of the Federal Republic of Germany
as part of the UNODC project on supporting EAPCCO and its Regional Counter-Terrorism Centre of Excellence
to prevent and counter terrorism and transnational organized crime in Eastern Africa



Abstract

Border management and security is critical to any effort to prevent and counter terrorism and transnational organized crime. This responsibility cannot be carried by one country alone, it is a shared responsibility towards collective security. At the same time, more than one agency within a given state has a mandate to safeguard and manage entry and exit, therefore requiring cooperation within each agency, between different agencies and between countries. Although these mandates and organigrams defining and managing this interrelationship may be available, the effective operationalization of these are often more challenging. On the other side of the spectrum, terrorist and criminal organization do not only study border management and security, but they also constantly test and attempt to manipulate weaknesses towards their own benefit. Addressing the growing manifestation of vulnerabilities and threats, the United Nations through its different agencies and regional organizations developed and initiated numerous initiatives to enhance coordination against collective threats. While facilitating a coordinated approach on an international level is essential, there is still a need to develop regional initiatives addressing shared and often unique challenges.

The following paper hopes to guide countries in Eastern Africa to consider enhanced practical steps to facilitate stronger cooperation.

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1. INTRODUCTION

1.1 Background

With the financial support from the Government of the Federal Republic of Germany, since 2020, the United Nations Office on Drugs and Crime (UNODC) has been implementing a project on supporting the Eastern African Police Chiefs Cooperation Organization (EAPCCO) and its regional Counter-Terrorism Centre of Excellence (CTCoE). The project benefits fourteen EAPCCO members¹ in enhancing national and regional capacities to effectively prevent and counter violent extremism and terrorism, and transnational organized crime.

One of the objectives of the project is to produce evidence-based research and knowledge products, relevant for the law enforcement and criminal justice practitioners in Eastern Africa. The CTCoE developed this paper, a new installment in the series of publications addressing various terrorism- and transnational organized crime-related challenges faced by Eastern Africa,² with the support from UNODC as part of this objective.

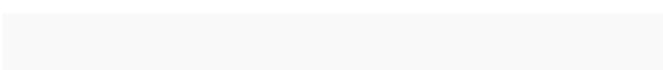
1.2 Situation analysis



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1.2.1 The threat posed by porous borders in Eastern Africa

Long and porous borders allow transnational organized crime and terrorism to thrive. It is one of the main security challenges and threats to the sovereignty that the countries on the continent face. The concept of sovereignty rests on the principle of the authority of a state to govern itself while respecting that of another state. National security, therefore, relates to the ability of the state to protect itself and those within its territory from an array of threats, from the interference of a foreign state to protecting and defending its economic interests.



1 The EAPCCO members are Burundi, Comoros, the DRC, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Seychelles, Somalia, Sudan, South Sudan, Tanzania, and Uganda.
2 Please consult the section of the EAPCCO CTCoE website to explore the full range of the EAPCCO CTCoE Issue Papers: <https://eapcco-ctcoe.org/ct-issue-papers/>

In other words, national security has a direct correlation to border security and control. It is therefore not surprising that an ability to provide security is one of the central criteria when assessing the strength of the national institutions and their ability to thwart various threats. This includes the ability to:

- Prevent cross-border invasions and infiltrations
- Prevent and eliminate domestic threats to a country's national order and social structure
- Prevent crime and other threats to domestic human security
- Prevent the loss of or control over territory
- Promote cross-border cooperation and friendly relations between neighboring countries.

The need for effective border control and management directly relates to the vulnerability and threat of terrorism and transnational organized crime. Since the United States embassy bombings in Dar es Salaam and Nairobi on 7 August 1998, the region increasingly witnessed the growing influence and involvement of external actors in radicalizing and recruiting African nationals to terrorist organizations. Originating domestically in Somalia and Uganda, al-Shabaab (SOe.001) and the Allied Democratic Forces (ADF) (CDe.001) pledged allegiance (*ba'yah*) to al-Qaida and Da'esh respectively, expanding operations to the neighboring countries. There is also a plethora of domestic threats emanating from various armed groups.

Today, Africa has become a hotbed for some of the most active Da'esh networks, and hosts some of the most dangerous al-Qaida affiliates. A recently published issue paper on the trans-regionalization of the terrorist threat in Eastern and Southern Africa³ paints an alarming picture of the growing linkages between terrorist groups in two regions, specifically referencing the issue of porous borders and active movement of foreign terrorist fighters (FTFs) among the main cross-regional security threats. Other include the proliferation of terrorist financing, linkages with transnational organized crime, and terrorist tactics linked to Da'esh and Al-Qaida.

Al-Shabaab (SOe.001) remains the most active group with a well-developed revenue collection system. In the DRC, Rwanda, and Uganda, the Allied Democratic Forces (ADF) (CDe.001) are



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responsible for the recent escalation of violence and increased recruitment of FTFs, emerging as a regional threat. Da'esh remains active, with its Al-Karrar office in Somalia serving as a terrorist financing hub and coordination center for what Da'esh regards as Islamic State Central Africa Province (ISCAP) and local groups in the DRC and Mozambique.

When groups pledge allegiance to Da'esh or al-Qaida, they need to intensify cross-border movement of trainers, fighters (FTFs), equipment (firearms, explosives, and IED components), and financial means. It is evident, then, that the nature of the threat calls for a proactive response and enhanced cooperation on border control.

Effective border control, security, and infrastructure are therefore key elements in combating terrorism and transnational organized crime. Border incidents related to terrorism and transnational organized crime include, but are not limited to:

- Illegal entry and exit of individuals and goods, including the use of officially recognized travel documents obtained through corruption and fraud, as well as falsified official documents to cross borders.

3 EAPCCO CTCoE Issue Paper 5/2022: Trans-Regionalization of Terrorism in Eastern and Southern Africa, <https://eapcco-ctcoe.org/wp-content/uploads/2022/10/EAPCCO-CTCoE-Issue-Paper5-2022.pdf>

- Smuggling of weapons and explosives, including chemical, biological radiological and nuclear (CBRN) agents and material to terrorist organizations and criminal networks.
- Contraband and counterfeit goods into and out of a country.
- Cross-border movement, including for the purpose of committing acts of terrorism within a country and/or transit through a country.
- Travelling to radicalize and/or recruit individuals to join terrorist groups abroad as foreign terrorist fighters (FTFs).
- Attacking border post, vital installations, and border communities.

