PREVENTING INTERNATIONAL TERRORISM IN GHANA: REALITIES AND CHALLENGES

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LEGON JULY 2013
DECLARATION

I hereby declare that this dissertation is the result of an original research conducted by me under the supervision of Dr. Boni Yao Gebe and that apart from other works, which are duly acknowledged no part of it has been submitted anywhere else for any purpose.

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DR. BONI YAO GEBE
(SUPERVISOR)

DATE: ..../....../……………..
DEDICATION

This work is dedicated to the ever loving memories of my late father Mr. Raymond Kafe and my late sister Millicent Kafe. May their souls, continue to rest in peace.
ACKNOWLEDGEMENTS

I first thank the Almighty God for seeing me through this course. I also express my profound gratitude to my supervisor, Dr. Boni Yao Gebe for his enormous contributions and guidance that saw me through the research.

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My final acknowledgment goes to the entire Senior Members of LECIAD for sharing their invaluable wealth of knowledge with me.
### ABBREVIATIONS

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>AML</td>
<td>Anti-Money Laundry</td>
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<tr>
<td>AU</td>
<td>African Union</td>
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<td>AQIM</td>
<td>Al Qaeda in Islamic Maghreb</td>
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<td>AQN</td>
<td>Al Qaeda Network</td>
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<tr>
<td>BNI</td>
<td>Bureau of National Investigation</td>
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<td>BoG</td>
<td>Bank of Ghana</td>
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<tr>
<td>CDD</td>
<td>Consumer Due Diligence</td>
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<td>CEPS</td>
<td>Customs Excise and Preventive Services</td>
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<tr>
<td>CFT</td>
<td>Combating Financing of Terrorism</td>
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<td>DI</td>
<td>Defense Intelligence</td>
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<tr>
<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>FARC</td>
<td>Revolutionary Armed Forces of Columbia</td>
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<td>FATF</td>
<td>Financial Action Task Force</td>
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<td>FIC</td>
<td>Financial Intelligence Centre</td>
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<td>FXDF</td>
<td>Foreign Exchange Declaration Form</td>
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<td>GIABA</td>
<td>Inter-Governmental Action Group against Money Laundering in West Africa</td>
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<tr>
<td>IT</td>
<td>Information Technology</td>
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<tr>
<td>L.I</td>
<td>Legislative Instrument</td>
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<td>ML</td>
<td>Money Laundry</td>
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<tr>
<td>MNLA</td>
<td>National Movement for the Liberation of the Azawad</td>
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<td>MOU</td>
<td>Memorandum of Understanding</td>
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<td>MUJAO</td>
<td>Movement for Jihad and Oneness</td>
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<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>NCRC</td>
<td>National Crisis Response Centre</td>
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<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>OAU</td>
<td>Organization of African Unity</td>
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<td>PLO</td>
<td>Palestinian Liberation Organization</td>
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<td>RD</td>
<td>Research Department</td>
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<tr>
<td>SWAT</td>
<td>Special Weapons and Tactics</td>
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<td>TF</td>
<td>Terrorist Funding</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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ABSTRACT

Although terrorism is an old phenomenon, the quest to find measures to combat it reached a crescendo after the 9/11 attack on the United States of America leading to countries and the international community taking stringent measures to prevent it. Despite these efforts, the West African sub-region is plagued in recent times with terrorist activities from groups such as the AQIM, Boko Haram, Ansar Dine and MUJAO. While Ghana has not had any such attacks, its location in this turbulent sub-region makes the country vulnerable to terrorist attacks. This work therefore assesses the possibility of Ghana becoming a target of terrorist attacks or serving as a safe haven for any terrorist groups and measures put in place to avert this possibility of terrorism in Ghana. The work also examines some of the challenges faced in the fight against terrorism. Analyses of both primary and secondary data reveal that, there are no terrorist cells currently operating in Ghana. However, certain conditions prevail in the country that heightens the possibility of the country becoming a target of terrorism or a safe haven for terrorist groups. The analyses further reveal that, Ghana has put in place measures such as legislations and institutions to ensure that any terrorist attempt at the country is averted. The work also identified some challenges some of which include resource constraints and lack of Civil Society Organizations' participation counter-terrorism as frustrating the efforts of counter-terrorism in Ghana. The work also proffers some recommendations for policy consideration which include among others granting a semi-autonomous status to the NCRC and building the capacity of CSOs to support the implementation of counter-terrorism measures.
CHAPTER ONE

RESEARCH DESIGN

1.1 Background to the Research

Terrorism is not a new phenomenon since it has been used as far back as the beginning of recorded history. For many years terrorists have carried out various attacks against non-combatant targets causing massive havoc to life and property. There is however no universally accepted definition for the phenomenon. As Cyril Obi rightly noted, a lot depends on who has the power to define terrorism and the purpose that such definition is expected to serve.¹ Obi defined classical terrorism as the acts of violence by clandestine groups, involving acts of sabotage of public installations and the destruction of life and property.² He continued that, such small and well-knit groups, united by political ideology or extremist beliefs carefully plan such attacks well in advance, and often select their targets using large explosives to make a great impact, attract attention or spread grief and fear.³ He therefore concludes that, terrorism in a sense is an unconventional war against society or an established, but resented order.

Implicit in the above definition is the recognition that terrorism can either be targeted against a state or be state sponsored. This can be contrasted with the definition of the official United States code which provides that, "act of terrorism" means an activity that -- (A) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; and (B) appears to be intended (i) to intimidate or coerce a civilian

¹ Obi

² He

³ He
population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by assassination or kidnapping.\textsuperscript{4}

The face of terrorism is changing. Bruce Hoffman, noted that in the recent past, terrorist groups were identified mostly as a collection of individuals belonging to an organization with well-defined command and control systems, who had previous training - however rudimentary - in the techniques and tactics of terrorism. Such groups, he continued, engaged in conspiracy as a full-time vocation, living underground while constantly plotting terrorist attacks. At times, they were under the direct control, or operated at the express behest of a foreign government.\textsuperscript{5} The 'new terrorism' is however said to be more networked, ad hoc, lethal and dangerous.\textsuperscript{6} By the late 1990s, Audrey Cronin observed that, four trends in modern terrorism were becoming apparent: an increase in the incidence of religiously motivated attacks, a decrease in the overall number of attacks, an increase in the lethality per attack, and what seem to be the growing targeting of America and her allies, culminating in the September 11th 2001 attacks on the World Trade Centre in New York and the Pentagon in Virginia.\textsuperscript{7}

Although almost all parts of the world have witnessed some form of terrorism in the past, the Middle-East has been considered for a long time as the hot spot for terrorism due to activities of groups such as Hamas, Hezbollah, Taliban and the Palestinian Liberation Organization (PLO). Africa in recent times has also come to the limelight as regards terrorism. Terrorist groups like al Shabaab in Somalia, al Qaeda in Islamic Maghreb (AQIM), Boko Haram in Nigeria and the Movement for Jihad and Oneness (MUJAO) in Mali - the latter two in West Africa have both
claimed some sort of linkage with AQIM - have dominated discussions in the media, international fora, as well as the academic environment.