UNODC's response and active programmes to strengthen border management

Recognizing the nexus between transnational organized crime and terrorism, UNODC initiated the following programmes to address other specialized areas that relate to border management and therefore also strengthen measures against transnational and international terrorism:

AIRCOP is a multi-agency project implemented by UNODC in partnership with INTERPOL and the World Customs Organization (WCO). It aims at strengthening the capacities of international airports to target and intercept high-risk passengers, cargo, and mail, and at facilitating communication and coordination between origin, transit, and destination countries to disrupt cross-border illicit flows and criminal networks.⁴

UNODC-WCO Container Control Programme (CCP) aims to build capacity in countries seeking to improve risk management, supply chain security, and trade facilitation in seaports, airports, and land border crossings to prevent the cross-border movement of illicit goods.⁵

The UNODC Strengthening Criminal Investigation and Criminal Justice Cooperation along Drug Trafficking Routes or CRIMJUST Global programme strives to enhance law enforcement and judicial capacities and institutional integrity as well as to strengthen international cooperation to support the implementation of (inter)regional counternarcotic strategies.⁶

The UNODC Global Maritime Crime Programme (GMCP) focuses on the fight against maritime crime and has a programming presence across the East Africa, including Comoros, Djibouti, Kenya, Madagascar, Mauritius, Seychelles, Somalia, and Tanzania. In addition to piracy, the programme focuses on maritime drug trafficking, fisheries crime, and the smuggling of Somali charcoal.⁷

The UNODC Global Programme for Combating Wildlife and Forest Crime (WLFC) was initiated to enhance capacity-building and wildlife law enforcement networks at regional and sub-regional levels to ensure that wildlife crime, illegal logging, and related crimes are treated as serious transnational organized crimes.⁸

While these programmes and initiatives provide strong support to the national efforts to enhance border security, several gaps remain and require the adoption of the relevant measures at the national level in the respective states.

4 United Nations Office on Drugs and Crime. AIRCOP. <https://www.unodc.org/unodc/en/organized-crime/AIRCOP/1-aircop-home.html>

5 United Nations Office on Drugs and Crime. UNODC-WCO Container Control Programme (CCP) <https://www.unodc.org/unodc/en/ccp/index.html>

6 United Nations Office on Drugs and Crime. CRIMJUST Global program. <https://www.unodc.org/unodc/drug-trafficking/crimjust/index.html>

7 United Nations Office on Drugs and Crime. Global Maritime Crime Programme. <https://www.unodc.org/easternafrika/global-programmes/global-maritime-crime-prevention/index.html>

8 United Nations Office on Drugs and Crime. Wildlife and Forest Crime. <https://www.unodc.org/unodc/en/wildlife-and-forest-crime/global-programme.html>

1.3 Objective

The objective of the practical guidelines is to increase border security through the application of good practices available in multiple guidelines developed by the United Nations (UN) through its different agencies, but within the framework of challenges and risks identified through research and engaging with counterterrorism officials.⁹

The international nature of terrorism requires states to act in concert, enabled through the Universal Legal Framework against Terrorism (ULFAT), including nineteen international legal instruments against terrorism, relevant United Nations Security Council (UNSC) resolutions, as well as the United Nations General Assembly resolutions calling for international cooperation to address the different manifestations of terrorism in which border security is a central component.

The practical guidelines aim to enhance effective collaboration and information-sharing, as well as strengthen the capacity of criminal intelligence officers, investigators, and border security officials, as well as to improve cooperation among agencies tasked with maintaining border security within and between countries to:

Considering the different types of threats and roles, border security typically includes the military mandated to protect the country against foreign security threats, border police focusing on transnational criminal threats and customs that is tasked with protecting the country's economic interests. While identifying these primary agencies this list is not exhaustive and may even overlap depending on the nature of the border in differentiating between the type of border, most notably, land, maritime, air, airport etc., the size of the border and the threat perception. Acknowledging mutual challenges, countries in the region established cross-border security agreements. For example, Operation Simba III during April 2021, as well as Operations USALAMA VII and VIII in 2021 and 2022 respectively considerable successes.

- Operate within mandates and use existing legislative frameworks to enhance cross-border cooperation.
- Detect illicit movement of persons and goods, and the use of falsified documents, leading to arrest.
- Detect and address operational and procedural challenges in border security to develop and enhance frameworks for cooperation.
- Identify relevant good practices applicable to the Eastern Africa region.
- Effectively share intelligence and security-related information, both informally and formally, in cross-border cooperation.
- Enhance cooperation between criminal intelligence, investigative offices, and border security officials, for the purpose of detecting, preventing, and investigating terrorism and violent extremism-related incidents.

It is important to consider that criminals and terrorists will always target and exploit the gaps of weak border infrastructure and implemented countermeasures. Whether it is porous and uncontrolled borders, structural weaknesses, or human limitations, the main objective will always be to play towards weaknesses and not strengths of the countermeasures. This dictates the need for a **holistic and balanced approach to the border security**, that takes into consideration various dimensions and challenges while balancing the available resources accordingly.

1.4 Methodology and key considerations

For the purposes of this paper, border control refers to controlling and managing the movement of people and goods at:

- Official **ports of entry and exit**, namely border control/crossing points on land, sea, and airports.

⁹ Discussions during the Eastern Africa Sub-Regional Training Workshop for Strengthening Cross-Border Law Enforcement Cooperation in Preventing and Countering Violent Extremism and Terrorism, organized by the EAPCCO Regional Counter-Terrorism Centre of Excellence (CTCoE) and the United Nations Office on Drugs and Crime (UNODC). This event was attended by Customs, Immigration and Border Police officers from Ethiopia, Kenya, Somalia, and Tanzania through a hybrid format between 16 and 20 November 2020.

- **Stretches between official ports of entry** with reference to unmanned or inadequately manned spaces; and
- The **interior** in referring to remote areas where the governmental institutions may lack the means to exercise effective control over the movement of small aircraft and people.

These practical guidelines recognize that every border exists in unique physical, geographical, political, cultural, and economic environments while the characteristics may be the same. This calls for distinguishable policy choices for each border (even within the same region). There are, however, some factors that generally contribute to the vulnerability of the borders, including:

- The existence of cross-border communities and intense informal movement of people and good between and within the groups sharing the same ethnicity, language, or other common attributes which are separated by a state border.
- Insufficient communication, as well as the lack of public awareness about what to look out for to identify cross-border movement of the members of a transnational organized crime group, or a terrorist group.