Ghana, is situated in a sub-region which is gradually becoming volatile and unstable. Ghana has also been linked to an attempted terrorist attack as well, when a Nigerian, Umar Farouk Abdulmutallab, on 25th December 2009, attempted to detonate an explosive device on board a flight to Detroit, a journey he began from Ghana.

1.2 Statement of the Research Problem

The continent of Africa, according to Margret Sosuh, is perceived as an incubator of terrorism based on the existing conditions such as bad governance, war, poverty, diseases and corruption. It is therefore no surprise that some parts of the West African sub-region are under the siege of terrorism from groups such as Boko Haram in Nigerian and al Qaeda in Mali.

Ghana though has not experienced any act of terrorism, its location in the sub-region has made it become unsafe from terrorist attacks especially due to some manifested warning signals. For example, in the year 2012 alone, there were several reports of seized arms and weapons by the Ghana Police in Ghana. A case in point was the 12th January, 2012 report by the Ghanaian media that five men were arrested by the Ghana police with a soft-drink distribution truck loaded with guns and ammunition bound for Nigeria.

Additionally, there was a news item that National Security officials in Ghana arrested 32 people including Ghanaians and some other African nationals at a training camp in the Volta Region, undergoing training with offensive weapons handling under the cover of darkness.
Apart from the foregoing problems, there are some other external factors that may predispose Ghana to terrorist attacks. These factors include the cordial relations that exist between Ghana and the Western countries which are targets of terrorist groups, foreigners who may enter the country under the pretense of tourism and therefore may not be well screened and most importantly the nearness of Ghana to all the conflict and terrorist prone countries such as Cote d'Ivoire, Mali and Nigeria in the West African sub-region.

With these problems brought to the limelight, it is worth investigating the policies and mechanisms available in Ghana to forestall any future incidence of terrorism as well as the preparedness of the country to deal with terrorism in the worse case that it happens in Ghana. Some of the questions that come to the fore are: What are the policies and mechanisms put in place to prevent the occurrence of terrorism? Are these policies and mechanisms adequate enough? What is the level of preparedness of our security agencies in countering terrorism? What are the challenges the security agencies face in dealing with the phenomenon of terrorism?

It is in regard to the above conditions that this research attempts to assess the possibility of Ghana becoming a target of international terrorism or a safe haven for terrorist groups in the sub-region and the policies aimed at preventing terrorism in Ghana as well as the bottlenecks to their successful implementation.
1.3 Objectives of the Research

The main objective of this research is to examine the possibility of Ghana becoming a target of terrorism or a safe haven for terrorist groups in the sub-region and how it can be prevented. This will be achieved through the following specific objectives:

1. Assess the existence or otherwise of terrorist conditions in Ghana;
2. Examine existing policies and mechanisms in place to counter terrorism;
3. Assess the adequacy of the policies and the preparedness of Ghana's security;
4. Examine possible challenges in preventing or countering terrorist groups from operating in Ghana.

1.4 Rationale of the Research

This research is important for many reasons. Firstly it is timely because it is conducted at the time when the world's attention is on terrorism and how to find lasting solutions to reduce it to the minimum if not to eradicate it. Given the gravity of terrorist attacks and the consequences, prevention constitutes an essential element in both national and international strategies. Assessing the situation in Ghana is therefore a step in the right direction since Ghana has also been linked indirectly to some attempted terrorist incidence. Secondly, the work serves as a useful reference material for a variety of users such as policy makers in the country, security analysts, scholars as well as students who are involved in the study of terrorism. Finally, as with every other research, this work adds up to the body of knowledge already available in the field of terrorism studies especially with regards to Ghana.
1.5 Scope of the Study

The focus of this research is on the prevention of international terrorism in Ghana. Particular attention is paid to the established measures in preventing terrorism from occurring or countering any incidence of terrorism if it occurred.

1.6 Hypothesis of the Research

Ghana is not adequately prepared in terms of policies and mechanisms to prevent terrorism from occurring or to combat it if it occurs.

1.7 Conceptual Framework

The concept of National Security is adopted for the purpose of this research. Scholars identified with this concept include; Walter Lippmann, Arnold Wolfers, Harold Brown, Kofi Bentum Quantson, among others.

Harold Brown viewed national security as the ability to preserve the nation's physical integrity and territory; to maintain its economic relations with the rest of the world on reasonable terms, to preserve its nature, institutions, and governance from disruption from outside, and to control its borders. Whiles Walter Lippmann on the other hand suggested that, a nation is secure to the extent that it is not in danger of having to sacrifice core values, such as national independence or territorial integrity, if it wishes to avoid war and is able, if challenged, to maintain those values by victory in such a war.
The concept of security is not only limited to the physical survival and territorial integrity of states as postulated by the two scholars above. UNDP, Human Security Report, 1994 argued that, "the concept of National Security has for too long been interpreted narrowly: as security of territory from external aggression, or as protection of national interests in foreign policy. It has been related to nation-states more than people. However, the legitimate concerns of ordinary people who sought security in their daily lives symbolizes security as protection from the threat of disease, hunger, unemployment, crime [or terrorism], social conflict, political repression and environmental hazards".12 This brought about somewhat shift in focus to the concept or idea of Human Security. This concept of human security which gained prominence in the 1990s has at its core, the protection of people in the state and not the state.13

Quantson viewed the concept of human security to be core to national security. In his estimation, national security should be identified with four basic word: survival, safety, well-being and contentment. He argued that the people must survive and the survival must be decent. Having survived, they should be protected so they can feel safe. After their survival and safety, the other logical imperative security needs must be their well-being and then contentment. He concluded that, the security of a nation can be at risk if the security of its human beings is threatened and that unless the security needs of the people are comprehensively and holistically addressed, national security could be a protracted risk.14

It is in this same vein that Daniel Benjamin is of the view that, when children have no hope for an education, when young people have no hope for a job and feel disconnected from the modern world, when governments fail to provide for the basic needs of their people, when people despair
and are aggrieved, they become more susceptible to extremist ideologies."\footnote{15} Benjamin argued that terrorism thrives where there is marginalization and perceived or real relative deprivation. According to him, therefore, there is the need to deal with the political, social, and economic conditions that the terrorist and terrorist groups exploit to win over their new recruits.\footnote{16}

It also worthy of note that, a school of thought, including Marc Levy, argue strongly that human security has no connection with national security. Levy for instance argued in particular that environmental degradation, which is an integral part in the discourse on human security, pose no threat to national security\footnote{17}.

This divergent view notwithstanding, the concept of National Security for this work is understood in terms of securing the territorial integrity of the state and providing for the basic needs of its people. The relevance of this concept to the research is in the fact that, terrorism is a threat to the very survival of every state. Prevention of terrorism for this reason is seen as a national security concern.

\section*{1.8 Literature Review}

Terrorism has generated immense discussion among scholars and this study examines the relevant existing literature on the concept. Particular attention is paid in the course of the review to what the concept of terrorism itself is, the causes and some of the strategies proposed by scholars to deal with terrorism.