The value of community involvement is recognized by government and security forces, yet often very difficult to establish, especially when there exists no or limited trust between security forces and the public. Community involvement cannot be secured through legislation only. Trust and respect need to be earned. And although the responsibility rests with the public to inform the police of any suspicious activity, it cannot be done without establishing a relationship of trust and without the public being equipped with knowledge and assurances that they will not become the focus of investigation themselves should they come forward with information.

- Violent extremist offenders (VEOs) proved to be effective in manipulating and capitalizing on domestic vulnerabilities, including inequality (ethnic, religious, and financial), identity politics, and, in some instances, the limited ability of a

state to provide education, healthcare, and economic development opportunities.

- Countries should ensure that the national counter-terrorism strategies are implemented in a human rights-centered, gender-sensitive, rule-of-law-compliant manner.
- Lack of cross-border cooperation between neighboring countries negatively impacts the ability of countries to manage cross-border movements that manifests in the limited sharing of intelligence on security-related matters.

1.5 Definition of a terrorist group, terrorist suspect and the international legal framework against terrorism

For the purposes of this paper, the term “**terrorist group**” denotes a group or an entity listed under the UNSC Consolidated List pursuant to resolutions 1267 (1999), 1989 (2011), 2253 (2015), and subsequent resolutions concerning ISIL (Da’esh), Al-Qaida and associated individuals, groups, undertakings, and entities. These groups may include individuals being reasonably suspected of being a terrorist, or being associated with a terrorist group, including foreign terrorist fighters’ groups. Each country has the authority to request listing or delisting of entities engaged in terrorist acts or associated with terrorist groups from the UN consolidated list of sanctions using the mechanisms established by the UNSC resolutions.

Furthermore, at the national and regional levels, lists of terrorist individuals and groups may have also been created in accordance with domestic laws or regional frameworks and regulations, or within the scope of the UNSC Resolution 1373 (2001) for those reasonably suspected of having participated in the financing, planning, preparation of terrorist acts or in supporting terrorist acts (OP 2(e)). Hence, at the national and regional levels, the term “terrorist group” may not be limited to the entities listed by the Security Council, i.e., ISIL (Da’esh) and Al-Qaida and groups affiliated to ISIL and Al-Qaida.

While there is no universally accepted comprehensive definition of terrorism, in the context of Eastern

Africa, the EAPCCO CTCoE refers to the UNSC Resolution 1566 (2004) which condemns and calls upon Member States to prevent criminal acts, which constitute offences within the scope of, and as defined in the international conventions and protocols relating to terrorism, including acts against civilians, committed with the intent to

cause death or serious bodily injury, or taking of hostage, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing an act.



Universal Legal Framework against Terrorism (ULFAT)

United Nations Security Council Resolutions

Biding to all United Nations Member States by the virtue of having ratified the UN Charter

Nineteen international legal instruments against terrorism (conventions and protocols)

Biding to all parties that have ratified a specific instrument

United Nations General Assembly Resolutions

Non-binding but have been instrumental in consolidating and guiding the international efforts to prevent and counter terrorism

Worth noticing is that the first series of conventions and protocols criminalized acts of terrorism against civil aviation followed by later instruments intended to prevent trafficking of explosives and chemical, biological, radiological, and nuclear materials (CBRN) across borders by non-state actors. Other instruments inter alia include Security Council Resolutions (UNSCR) 1373 (2001); 1624 (2005); 2309 (2016); 2178 (2014) with reference to foreign terrorist fighters (FTFs); 2396 (2017); the UN Global Counterterrorism Strategy (2001) and the Madrid Practical guidelines (2015) all calling for and strengthening border control.

While all international legal instruments against terrorism are relevant to enhancing cooperation and border security, UNSCR 2396 (2017) particularly called for efforts to strengthen aviation security, including:

- Increasing risk awareness and response.
- Establishment of Advance Passenger Information (API) and Passenger Name Records (PNR) systems to detect the movement of terrorists through territories by civil aircraft.
- Development of watch lists or databases of known and suspected terrorists.

- Implementation of systems to collect biometric data, which could include fingerprints, photographs, and facial recognition to identify terrorists.
- Use of INTERPOL's databases and ensuring member states that law enforcement, border security and customs agencies are connected to these databases through their NCBs.

2. HARMONIZING POLICIES AND LEGISLATION



The following primary challenges were identified by Eastern Africa countries, that often prevent and hamper cooperation within a country, as well as between countries:

- No policy and/or structure in place to facilitate the sharing of information, which may also lead to uncertainty regarding the possibility to interact in fear of being professionally penalized when attempting to initiate interaction.
- No or limited will to cooperate on a strategic level.
- Information is classified and other departments and agencies are not authorized to share or receive classified information/intelligence, which is also relevant to the level of classification.
- Lack of institutional as well as individual trust is often a result of not knowing the relevant or appropriate official to interact with.
- Not trained to engage with other institutions or do not recognize the value of cooperating, which is often a result of a siloed approach to work.
- Different operational systems, with specific reference to IT systems and limited access to these networks.

The key recommendations below address the steps countries in the region may consider undertaking to mitigate these challenges. At the same time, while above highlight only some of the challenges, it is important for different agencies and respective offices to internally assess why interaction and/or cooperation is limited and what needs to be done to mitigate these circumstances.

2.1 Within states

The functioning of relevant agencies and institutions requires that each has a clear mandate codified in the relevant legislation. To facilitate cooperation and prevent potential overlap of mandates which hampers cooperation, policymakers and the legislators should **avoid institutionalizing differences** in status and remuneration systems (salaries) between civil servants representing different agencies and departments.

 **DON'T institutionalize differences /**

 **DO**

- define clear and non-overlapping mandates for the relevant agencies / institutions;
- task a central authority for cooperation;
- establish a clear line of communication.

Other steps that states may consider include **identifying and tasking a central authority** to initiate and coordinate cooperation; and **establish a clear line of communication** between departments and agencies through creating and equipping a platform to facilitate cooperation and provide the required resources (human, technical, financial, and logistical) for it to function effectively.

Simultaneously, **mutual trust, urgency, and purpose** as well as the understanding of the operational culture, mandate, and responsibilities, will facilitate and enhance interaction and cooperation.

2.2 Between states

Harmonizing legislation to facilitate cooperation is the surest way to establish **dual criminality** facilitating both extradition and mutual legal assistance. This requires effort to further enhance bilateral and multilateral relations within the region and beyond.

 **DON'T underestimate the value of regional cooperation**

-  **DO**
- a. harmonize legislation, policies, and SOPs,
 - b. enable border control officials to share information with their counterparts on the other side of the border.

To this end, states may consider the following two initial steps:

- **Effectively share information and resources**, recognizing that each country has limited resources to protect long land and maritime borders.
- **Establish standard operating procedures (SOPs)** between countries, especially between countries within the same region.

The harmonization of legislation, policies, and SOPs will prevent procedural errors and misunderstanding in relation to identifying relevant structures and procedures when countries need to cooperate across borders.

3. CONDUCT REGULAR THREAT, RISK, AND VULNERABILITY ASSESSMENTS



The main objective of threat, risk and vulnerability assessments is **to identify potential threats, risks, and vulnerabilities** as well as their **likelihood of occurring** and **assess measures and capabilities** to prevent and/or counter its manifestation when it does occur.

The latter adds an additional element to the development of policies and procedures by assessing the implementation of policies and procedures and determining their success and impact. Establishing an effective **strategic and tactical intelligence system** enables this recommendation.

Good strategic intelligence is a key requirement to the effective enforcement of border control

Strategic intelligence includes an **historical analysis of the tactics** used by terrorists and criminals domestically, in the immediate region, the broader continent, and beyond, as well as the **forecast and future projections** based on the understanding of the organization's objectives communicated through statements, newsletters, social media, and obtained through other intelligence sources.

Carrying out **threat, risk, and vulnerability assessments** allows **allocating resources and personnel more effectively**. Since countries have limited resources allocated through strategic planning following three- to five-year budget cycles, strategic intelligence analysis usually determines the deployment of personnel and dictates operational initiatives (see Figure 1: Influencing factors driving intelligence collection associated with border security management).

What is important in this analysis is to approach, evaluate and prioritize the protection of borders as a critical asset. This assessment is based on the following variables:

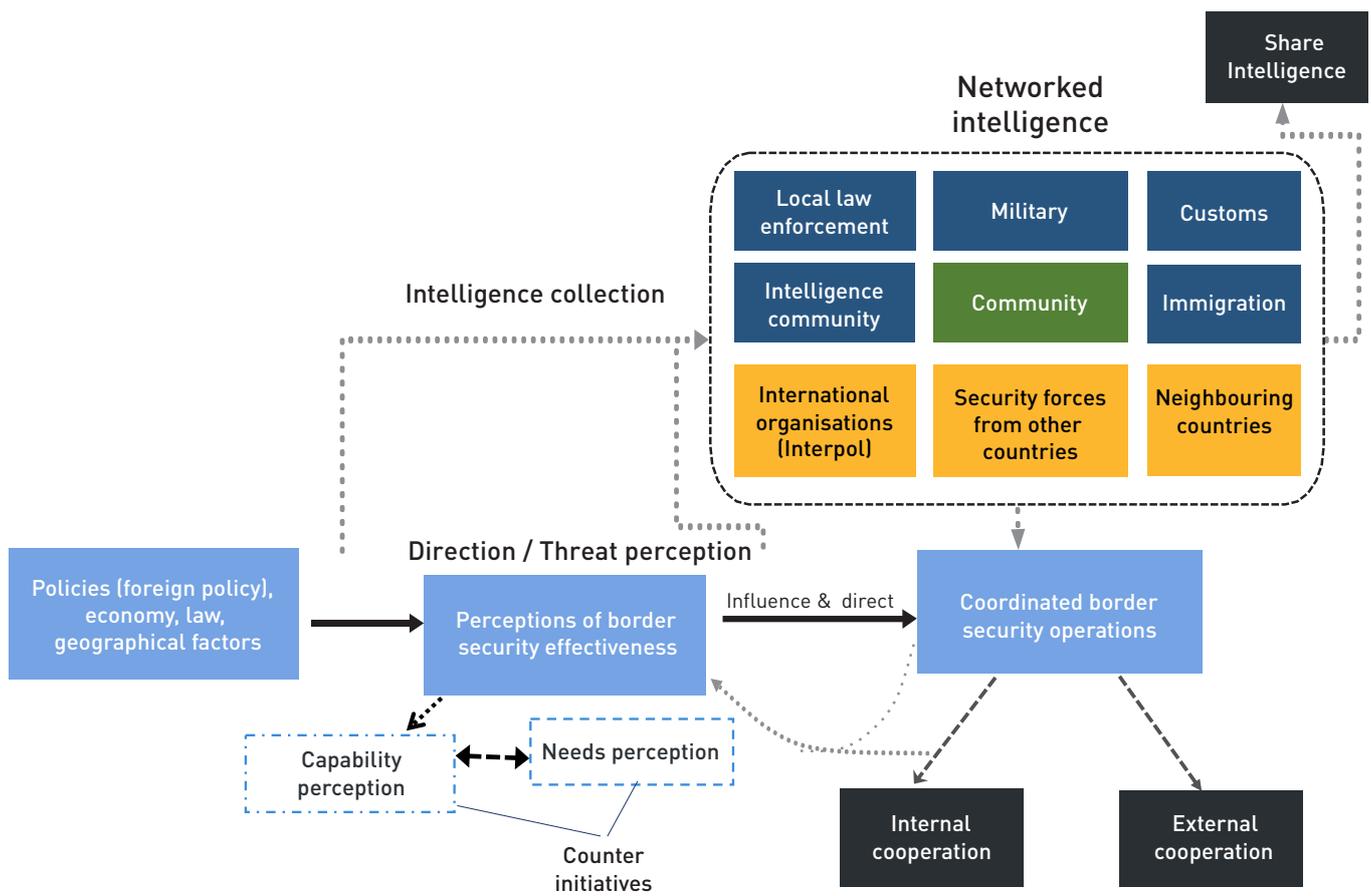
- Countries in the region do not have unlimited financial, technological, and human resources
- Each country has unique vulnerability, risk, and threat assessments

Utilizing above assessment the following criteria, traditionally used in protecting critical infrastructure, may be used to determine border security priorities:¹⁰

| | |
|---|--|
|  | Criticality: how essential is the asset (the border post, airport, seaport, etc.)? |
|  | Vulnerability: how susceptible is the border, specific border crossing and the country to surveillance and attacks? |
|  | The ability to reconstitute: how hard will it be to recover from an attack? |
|  | Threat: how probable is an attack on this asset? |

As explained in Figure 1, intelligence is critical in identifying and preventing incidents and risks of any nature.