Scholars agreed that the concept of terrorism have defied a universally accepted definition.\footnote{18} This is due to disagreement surrounding what kind of act constitutes terrorism and which one constitutes a struggle of a minority group for their self-determination. According to Martha
Crenshaw, terrorism occurs both in the context of violent resistance to the state as well as in the service of state interests. In the case of terrorism directed against governments for purposes of political change, it will be considered the "premeditated use or threat of symbolic, low-level violence by conspiratorial organizations. Terrorist violence communicates a political message; its ends go beyond damaging an enemy's material resources. The victims or objects of terrorist attack have little intrinsic value to the terrorist group but represent a larger human audience whose reaction the terrorists seek". 19

The above definition or rather description of terrorism, does not state whether similar acts carried on armed combatants constitutes terrorism. It is also silent on what is the motivation of the group carrying out the attack. Alyson Bailes provides the following: “Terrorism is generally understood to be something much more specific: the activity of groups that for a political/ideological, rather than criminal purpose, employ violence against non-combatants in non-war circumstances and often against an ultimate target that is stronger than themselves". 20

The Organization of African Unity (OAU), now African Union's (AU) Convention on the Prevention and Combating of Terrorism [Algiers Convention, 1999 Article 1(3) (a)], cited in Anneli Botha, defined terrorism as any act which is a violation of the criminal laws of states party and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to any person, any number or group of persons or cause or may cause damage to public or private property, natural resources, environment or cultural heritage and is calculated or intended to:
i. Intimidate, put in fear, force, coerce or induce any government, body, institution, the general public or any segment thereof, to do or abstain from doing any act or adopt or abandon a particular standpoint, or to act according to certain principles; or

ii. Disrupt any public service, the delivery of any essential service to the public or create a public emergency; or

iii. Create a general insurrection in the state.

Botha continued further that, Article 3 of the same convention provides that; notwithstanding the provision of article 1, the struggle waged by peoples in accordance with the principles of international law for their liberation or self determination, including armed struggle against colonialism, occupation, aggression and domination by foreign forces shall not be considered as terrorist act. It is obvious therefore that Africans intend to make a clear distinction between what constitute terrorism and what should be viewed as struggle for self-determination possibly due to their past experiences.

Hoffman Bruce identified five key characteristics of terrorism. He proposed that: terrorism is ineluctably political in aims and motives, violent - or equally important, threatens violence, designed to have far-reaching psychological repercussions beyond the immediate victim or target, conducted by an organization with an identifiable chain of command or conspiratorial cell structure (whose members wear no uniform or identifying insignia) and perpetrated by a sub-national group or non-state entity.

Any analysis of the causes of terrorism and the strategies for handling it must therefore clearly distinguish between what constitutes and what does not constitute terrorism. Again, the
clarification of what constitutes terrorism as reviewed above, is important for the purpose of analysis in this study in other that a clear distinctions could be made between violent ethnic clashes of which Ghana has experienced severally and terrorism which arguably is alien to Ghana.

Obi Cyril views the West African sub-region as an emerging terrorist hub due to what he termed its "geo-strategic" boundaries. He observed that the West African sub-region is open to influences from North Africa which has retained its long established trade and migration routes with West Africa. Some of these routes, he explained, serve as highways across the Sahara desert for African migrants seeking better life in Europe and beyond, as well as North African trading networks linked to the West African Sahelian states. This porous or poorly policed borders of trans-Saharan and trans-Sahelian African highway has attracted a lot of geo-strategic attention as possible routes for terrorists.

Obi also analyzed the threat of terrorism in West Africa in relation to the 1990 decade of conflict and civil wars in the sub-region. Within this decade, at least three civil wars took place in West Africa, that is, in Liberia, neighbouring Sierra Leone and then Guinea Bissau. In the Liberian civil war, for instance, he drew evidence from several sources including a report from the UN-supported War Crime Court in Sierra Leone to conclude that "half a dozen of senior Al Qaeda operatives worked closely with top officials in Liberia onwards from 1999 during the rule of former Liberian President Charles Taylor. It says they were basically given a safe haven to make illicit diamond deals."
He also argued that the discovery of oil in commercial quantities in most West and Central African states and consequently the vast America interest in the form of massive investment by US oil marketing companies opens the sub-region up to possible terrorist attacks from anti America terrorist organizations. He stated for instance that, "the possibility that terrorists can infiltrate an oil-rich but unstable and weak state further impels the urge to intervene to promote US security interests in the region." This is based on pre-emptive terrorist threat scenarios.

Obi criticized the mechanism currently in place to counter terrorism in the sub-region as being vertical, excluding the grassroots and often undermining the autonomy of the very people and countries that it seeks to assist in the first place. He further stated that, the approach adopted are "hegemonic, externally-driven zero-sum military top-down solutions" that do not address the historical, political and socio-economic roots of violent conflict and crises in the region. This cannot be sustainable and will eventually fail he added.

While Obi was apt in his criticisms of the measures in place to tackle terrorism in Africa, his own work fell short of providing any alternative solution or mechanism for the fight against terrorism. He also failed to recognize the efforts of African states and African regional organizations in preventing and combating terrorism as his work painted the picture of USA intervention in Africa within the context of the Bush's War on Terror. Again, the work seems to have focused much attention on the causes of terrorism that may be described as immediate factors with little discussion on underlying factors.
His work is however relevant to this study due to the analysis of the phenomenon of terrorism especially in West Africa, a sub-region within which Ghana is located. It is particularly relevant since the work also analyzed some policy measures for preventing and combating terrorism in the sub-region and therefore gives a broad framework upon which detailed analysis of same is done on Ghana, in this study.

Edward Newman categorized the causes of terrorism into two just like many other authors. The two are what he termed the Root or Underlying Causes and Precipitant Causes. For the root causes which are the main focus of his work, he argued that, "certain conditions provide a social environment and widespread grievances that, when combined with certain precipitant factors, result in the emergence of terrorist organizations and terrorist act." Newman identified conditions such as poverty, demographic factors, social inequality and exclusion, dispossession, and political grievances as being some of the root causes of terrorism.

Going further in his analysis, he sub-divided the root causes into two: Permissive Structural Factors and Direct Root Causes. Under permissive structural factors, the work identified poverty, demographic factors and urbanization. The article treated poverty in two dimensions; individual and state levels. At the individual level, Newman argued that, "poverty can breed resentment and desperation and support for political extremism". Similarly, at the state level, he observed that, "poor societies often make for weak states, which may not have the capacity to prevent terrorist activity or recruitment. They also lack the capacity for the type of educational programmes that might reduce support for terrorism. Demographic factors such as rapid population growth, especially in males and uneven distribution shifts across different ethnic groups may contribute
to the emergence of violence. With Urbanization, he argued that, urbanization coupled with poverty and unemployment can affect a disaffected population which enables terrorist recruitment and organization especially in squalid urban slums.\textsuperscript{24}

Under the Direct Root Causes, Newman mentioned several factors like exclusion and social inequality, dispossession, human right abuses, alienation, humiliation and what he termed clash of values. According to him, clash of values occurs as a result of globalization, whereby value systems have increasingly come into contact and in some cases into tension, creating the perception or fear of cultural imperialism and hegemony". He attributed the root causes of Islamic fundamentalism and terrorism to the "clash of values."\textsuperscript{25}

In his estimation therefore, terrorism - both the emergence of terrorist organizations and terrorist acts can be considered as dependent variables whiles root causes form the independent variables. Precipitant factors like leadership, funding, state sponsorship and political upheaval according to Newman, only serve as intervening variable or as catalyst. He emphasized the importance of root causes of terrorism when he concluded that, until the source of terrorism are understood and adequate policies made to tackle them, societies will not be protected from terrorism no matter the military preparedness.

Newman's article provides an essential understanding of the factors that underlie terrorist activities in many countries. Most analysis of causes of terrorism tends to be restricted to the immediate causes such as porous border, availability of arms and funding. He, however, placed too much importance on the root causes especially since well advanced societies like the USA and UK have all experienced some form of terrorism whiles some so-called poor societies have
not. Again, addressing the root can only be useful as preventive measure but not as a measure to combat terrorism. This is because, eliminating the root causes is a long term project. His work is nonetheless relevant to this study to the extent that, it provides a basis upon which the possibility of the occurrence of terrorism in Ghana can be analyzed which is an objective of the study.

Martin Ewi and Kwesi Aning provided some landmarks both with the AU and its predecessor OAU that point to prevention and combating terrorism in Africa. According to them, the OAU’s first participation in the fight against terrorism was the active part its members took in the debate of the UN General Assembly, when the issue of terrorism was first introduced onto the agenda of the latter in 1972. They however alluded to OAU Resolution AHG/Res 213 and the adoption of a Declaration on a Code of Conduct for Inter-Africa Relations in 1994 as part of the early initiatives taken by the African leaders themselves. The Algiers Convention of 1999 which according to Ewi and Aning was the first legislative instrument on prevention and combating terrorism in Africa was also discussed in some details in their article. The focus of the OAU was on coordination and cooperation.\textsuperscript{26}

Relating to the African Union (AU), the authors observed that the "the first major activity undertaken by the AU in post 9/11 period was the convening of the High-Level Intergovernmental Meeting on the prevention and combating of terrorism in Africa in Algiers, Algeria from 11th to 14th September 2002". Specific measures of the AU identified in the article include putting in place an Anti-terrorism Unit at the AU Commission, Preparing an additional protocol to supplement the Algiers Convention, Preparing the Plan of Action on the prevention
and combating of terrorism in Africa and the establishment of the African Centre for the Study and Research on terrorism.\textsuperscript{27}

Some challenges and shortcomings to the success of the AU with regard to the prevention and combating of terrorism were also elicited. These include among others, lack of follow up mechanisms, lack of capacity to develop a list of perpetrators of terrorist acts, lack of regional arrest warrants and lack of adequate human and financial resources to implement programmes.

The work of Ewi and Aning brings to the fore the efforts of the continental body in combating the menace of terrorism. Its particular attention to the measures taken by the regional body and challenges confronting the regional body in the combating of terrorism is worth commendation. These strengths notwithstanding, the work fails to analyze the successes of the regional body in their efforts towards the fight against terrorism. It is therefore strange that the work addresses challenges to success.

The work is however relevant to this study because the OAU/AU is a mere collectivity of states. The success or otherwise of the collective depends on the individual states. This study with its intention of examining policies and mechanisms for combating terrorism in Ghana, will as well considers the extent to which Ghana has implemented the AU guidelines.

\textbf{1.9 Sources of Data and Research Methodology}

The research is based on both primary and secondary sources of data. The primary data is collected from relevant institutions like the National Crisis Response Centre (NCRC), which is
tasked with the operational responsibilities of counter terrorism and the Financial Intelligence Centre (FIC) which is mandated to combat money laundering and terrorist financing in Ghana. Personal interview was conducted with the Director of the NCRC, Brigadier General William Ayamdo, on the 9th of July 2013, using an unstructured questionnaire. The data from the FIC was collected from a press conference organised by the Chief Executive Officer of the Centre, Mr. Samuel Thompson Essel on 25th of October 2012, and a personal interaction with the same person on 20th of April 2012, in a training programme held for some staff of the Ministry of Foreign Affairs in which the researcher participated.

The primary data collected from the heads of these Centres include the purpose for the establishment of their respective centres, the activities of the centres and the challenges in their operations. The respective Acts of Parliament used in analyzing, legal policy framework for prevention and combating terrorism in the country were procured from the Ghana Publishing Company Limited in Accra on 24th June 2012.

Secondary sources of data include books, journal articles, seminar papers, reports, policy documents and internet sources. Qualitative method of analysis is adopted in analysing both the primary and secondary data collected for this research. This method of data analysis is adopted because, the data collected from the interviews is not discrete or statistical in nature and therefore does not permits the use of tables and figures. This is because unstructured questionnaires were used to solicit responses from interlocutors. The data derived from the interviews and secondary sources are therefore analyzed qualitatively in a form of narrations, descriptions and explanations.
1.10 Arrangement of Chapters

The study is organised into four chapters. Chapter one is the research design. Chapter Two provides a discussion on some basic terminologies associated with terrorism and goes further to provide an overview of the causes of terrorism as pertains in the West African sub-region situating Ghana in the context. Chapter Three investigates the reality in Ghana with respect to international terrorism and assesses the existing policies and mechanisms to prevent and to counter terrorism in Ghana. It also examines the preparedness of Ghana in the fight against terrorism, and investigates the possible challenges faced in the course of this fight. Chapter Four provides a summary of the findings, conclusion and recommendations.
Endnotes

2 Ibid, p.7.
3 Ibid, p. 7.
16 Ibid, p. 9.
CHAPTER TWO

TERRORISM: CAUSES IN WEST AFRICA AND GHANA'S SITUATION

2.0 Introduction

This chapter focuses mainly on the conditions that favour the occurrence of terrorism in West Africa, and the possibility of Ghana becoming a target of terrorism or providing a safe haven for terrorists and terrorist organizations. The chapter also includes a brief understanding of some terminologies related to terrorism that are considered relevant to this work. The chapter is therefore subdivided into three: the First section deals with the terminologies. The Second and Third sections focus on the causes of terrorism as identified in the literature and an examination of the situation in Ghana respectively.

2.1 Terminologies of Terrorism

This section briefly provides an understanding of some terminologies associated with terrorism. The terminologies discussed in this section are; domestic and international or transnational terrorism and funding of terrorism.

2.1.1 Domestic versus International Terrorism

Terrorism can be categorized into two: Domestic and International terrorism. Domestic terrorism may involve groups or individuals whose terrorist activities are directed at elements of their own government or population without any foreign involvement or direction. According to Botha, domestic terrorism occurs when the act of terrorism is confined to national boundaries and does
not include targets or agents from abroad. State terrorism also forms part of domestic terrorism when state actors (police, military etc) resort to acts of terror against its own nationals.\(^1\) Whiles international terrorism on the other hand, involves groups or individuals whose terrorist activities are foreign-based and/or directed by countries or groups outside the target or victim state or whose activities transcend national boundaries.\(^2\) According to Anderson, transnational terrorism is "the use, or threat of use, of anxiety — including, extra normal violence for political purposes by any individual or group, whether acting for or in opposition to established governmental authority, when such action is intended to influence the attitudes and behavior of a target group wider than the immediate victims and when, through the nationality or foreign ties of its perpetrators, through its location, through the nature of its institutional or human victims, or through the mechanics of its resolution, its ramifications transcend national boundaries".\(^3\)

It is however rare that a terrorist group will be categorized exclusively as domestic in recent times. This is due to the networked and interlinked nature of relationships that exist between and among terrorist groups of today. For instance though the activities of Boko Haram has been so far restricted to Northern Nigeria, they can hardly be classified as domestic terrorist organization because, their leaders have issued statements that have linked them with the AQIM. Same can be said about the Ansar Dine of Mali, therefore, making them international terrorist groups.