Figure 1: Influencing factors driving intelligence collection associated with border security management



¹⁰ Anneli Botha. Prevention of terrorist attacks on critical infrastructure (Chapter 29). In Alex P. Schmid (ed) Handbook of Terrorism Prevention and Preparedness. The Hague: ICCT Press. DOI 10.19165/2020.6.01. ISBN 9789090339771 <https://icct.nl/app/uploads/2021/04/Handbook-Ch-28-Botha-Prevention-of-Terrorist-Attacks-on-Critical-Infrastructure.pdf>

Several factors play a role in assessing, developing, and implementing border security measures:

- **Continuous intelligence gathering** that cannot be interrupted based on the level of threat.

Recognizing the time it takes to identify vulnerabilities, as well as establish and build assets, terrorist and members of transnational organized crime groups will do anything necessary not to attract attention.

Therefore, the most vulnerable areas should be the areas requiring the most assistance. Furthermore, from a strategic perspective, terrorists and criminals may be attracted to areas and borders with a lower threat analysis.

In other words, the fact that an object is not placed high on the threat level may decrease the potential for illicit activity being discovered as security officials may not expect it.

- **Bilateral relations**, especially with neighboring countries have a direct impact on vulnerability, threat, and risk assessments as well as the type of measures put in place to protect national security and sovereignty. This assessment is influenced by:

- a. The history of relations between the two countries.
- b. Political circumstances, including security challenges in each country.
- c. The type of border, including the geographical terrain etc.

Above have an impact on officials' perception on how effective border security is in relation to a specific border. This perception is directly influenced by:

- **Awareness of existing capabilities and needs** (influencing the other) that will in turn impact the type of countermeasures being introduced to rectify or address this positive or negative perception.

- **The level of threat and perception related to effectiveness** will determine if there will be coordinated border security operations.

Mutual higher threat perceptions lead to urgency and contribute to cooperation between agencies within a country but also between countries.

For example, if there is a high risk of an attack, a wanted suspect potentially crossing a border, or a high probability that a particular border crossing is used in smuggling or officials expect a consignment of illegal items, officials representing different agencies with a common purpose coordinate operations better than when there is a lack in urgency and threat.

3.1 Assessing terrorist travel vulnerabilities and the type of information to be shared

Terrorist travel entails numerous categories of important **information** that **needs to be** collected and **constantly assessed, updated, and shared between agencies and between countries.**

1. **Identities of individuals implicated in organized crime and terrorism:** Within an international framework, these identities are shared through INTERPOL notices and the United Nations Security Council Consolidated List pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida and associated individuals groups undertakings and entities.

It is imperative to **develop clear steps to promptly share tactical information (identities) with neighboring countries** when identifying persons with a high risk of travelling beyond national borders, which relates to most violent extremism and terrorist suspects.

2. **Identifying key routes and travel practices of transnational criminals, by assessing:**
 - i. Which routes and transportation modes are used?
 - ii. From which-to-which area?
 - iii. Which are the jump-off points?

- iv. Which carriers are preferred?
- v. How is transport financed?
- vi. Is there training and sharing of information on known and/or expected websites and virtual forums associated with terrorist organizations informing violent extremists and FTFs of a particular mode of transport, travel preparations etc. that can be valuable tools to identify suspicious passengers?

3. Identifying illegal entry methods and residency tactics:

- i. Which countries are being used as safe havens for both long-term and short-term stays and/or used as transit countries?
- ii. Which forms of illegal entry are being used?

4. Determine the abuse of legal entry channels:

- i. Which countries' travel documents are frequently used?
- ii. How are the documents obtained?
- iii. When are these documents used?



PASSPORTS

Assess the different ways individuals may get hold of passports illegally.

Altered passports. Using stolen and lost passports, a counterfeiter inserts the false identity. Although some forgeries might be difficult to detect, trained border control officials should be able to detect these alterations.

In the case of Fazul Abdullah Mahammad, a former al-Shabaab military commander (originally from the Comoros), being in possession of a South African passport in the name of Daniel Robinson should have been suspicious, especially if he travelled through official border control points. This leaves the possibility that either a lost or stolen passport was being altered, or he managed to bribe border officials.

Blank passports or passports containing no personal details. Biometric or machine-readable passports contain a chip that replicates the data printed on the document. This measure was introduced to curb tampering. While a passport may not be biometric, other security may contain a seven-layer polycarbonate page where personal details and a photograph is laser engraved.

Legal passport obtained through corrupt means. These documents do not give any indication that it is a false document. Bribing officials to get hold of blank documents is one thing but bribing officials to issue a passport with incorrect information is far more serious. The implication would be that despite measures implemented to prevent tampering, corruption would make all these initiatives and money spent to restore the integrity of the document irrelevant.

INTERPOL's Stolen/Lost Travel Document database (SLTD) contains information on travel and identity documents that have been reported as stolen, lost, revoked, invalid or stolen blank. However, the question is: **does ordinary police officers and the public know how important it is to report a stolen or lost passport?** Furthermore, how clear are the instructions to ensure that information is captured on Interpol's SLTD?

While illegal passports have a negative impact on transnational security, countries also need to assess the integrity of other identifying documents – from birth certificates, drivers' licenses to identity documents.

5. **Illegal entry routes:** The mapping of all illegal entry routes; by land, sea (lake and rivers) and air.
 6. **Nexus between transnational criminal and terrorist networks:** Which linkages exist between criminal and terrorist cross-border travel networks?¹¹
 7. **Legal, cultural, and environmental frameworks:**
 - i. Which methods are being used to deceive border officials?
 - ii. What support technology is being employed?
 - iii. Which countries' citizenship laws are enabling?
 - iv. Which religious and/or cultural practices provide for easy infiltration?
 - v. Which conditions – cultural or environmental – make travel difficult?
- To address these challenges, relevant authorities may consider:

CONDUCT REGULAR NATIONAL AND REGIONAL ASSESSMENTS DETERMINING THE STRENGTHS AND WEAKNESSES OF BORDER CONTROL MEASURES.

- Objective assessments will analyze the emergence of old tactics as well as potential future developments. This will enable the development of counter and preventative measures before countries and agencies should reactively deal with its actual occurrence. This can be done through “Red Teams” regularly testing access to different entrance points to respective vulnerable areas. This will enable:
- Constant updating of operational guidelines to be used nationally and within a regional perspective.
- Informing other agencies within countries, as well as other countries in the region of potential shared challenges. By sharing these challenges inter-agency cooperation will be enhanced through finding mutual beneficial solutions.

IMPORTANT NOTE: To enhance the success of these ‘Red Team’ exercises, information related to when, where and how should not be relayed to respective areas being ‘tested’.

PLEASE NOTE NEVER to simulate attacks as part of these exercises to prevent the accidental use of deadly force against friendly forces.

Although conducting national threat, risk, and vulnerability assessments is the role and responsibility of the national intelligence agencies, other institutions are encouraged to conduct their own assessments.

When assessing a particular border post or crossing, it is useful to remember that perpetrators will also assess it based on the following elements:

- Probability of being killed or captured in the attempt to cross the border at that specific time, day or even month of the year.
- Consequences of raising suspicion or being captured to the overall operation (including smuggling operation).
- The complexity of the tactics required to successfully cross the border.
- Cost of crossing, for example when being required to pay a bribe or when a network facilitates illegal crossings.
- Factors not yet known (see associated box).
- Availability of alternatives. Enhancing security in one border area or border post always have a balloon effect on other less secure areas. In other words, pressure (increased security) in one area will lead to growing insecurity in another.

¹¹ The EAPCCO CTCoE

Factors not yet known may include a new system or technological advancements to detect a person's true identity or helps spot forged documents or detect hidden compartments. In addition to technology, there may also be personnel changes. For example, due to the rotation of new officials after a suspect gradually got to know the schedule of officers or develop a friendlier relationship with a person. It may also include changing techniques following new training.

3.2 Identifying and addressing the threat from within

A great threat to border security can also come from within – from the people employed at the border post or airport. Unauthorized disclosure of sensitive information, done unwittingly or deliberately may allow unauthorized access to a border post and result in a significant security breach.

People may be the biggest asset but can also be the greatest vulnerability.

Access to sensitive information, and to secure and vulnerable areas contribute to the vulnerability of personnel to be:

- **Bribed** or be susceptible to corruption.
- **“Turned”** after being approached to work for criminals or terrorists.
- **Forced** to provide information and/or assistance, through direct or indirect (family members, friends) coercion with the use of force or other means.

Internal threat may also emanate from **infiltration** – when a person from the beginning of their career is intentionally groomed by criminal and terrorist networks to work in secure facilities. These individuals are therefore placed to inform on colleagues and/or provide other forms of assistance to the illegal network or organization.

It is therefore critical that **every person allowed permanent and / or periodic access to any part of the border post or airport be vetted** and monitored when initial access is granted, as well as throughout the period any individual has access.

These individuals include, but are not limited to:

- **Officials:** Immigration, customs, police officers, fire, ambulance services, etc.
- **Airport and airline staff:** Employees working for the airport or airline companies.
- **Support personnel:** Contractors and vendors providing maintenance and other services, for example, cleaners (especially those with access to highly secure areas, for example, airplanes) etc.
- **Businesses trading inside and outside the facility**

In addition to being vetted before access is provided, periodically after, and as soon as any suspicion is raised, other basic measures to mitigate the security risk include:

- **Wearing identity cards/badges identifying the person, function, and level of access**, while measures need to be put in place for when ID cards/badges are stolen or get lost/misplaced.
- **Broaden the use of biometric access control**, e.g., facial recognition as part of the CCTV system and/or through fingerprint scanning, with access logs stored in a secure server.

4. MONITORING AND SURVEILLANCE OF BORDERS



The integrity of physical borders remains critical, particularly within the region in which every country has long land and/or blue and brown maritime borders. To protect these vulnerable frontiers, relevant authorities in countries may consider:

- Enhancing bilateral cooperation along the shared borders.
- Increasing the coverage of border patrols on both sides of the shared border.
- Construction of physical barriers

Physical barriers include fences and walls that have been the traditional manner of keeping people out (or in) to force people to make use of controlled entry and exit points. However, those wishing to cross illegally will always think innovatively and find means to circumvent protective measures and avoid controlled entry and exit points.

- Cost-effective detection technologies, such as underground and infrared sensors, heat-sensing cameras, unmanned ariel vehicles (UAVs), and radar and satellite surveillance, instead of building physical barriers, fences, and walls.
- Establish roving border patrols units as well as mobile operational units that can respond to emergencies.
- Establish observation posts at coastal towns and villages.

4.1 Cargo management and the mitigation of threats

There are several risks extended to all transportation systems, namely air, maritime, rail, and road, in which one of two strategies may apply:¹²

1. Intercept a legitimate consignment and tamper with it, referring to it as the “**hijack**” scenario; or
2. Develop a legitimate trading identity to ship an illegitimate and dangerous consignment or the “**Trojan horse scenario**”.

Measures used to mitigate the threat of these scenarios fall into five categories:

1. Container scanning.
2. Ensuring the integrity or legality of the container.
3. Controlling access to the container.
4. Tracking containers.
5. Assessing container risk via the analysis of trade-related data, e.g., where it originated from and via which countries it ended at a specific border post, port, or airport.

Not all the above measures are equally suited to counteract both the “hijacked container” and “Trojan horse” threats. Instead, the vulnerabilities of each scenario need to be assessed and measures need to be put in place to counter these threats.