### 2.1.2 Funding of Terrorism

Terrorists and terrorism survive on funding. Financing of terrorism as stated by Allison Bachus refers to any form of financial support of terrorism and of those who encourage, plan or engage in acts of terrorism.\(^4\) Article 2 (1) of the International Convention for the Suppression of the
Financing of Terrorism indicates that, a person commits the crime of financing of terrorism "if that person by any means, directly or indirectly, unlawfully and willfully provides, or collects funds with the intention that they should be or in the knowledge that they are to be used, in full or in part, in order to carry out an offence within the scope of the Convention". In operational terms therefore, this may involve solicitation, collection or provision of funds with the intention that they may be used to support terrorist acts or organizations.

The activities of terrorist groups such as the Al Qaeda Network (AQN) and other terrorist organizations have discredited the belief that terrorist organizations lack money. According to Nna-Emeka Okereke, terrorist organizations have established a complex network of cells and militant bases, funded through an aggregated pattern of financial networks. The funding, he intimated comes through various sources ranging from collection of Zakat, bond and securities to engagement in transnational organised criminal activities. This has enabled terrorist organizations to build complex webs of political, religious, business and financial supports globally. Other terrorist organizations like the Al Shabab, AL Qaeda in Islamic Maghreb (AQIM) and the Revolutionary Armed Forces of Columbia (FARC) according to him, have also been known to engage in the smuggling of diamond, protection rackets and drug trafficking through which they generate funds for their operations. The implication of this is that, terrorist organizations have become strong entities that sometimes control economic muscles which surpasses the national economies of some developing countries. It is this realization that terrorist networks possess vast array of sources for funding their activities that has compelled the international community to intensify measures at combating the financing of terrorism.
2.2 Causes of Terrorism in West Africa

Several factors or conditions have been identified in the literature as being the cause of terrorism. Scholars have also frequently distinguished between precipitants and preconditions of terrorism. Precipitants causes are the specific events or phenomena that immediately precede the outbreak of terrorism, while preconditions are the circumstances that set the stage for terrorism in the long-run. Similarly, the European commission also categorized the causal factors of terrorism into two, namely, Root causes and Trigger causes. This categorization is also similar to that of Botha's Underlying and immediate factors.

According to Botha, underlying causes of terrorism can be sub-divided into push factors and pull factors. Push factors according to her, refer to conditions that will generate domestic support for terrorism. Some of the push factors indentified include the level of education, socio-economic conditions, religious ideologies and level of financial support terrorists or terrorist organizations can get from a country. Pull factors on the other hand refer to domestic conditions that will draw transnational terrorist to a particular country. These factors are; availability of protection, level of safety and ease of entry into and departure from the country, as well as the availability of weaponry in that country.

It is important to note that, these factors are not peculiar to only the West African sub-region. They are generic and are therefore discussed in only relation with the happenings in the West African sub-region.
2.2.1 Root Causes or Preconditions

The conditions identified and discussed under this subsection are the level of education, socio-economic factors, ease of entry and level of support and ideological factors.

2.2.1.1 Education

The role of education as a contributing factor of terrorism is bi-dimensional. Lack of education may restrict prospects for the future and as well create social estrangement that could contribute to a situation in which a person can be influenced to provide human resource to terrorist organizations. On the other hand, educated people such as graduates from universities and other tertiary institutions who are without employment may also be equally vulnerable and can easily be used as foot-soldiers for terrorist organizations. Gary Becker, for instance theorized that, the greater the amount of human capital including income and education a person accumulates, the less likely that person is to commit a crime. The theory stated that, the greater a person’s human capital, the more that person is aware of losing out on substantial future gains if captured or killed. This same thinking can be applied to suicide terrorism, in the sense that, the less promising one’s future, the more likely one’s choice to end one's life.

Similarly, the kind of education provided by some educational institutions can encourage mobilization and radicalization hence terrorism. Educational centres especially related to the Islamic education, have been used to provide indoctrinations for potential terrorist recruits in West Africa. In the case of Boko Haram for instance, Judy Duncker observed that, the madrassas, which are centers of learning based on the sharia legal code, are now centres where indoctrination and transmission of anti-globalization, anti-American and anti-Western sentiments...
occur and where students prepare for the world-wide jihad and the creation of a global Islamic community. A course that is mostly charted through unconventional means including the use of or threat of terror as evidence in the activities of Boko Haram.

2.2.1.2 Socio-Economic Factors

Socio-economic factors are mostly touted as the root cause of terrorism especially in Africa. According to Brian Jenkins for instance, the potential causes of terrorism include: “rising population; increased poverty and scarcity; inflation and unemployment, as well as growing disparity between the rich minority and the poor majority.” A casual observation of news would for instance leave one with the impression that terrorists groups have spread across the West African sub-region and are supposedly gaining recruits from among the starving and displaced masses who have been marginalized and deprived by governments. Militant Islamic recruiters are thought to prey on vulnerable communities, building militant organizations and recruiting the next generation of terrorists from the ranks of the poor West Africans. The activities of Boko Haram can be attributed to the developmental disparity between the north and south of Nigeria although religious and ideological beliefs are also inherent. Another example that comes handy is the activities of the Tuareg rebels in Mali. These rebel especially The National Movement for the Liberation of Azawad (MNLA) claimed to have been marginalized and deprived by the various governments of Mali, and therefore took up arms to fight for the liberation of their people, a course they began fighting since the 1960s but came to a head in 2012 due to other favourable conditions.
2.2.1.3 Level of Support and Ease of Entry

The type of support terrorists or terrorist groups get from a country can be in the form of involvement either directly, or in principle, facilitation or financial support. The more assistance a person or an organization associated with terrorism gets from a country, the greater the possibility of that country being used as safe haven to launch attack against an intended target. Botha argued that, domestic circumstances, associated with the perception that, the war against terrorism is directed against a specific minority group especially Muslim, increasingly provides a support for the spread of extremism. The ease with which a country can be entered and exited is also an important element. This is because, if a country can be entered and exited without been noticed, individuals can engaged in nefarious acts such as terrorism before been noticed or might even exit the country without been noticed. The West African sub-region is characterized by porous and poorly patrolled borders, and this condition creates the possibility for all kinds of people and goods that can be used in the manufacture of improvised explosives, to enter into the sub-region. Linked with support and ease of entry is the perceived safety and easy access to weaponry that a terrorist or terrorist organization can get in a particular country. If conditions in a country make it possible for terrorists or terrorist groups to operate without being caught, this country is likely to be a target of attack or can be used as a launching point on another target. The terrorist activities in Mali for instance is believed to have gained root in 2012, because of the availability of cache of arms and other weaponry from the Libyan civil war that overthrew the Gadaffi regime coupled with the weak state that was created as a result of the military overthrow of the regime of Amadou Toumani Touré.
2.2.1.4 Ideological Factors

Ideologies associated with religion, nationalism, revolution, and the defense of status quo have all inspired terrorism in most parts of the world. Almost all the identified terrorist groups in West Africa have been linked to some kind of ideologies being Islamic or nationalist in one way or the other. Both the Boko Haram of Nigeria and Ansar Dine of Mali as well as the Al Qaeda in Islamic Maghreb (AQIM) are linked to the spread of Islam and the rule by Sharia. The MNLA on its part can be associated with a nationalist ideology. Other writers however believe that, while ideology has been a major factor in recent acts of terrorism, it is seldom the only one. Mark Juergensmeyer argued that ideologies, goals, and motivations are often entwined with economic, social, and political ones.\textsuperscript{18} The decision of a group to turn to aggression is by and large situational and so seldom restricted to the ideological tradition to which the group is related. Islam per se, does not cause terrorism, nor does any other religion with which terrorist acts have been associated. As John Esposito explained, ‘political and economic grievances are primary causes and religion becomes only a means of legitimacy and mobilization’\textsuperscript{19}. Religion, despite the strength of the argument above cannot be ignored in the fight against terrorism to the extent that, it acts as a major fulcrum around which mobilization of foot soldiers is done especially as J.K Mensah observed that, nearly half of all the 56 known terrorist organizations are religiously motivated. He concluded that, the most extremist religious terrorist group can unleash near annihilation or unrestrained violence against a target group.\textsuperscript{20}

2.2.2 Precipitant Causes

Precipitant conditions are the immediate circumstances that encourage resistance against the state. These instigating circumstances go beyond merely creating an environment in which
terrorism is possible but they also provide motivation and direction for the terrorist movement. Crenshaw provided a detailed discussion on these factors. These include the existence of concrete grievances among an identifiable subgroup of a larger population, lack of opportunity for political participation and event that immediately precedes outbreaks of terrorism.  

2.2.2.1 Existence of Concrete Grievances among an Identifiable Sub-group

The first condition that can be considered as a direct cause of terrorism is the existence of concrete grievances among an identifiable subgroup of a larger population, such as an ethnic minority being discriminated against by the majority. According to Crenshaw, A social movement develops in order to redress these grievances and to gain either equal rights or a separate state; terrorism is then the resort of an extremist faction of this broader movement. In practice, terrorism has frequently arisen in such situations. Some studies have suggested that the essential ingredient that must be added to real deprivation is the perception on the part of the deprived that, this condition is not what they really deserve or expect, that is to say, the discrimination against them is unjust. An attitude study conducted by Monica Blumenthal, for example, found that "the idea of justice or fairness may be more centrally related to attitudes toward terrorism than are the feelings of deprivation. Roland Marchal argued that, the activities of Boko Haram should be understood in different ways. One of such ways is marginalization. He stated that, Boko Haram is an ultra-violent social movement that has deep roots in the social and economic marginalization of a large section of Nigeria’s northern population. This highlights the issue of the divergent (and largely unequal) economic and social dynamics of northern versus southern states in Nigeria. It is this marginalization, and the perceived injustice underlying the
deprivation that gives rise to anger or frustration which gives rise to terrorism especially as identified with the Boko Haram.

2.2.2.2 Lack of Opportunity for Political Participation

The second condition that creates motivation for terrorism is the lack of opportunity for political participation. Governments that deny access to power and persecute dissenters create dissatisfaction. In this case, instead of economics, grievances are primarily political. In situations where paths to the legal expression of opposition are blocked, but where the regime's repression is inefficient, revolutionary terrorism is likely to occur. The terrorist organization in this case is not necessarily part of a broader social movement since the political climate is likely to make the population largely apathetic. Here again, Roland Marchal observed that, Boko Haram is being used as tool by Northern Nigerian elites to express their grievances regarding the neglect of the federal government of the North. This feeling according to him is fuelled by several events, including the agreement made by the federal government with the rebel group, the Movement for the Emancipation of the Niger Delta (which includes a significant financial component), the re-election of Goodluck Jonathan for a de facto second mandate, that is to say not adhering to the so called unwritten contract, and the lack of a strong representation of northern elites in his inner circles of government. A similar observation can be made about the grievances of the MNLA and the Ansar Dine of Mali as being part of the causes of their terrorist activities.
2.2.2.3 Governments Use of Unexpected and Unusual Force

Finally, Crenshaw observed that although it is generally thought that precipitants are the most unpredictable of the causes of terrorism, there seem to be a common pattern of government actions that act as catalysts for terrorism. Governments’ use of unexpected and unusual force in response to protest or reform attempts often compels terrorist retaliation. The development of such an action and reaction syndrome then creates a structure of conflict between the government and its challengers.\textsuperscript{27} In addition to the above, other provocative events such as contested elections, police brutality and even peace talks which results in a deadlock may all trigger the act of terrorism.

Due to a combination of the above reasons, the West Africa sub-region and indeed the most parts of the African continent is littered with quite a number of terrorist groups, most of which are centred around the areas between the northern and western Africa space which also coincides with the Sahelian zone and also the Horn of Africa. The areas including countries like Algeria, Chad, Libya, Mali, Mauritania, Morocco, Niger and Nigeria have been described as the Arc of Instability.\textsuperscript{28} The terrorist groups in this zone include AQIM, MUJAO, Ansar Dine, Ansaru and Boko Haram.

2.3 Ghana's Situation

Ghana, although seem stable and free from terrorist activities, cannot be said to free from the threat of terrorism. This is because Ghana is situated in a sub-region where some countries are under the siege of terrorist organization for many reasons. Some factors have been discussed above as favourable conditions for terrorism to occur in any country. This section examines the
extent to which such factors are endemic in Ghana and therefore the possibility or otherwise of Ghana experiencing terrorism either as a target country or as a safe haven.

2.3.1 Education

Education has been identified as a contributing condition for terrorism. It has already been discussed that, lack of education leads to vulnerability and provides foot soldiers who are easily recruitable into terrorist organizations. Statistics available on Ghana depict a picture where most people of school going age are not in school. For instance the Ghana Statistical Service data indicate that about 31 percent of adults (15 years and older) have never been to school. A further 17 percent attended school but did not obtain MSLC/BEC certificate. About 39 percent of adults have the MSLC/BEC certificate and only about 14 percent obtained secondary or higher level qualification. Thus, about half of adult population in Ghana neither attended school nor completed middle school/JSS.29

Apart from this low levels of educational enrollment and attainment nationwide, there is also a disparity between the northern and the southern sectors of the country. Data available from same source show that, Over 80+ percent of children aged 6 to 11 are attending school in all regions except the three northern regions where less than 70 percent are currently attending school (Northern, Upper East and West). Among persons aged 19 to 25 years old, the picture is almost the same, with a higher attendance rate of 80 percent in the southern sector than the 50 percent in the northern sector, thus leaving half of the youth out of education.30
These large percentages of individuals who are not educated can, with little influence, fall prey to any group including terrorist group and do any kind of work in return for alternative means of livelihood especially if this lack of education has led to these individual remaining in the deprivation trap which invariably is the case.