Addressing the risk of criminals using cargo to smuggle illicit items, the UNODC and the World Customs Organization (WCO) established the UNODC-WCO Container Control Programme (CCP) in 2004. Through this programme initiatives focus on building the capacity of countries seeking to improve risk management, supply chain security, and trade facilitation in seaports, airports, and land border crossings to prevent the cross-border movement of illicit goods.¹³

¹² Organisation for Economic Co-Operation and Development, ‘Container Transport Security Across Modes’ 2005, URL: <https://www.itf-oecd.org/sites/default/files/docs/O5containersec.pdf>

¹³ United Nations Office on Drugs and Crime, ‘UNODC-WCO Container Control Programme (CCP)’ URL: <https://www.unodc.org/unodc/en/ccp/index.html#:~:text=The%20omission%20of%20the%20UNODC,border%20movement%20of%20illicit%20goods.>

5. COMMUNITY POLICING (ENGAGEMENT) AS PART OF BORDER CONTROL



The strategy and philosophy of community policing entail the development and maintenance of a partnership between the police and the community to fight crime and protect the country, including protecting communities against foreign and domestic threats to security. It requires the identification of all stakeholders, public (local authorities, game rangers, other security agencies) and private (traditional authorities including elders and tribal chiefs, transport companies, landowners, pastoralists, etc.), and bringing them together in protecting the community.

Successful community policing requires trust and high levels of accountability, and is structured according to neighborhoods, traditions, type of government systems, and the security requirements of all stakeholders.

Community policing at the border may require the establishment of the following:

- Developing and enhancing relationships with civilian governing bodies, e.g., on county or district level.
- Establish trans-border community committees (not to be confused with border-administrators' committees) for people-to-people, community-to-community engagement.
- Establish special border trading zones and regulations to enable cross-border communities to interact with relatives at the other side of the border.

Advantages of special border trading zones and regulations

Special border trading zones and regulations can serve as a sign of goodwill in supporting border-control mechanisms. However, this arrangement can also be used by criminals and terrorists utilizing borders to escape justice.

Hence, for this arrangement to be successful, authorities on both sides of the border need to uphold a good working relationship to either allow extraterritorial operations and/or a direct line of communication to arrest a suspect who managed to escape across the border.

Launch special-purpose development projects in remote areas where communities close to the border post lack basic services to end perceptions of marginalization and exclusion.

Why addressing perceived marginalization is important?

Negative sentiments and perceptions can harm civilian-government relations. Consequently, a marginalized community is unlikely to share information with its government and/or security forces, especially on suspects that are regarded as part of the community. To prevent marginalization, special-purpose development projects should include community awareness programmes based on the principles of good governance, and the provision of services to remote areas, including enhanced infrastructure, and building schools and clinics.

With trust and support, border communities can serve as multiplier, providing vital intelligence on irregular movements.

Practically, these measures will call for a specific tasking to the closest military post and/or police station to regularly engage and rapidly respond to threats and attacks against communities. However, by providing information to security forces, these communities themselves will most probably become the target of attacks and other intimidation tactics to prevent community members from assisting security forces.

Equally, these communities may be “forced” by violent extremist organizations to inform on the movement of government officials, or to provide information on the identity of security officials or potential informants. While recognizing that aiding terrorist organizations is a criminal offense, individuals may also aid and abet in fear of becoming targets themselves.

One approach to address these threats is setting up static security checkpoints as well as the dynamic roadblocks to identify potential suspects and the movement of prohibited and/or smuggled. However, serving its purpose, checkpoints and roadblocks may also present lucrative opportunities for corruption of officials. Considering the importance of building constructive relations between security forces and community members leading to trust, policy makers and high-ranking officials need to address this weakness.

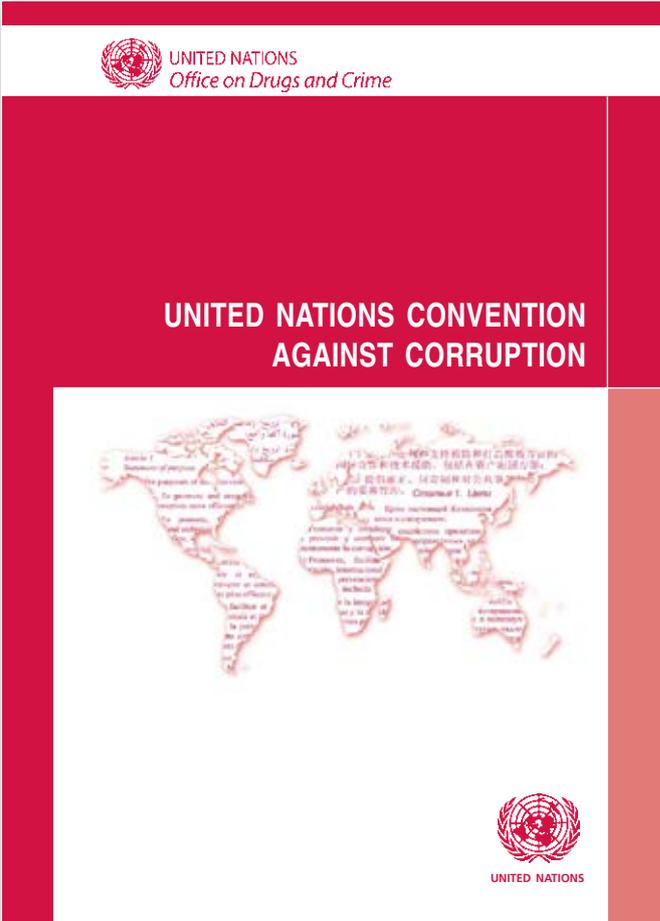
Although there are no instant **solutions to corruption**, changing a culture starts with small steps, including:

Change is possible if there is a will to change, for instance by making it clear that corruption will no longer be tolerated. In addition to official policies, more officers need to speak out against this practice. The perception that “everyone” does it, “why not me” needs to change.

Encourage and create procedures and structures for the public to come forward with information

Encourage and protect whistle blowers from within

Transparency equally implies that if action is taken against an officer, the public is made aware of actions being taken. Seeing that members do not get away with breaking the law will enhance the public’s trust in the police. It will also encourage others to come forward.



The **United Nations Convention against Corruption (UNCAC)** is the only universally binding anti-corruption instrument, setting out preventive measures, criminalization and law enforcement requirements, modalities of international cooperation, asset recovery, and technical assistance and information exchange. UNCAC is supported by an international Implementation Review Mechanism, a robust framework for peer assessment of the implementation progress. As the guardian of the Convention, UNODC provides technical and legislative assistance to the Member States.¹⁴

¹⁴ To learn more about UNCAC, please visit: <https://www.unodc.org/unodc/en/corruption/uncac.html>

6. CONSTANT AND TAILORED CAPACITY-BUILDING



Both formal and informal capacity-building mechanisms, as well as mentorships are vital to develop organizational capabilities across levels and departments.