2.3.2 Socio-Economic

Socio-economic problems such as poverty, unemployment and rapid urbanization can provide oxygen for terrorism to flourish. Ted Robert Gurr observed that, "Poverty per se is not a direct cause of terrorism and that terrorism can occur anywhere, though more common in developing societies, rather than in poor or rich countries, and is most likely to emerge in societies characterized by rapid modernization." Rapid urbanization has led to increasing levels of 'streetism' in Accra and other major cities in Ghana. Vibrant Ghanaian youth as well as those from other parts of the West African sub-region, including Mali, Niger and Nigeria can be seen begging and doing all kind of menial works on the principal streets of Accra, Kumasi and other rapidly urbanizing centres of Ghana. They are likely to provide a good human resource for terrorist organization.

There is also the issue of graduate unemployment in Ghana. Issues of graduate unemployment have been discussed on various platforms and although there is no adequate data on it, the reality still remains that, graduate unemployment is quite high in Ghana. Only recently (in 2011-2012), some individuals formed a pressure group calling themselves Unemployed Graduate Association, (though a section of Ghanaians believed that, they are a mere political grouping doing the biding of their pay masters), and embarked on several demonstrations demanding jobs
from the government. These frustrated youth who though are educated, can if aided, engage in nefarious acts including terrorism to vent out their displeasure on the government. Another instance is the report carried by the 15th March, 2012 edition of the Ghanaian Journal where the leaders (both political and traditional) of a particular community in Ghana issued threats on the government, and the youth of the area embarked on several demonstrations swearing not the allow a development project that was relocated from their area to another area to progress, since they felt they were denied a source of employment and development. Such conditions if not properly handled provide a good recipe for future terrorism.

2.3.3 Porous Borders and Ease of Entry

Another favourable conditions for international terrorism, is the porous nature of the country's borders. Apart from the several uncontrolled and unmanned entry and exit point of the country, Ghana as a member of the Economic Community Of West African State (ECOWAS), is a party to the protocol that permits free movement of goods, services and persons within the West African sub region. Article 2 (1) of this Protocol states that, "the community citizen have the right to enter, reside and establish in the territory of member state". This protocol provides the likelihood for terrorist related organizations and individuals to enter and exit the country. It should be noted that most of the weapons (explosives) used by terrorist in West Africa are improvised explosives which are manufactured in the target territory using unsuspected materials. Such free movement by the ECOWAS Protocol notwithstanding Article 4, will contribute significantly to terrorist groups in West Africa to use Ghana as a safe haven given the relative peace and stability the country enjoys in the sub-region that is plagued with conflict. Thompson Essel argued that, Ghana finds itself in the region where terrorism has ascended to an
uncontested height of notoriety as evidenced by the activities of terrorist sects such as Harakat al Shaabab, al Mujahedeen, AQIM and Boko Haram. He therefore stated that, "the geographical proximity of some of these sects to Ghana and the political instability of some neighbouring countries as well as the rising numbers of all sorts of migrants into the Ghana owing to the oil find, and other considerations, have further made Ghana a focus of international attention in all respects".  

The Global Counter Terrorism Forum held in Algeria to deliberate issues of terrorism in the Sahel identified this border insecurity as one of the numerous challenges to countering terrorism in region.

### 2.3.4 Arms and Drug Trafficking

Another factor identified as a condition contributing to terrorism is trafficking of arms as well of drugs. Most writings and working groups have identified a nexus between drugs and arms trafficking on one hand, and international terrorism on the other. Crime like drug trafficking and piracy according to The Global Counter Terrorism Forum is closely intertwined with terrorism. Traffickers from Latin America seek to facilitate the movement of drugs, humans, vehicles, falsified documents and other contraband goods through the Sahel onto other destinations outside of Africa. This is because terrorist organizations derive most of their funding from these illegal activities. Ghana has been plagued with the menace of drug trafficking, especially in recent times. The current case of such occurrence is the arrest of the Managing Director of Ghana's Airport security company in the USA for possessing narcotic
drug. The possibility that those involved in the drug trade may be part of a larger syndicate that finances terrorist activity, can only be speculated for now, but may not be farfetched.

Much as Ghana seems to be very stable and violent free, conditions favourable for the outbreak of terrorism as identified literature exist in different degrees in the country. The conditions discussed in this section, are however the root or underlying conditions which when complemented with the trigger conditions can lead to the outbreak of terrorism in the country. The trigger conditions are for now hard to identify in the Ghana.

Electoral disputes have been identified as one of the trigger or precipitant cause of terrorism if the root causes are adequate enough to generate the necessary momentum. Ghana's 2012 presidential election's outcome has been disputed by the main opposition candidate and has since been contesting the outcome in the Supreme Court of Ghana. While still in court, both the opposition and the ruling parties have been involved in what seem to be the mobilization of the youth in the form of formation of groups like "Let my Vote Count" and "Respect my Votes" respectively, in support of their courses. These groups have made various statements in what seem to be a preparation for possible violence if the ruling of the court is not favourable to them. This is a recipe for insurgency and possibly, terrorism.

J.K Mensah maintained that, Ghana is not immune from terrorism as it is in fact attractive to individuals and organizations engaged in terrorism. He cited the some examples that led to the above conclusion to include, The existence of growing and vibrant alien community spread around regional capitals, the proliferation of internet cafes and their use for online transactions.
by terrorist groups/organizations; the increase in activities of extremist/fundamentalist NGO
sponsored institutions, the improvement in the country's business and investment environment
that is attracting off-shore capital and western partners in particular who could be targets of the
fundamentalist groups, the ongoing development of the country's IT infrastructure that could
facilitate communication and flow of funds from extremist organizations, which are used by
terrorist to increase their influence, recruit and spread extremist view and ideologies, the search
of greener pastures by Ghanaians make them easy target for recruitment by mercenary
collaborators in war torn countries such as Iraq and Afghanistan and other countries.  