High-ranking officers should foster and maintain a culture of professional development. Countries may consider:

- **Employ both men and women** while striving for the **representation of individuals with diverse backgrounds**, including educational, religious, ethnic, language, and geographic.
- Develop and implement **teambuilding programmes**.
- **Engage other agencies**, for example in the same border post.



DO:

- a. promote diversity;
- b. set an hour or two aside on the last Friday of each month to share information with officers and/or officials on a particular theme or discuss a recent development;
- c. share practical considerations across border posts vertically and horizontally, discuss changes in the way items are being concealed and measures to address it, conduct debriefings for your colleagues, take lead in monitoring and evaluation of the of new initiatives; d. organize informal get-togethers.

Like the above informal capacity-building initiatives, formal capacity-building should be guided by similar principles:

- Tailor training programs based on the threat, existing capabilities, and needs.

THE “WHY” IN TRAINING

There is immense value in explaining to officers **why** they are doing what is required of them. For example, while terrorist plots in the past have resulted in the adoption of reactive security measures still in place today (removing shoes, scanning electronic equipment separately, prohibiting containers in the cabin luggage with more than 100ml of liquid), officers are seldom aware why these measures are in place and what they are supposed to look for beyond the formal requirement to do so. Thus, official often focus more on formalistic requirements, than on detecting suspicious behavior. When asking officials to explain why specific decisions are being made, the common answer is because they were told to do x, y, and z and not why.

- Tailored gender-specific training where the focus is on enhanced security while empowering staff and increasing respect.
- Address the knowledge, skills, and attitudes of personnel to enhance the performance and the discharge of their duties.
- Conduct inclusive training events (between all relevant agencies) to facilitate building capacity, as well as enhance inter-agency cooperation

Although border-control agencies may incorporate multiple functions, there is one common connection among all of them: they are made up of administrative and operational personnel that should function in cohesion with each other if they are to succeed in executing objectives and responsibilities.

A quality training programme includes, but is not limited to:

- **Administrative training** – processes, procedures, relevant legislation, control measures, international agreements, memorandums of understanding and operational functions in the border-control environment.
- **Operational training** – depending on the focus and nature of the training, present scenarios, and practical exercises.

The Training Needs Assessment (TNA), conducted by the EAPCCO CTCoE in 2020 with the support from UNODC, identified the following areas to be addressed by capacity-building:

- Analyzing existing and emerging trends in the operations of terrorists with specific focus on their tactics and targets.
- Counteracting recruitment strategies of extremist, terrorist, and criminal groups.
- Countering terrorist financing by curbing revenue sources including human trafficking, smuggling of weapons and explosives, commodities, and counterfeit goods, smuggling of currency, precious metals, endangered species, and other means of generating funds involving remote areas.
- Identifying FTFs including returning FTFs and exploring the role of border control officials in deradicalization efforts, including specialized training in profiling.
- Training in human rights and gender, cultural and religious sensitivity.
- Occupational and passenger health and safety training.
- Personal safety and personal security of the officer and their families.
- The use of novel inspection methods (including non-intrusive methods), and the use of artificial intelligence to enhance border security.

SENSITIVITY TRAINING

Stereotypes can pose risks to effectively fulfilling mandated responsibilities.

Opening a suitcase in public will most probably lead to embarrassment of a passenger that could have been prevented by taking a person to a private area to conduct the search. This concern is even more valid when dealing with the luggage of an individual from an opposing gender. While it is expected that a male officer should not search a female, tasking men to search the luggage of a female traveler is offensive.

The question is not whether an action should be taken, but rather **where and how** it is conducted and in what **demeanor**.

One of the most common complaints raised by members of the community against civil servants is the lack of respect in officials' interaction with members of the public. It is even reported that under severe circumstances abuse, as well as the abuse of the position of authority, facilitated radicalization and recruitment into violent extremist organizations.

Thus, treating others the same way officials expect to be treated will go a long way in building positive and constructive interpersonal relations, especially when working with the broader public and in particularly vulnerable communities.

7. SECURING RESOURCES AND SPECIALIZED EQUIPMENT



To be effective, officers need to have the right kind of equipment to address operational requirements, as well as adequate facilities in which to function. Unfortunately, these basics are lacking. Most representatives of the different agencies participating in the TNA did not raise concerns

about insufficient personnel, but rather insufficient technical support to execute their responsibilities.

To ensure that various agencies have equipment and material resources to meet their operational requirements, countries may:

- Assess existing technological capabilities and their distribution across the country as the first step in addressing this concern.
- Based on the outcome of the assessment, adjust, and redistribute assets grounded on an analysis of existing capabilities in comparison to the volume of respective border crossings.
- Ensure that all border crossings are equipped, even if the smaller and remote border crossings are fitted with older but functioning equipment.
- Prepare and share the analysis of capabilities and existing need with international organizations or other countries to seek support and assistance.
- Enhanced border security in one country contributes to the global security.
- Establishing and maintaining a minimum international standard securing the transportation of cargo.
- Respect the creativity and resolve of terrorists and criminals to identify and exploit weaknesses in the security network.

8. CONCLUSION



These guidelines hope to spark innovative thinking by offering border control agencies and officers a set of practical tools and steps to consider. However, the challenge remains – terrorists and members of transnational organized groups are highly adaptable and will continue seeking ways to beat the system and circumvent measures put in place. The success is then defined by staying one step ahead and requires the ability to think outside the proverbial box, while staying within the boundaries of the law, respecting human rights, and being inclusive.

Recognizing the multiple challenges and limitations border control officials face, from long borders to limited technological and human resources, keeping the country and its people safe requires dedication, hard work and often luck. The problem with the latter is that while security officers

need to be capable every time to uncover multiple plots and attacks, the terrorists need to be at least partially successful only once to intimidate, cause fear, disruption, and economic consequences.

How to respond to these threats? If the answer is implementing formalistic measures only without understanding the “why”, then it is the terrorist and organized criminal groups that will gain the upper ground. Instead, it is by innovative thinking, by profiling behavior instead of appearances, and proactive intelligence, including broad participation of the communities, that countries can hope to address border security-related vulnerabilities and threats.





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Funded by the Government of the Federal Republic of Germany as part of the UNODC regional project Supporting EAPCCO and its Regional Counter-Terrorism Centre of Excellence to prevent and counter terrorism in Eastern Africa