From the foregoing analysis of the situation of Ghana in the context of the causes of terrorism in
West Africa, it is not out of ordinary to conclude that, Ghana is not immune from international
terrorism. To prevent its occurrence will require a concerted and coordinated effort from all
relevant institutions in the country and beyond. The next chapter is devoted to the investigation
of the mechanisms available to combat terrorism in Ghana.
Endnotes


2. Ibid., p. 3.


8. Ibid., p. 13.


22. Ibid. p. 383


25 ibid, p2
28 see Angelia Sanders and Samuel Lau (2012). Al Qaeda and the African Arc of Instability. Comprehensive Information on Complex Crises Civil-Military Fusion Centre
30 ibid, p.11
33 See ECOWAS Protocol A/P.1/5/79.
34 Article 4 of the ECOWAS Protocol on Free Movement provides that, Notwithstanding the provisions of Article 3 above, Member States shall reserve the right to refuse admission into their territory to any Community citizen who comes within the category of inadmissible immigrant under its laws.
35 Samuel Thompson Essel, Chief Executive Officer, Financial Intelligence Centre, Ghana, Press statement on October 25, 2012
36 Sahel Working Group, Co-Chair’s Summary, (Algiers; Global Counter Terrorism Forum, 2011); pp. 5-7.
40 the Salafist Group for Preaching and Combat (GSPC), which eventually became known as AQIM, is a breakaway group of the Armed Islamic Group (GIA). The immediate cause for formation of the GIA is an electoral dispute in Algeria.
CHAPTER THREE

PREVENTION OF TERRORISM: MECHANISMS AND CHALLENGES

3.0 Introduction

This chapter focuses on four main issues; the reality of the threat of international terrorism in Ghana, the mechanisms available to prevent or combat international terrorism in Ghana, adequacy of these mechanisms and finally, the challenges in fighting terrorism in Ghana. The chapter is accordingly divided into four sections. The First section deals with the realities of the threats of international terrorist. The second assesses mechanisms available in the fight against terrorism in Ghana. Section three examines the adequacy of these mechanisms vis-à-vis the nature of terrorist threats in Ghana and assesses how prepared the country is in the combat of terrorism whiles the final section discusses some operational challenges in the fight against terrorism.

3.1 Realities of the Threat of International Terrorism in Ghana

According to Brigadier General William Ayamdo, there are no terrorist cells currently based and operating in Ghana. He was however quick to admit that, certain conditions that exist in the country, makes the country unsafe from terrorist invasion. Some of these conditions according to him, include frequent visits of individuals known to be members of terrorist groups to Ghana. He recalled an instance when in 2006, Ghana had to repatriate a British national of Barbados origin who is known to have close links with the Al Qaeda Network due to some clandestine activities the said British national was involved in. Ayamdo narrated another situation when a prominent member of AQIM arrived in Ghana in 2007, in a bid to buy fertilizer. He was later spotted in
some other towns, including Kumasi. It should be noted that, fertilizers are known to be a good material for the manufacturing of improvised explosives. The collaborators of this AQIM member are not known since he had since not return to Ghana after purchasing several quantities of fertilizer.

Another reality identified by Ayamdo in the interview with him, is the existence of business entities in Ghana that seem legitimate but are actually fronting for known terrorist organizations. These companies are engaged apparently in legitimate businesses but channel their profits to the support of terrorist organizations. He noted that, Ghana is considered as a good investment destination for many people from the Diaspora. He intimated for instance that, in late 2003, the NCRC conducted an underground operation in Takoradi in the Western Region where upon investigation by the BNI, the Police obtained a Bench Warrant to cordon and search a company. Upon the search, they confiscate some items including computers and documents which aided the Centre to confirm that, this company was fronting for a terrorist organization.

Some of the foreign nationals who according to him are on the raider and been investigated as fronting for terrorist organizations include especially the Lebanese. Some Lebanese companies he stated, are suspected to be fronting for the Hezbollah and are siphoning monies from Ghana to finance activities of Hezbollah. It still in contention as to whether Hezbollah remains a terrorist group or it should now be considered as a legitimate political party. Much as it is a political party owing to the fact that it has won elections and is governing Lebanon, its armed wing is believed to be linked with terrorist activities around the world.
Closely related to the above phenomenon is the influx of International Non-Governmental Organizations (NGOs) into Ghana. These NGOs operate in various sectors of the country including education, health, agriculture governance and others. Their work in these sectors enables them to have access to most parts of the country as well as various government institutions. While these NGOs are not necessarily fronting for terrorist organization, there are some NGOs identified by the NCRC whose representatives according to Gen. Ayamdo, have links with terrorist organizations. Here too, he intimated due diligence conducted on some NGOs in Ghana revealed that, some of their senior representatives have gone through Al Qaeda training in Afghanistan and other places prior to their employment by the NGOs they represent in Ghana. These few and others which may not have come to the notice of the Centre, placed the international terrorist threat in Ghana on a high scale though no terrorist group has been able to successfully carry out an attack on Ghana.

3.2 Policies and Mechanisms to Prevent International Terrorism in Ghana

Ghana's efforts to prevent terrorism date back to the first republic under the regime of Dr Kwame Nkrumah when terrorism was criminalized under the Criminal Offences Act of 1960 (Act 29). This section examines the mechanisms available in Ghana, in two subsections; mechanisms adopted from the international community and home grown mechanisms.

3.2.1 Mechanisms Adopted From the International Community

At the international level, Ghana has ratified or acceded to numerous international instruments in the form of conventions and protocols in the fight against international terrorism. Ghana for instance is a signatory to several United Nations' Conventions and Protocols some of which


As a member of the Organization of African Unity (now African Union), Ghana has also ratified the OAU Convention on the Prevention and Combating of Terrorism, Algiers, 1999. Another international Convention which Ghana has acceded to is the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and other Related Materials (2006). This
Convention bans the importation and exportation of arms and ammunitions into and out of the sub-region by states and non-state actors without the explicit authorization from the member states.

These international conventions and protocols are in one way or the other related to the prevention of international terrorism and terrorist threats in the world and therefore put obligations on party states to domesticate and implement some these measures to prevent acts of international terrorism as adopted at the multinational level. Ghana being party to all these fourteen protocols and convention, is a manifestation of abhorrence of international terrorism in Ghana.

3.2.2 Home Grown Mechanisms

Apart from the international Protocols and Conventions that Ghana is a party to, measures have also been taken in the country to curb the occurrence of international terrorism. One of such measures is the enactment of the Anti-Money Laundry Act 2008 (Act 749). This Act prohibits money laundering in any form in Ghana. Section one of the Act in fact stated explicitly that, a person commits an offence of money laundering if the person knows or ought to have known that property is or forms part of the proceeds of unlawful activity and the person- (a) converts, conceals, disguises or transfers the property, (b) conceals or disguises the unlawful origin of the property, or (c) acquires, uses or takes possession of the property.

In defining what the Act meant by an unlawful activity, the Clause Two of Section One stated categorically that, "For the purpose of this Act, unlawful activity means conduct which
constitutes a serious offence, including the financing of a terrorist act or contravention of a law which occurs after the commencement of the Act whether the conduct occurs in Ghana or elsewhere”. Not only is it a crime to launder money in Ghana or everywhere as recognized by the Act, but it is also a crime for anyone to aid and abet the crime of money laundering. Section Two of the Act for instance states that, "a person commits an offence if the person knows or ought to have known that another person has obtained proceeds from an unlawful activity and enters into an agreement with that other person or engages in a transaction where - (a) the retention or the control by or on behalf of that other person of the proceeds from unlawful activity is facilitated, or (b) the proceeds from that unlawful activity are used to make funds available to acquire property on behalf of that other person". A person who contravenes section 1 or 2 according to section 3 of the Act, commits an offence and is liable on summary conviction to a fine of not more than five thousand penalty units or to a term of imprisonment of not less than twelve months and not more than ten years or to both.

In order to ensure the Act is put into practical effect, there is a provision in the Act for the establishment of a body to oversee the implementation of the provisions of the Act. Section four clause one provides that, there is established by this Act a body to be known as the Financial Intelligence Centre. The objective of this Centre as stipulated in section five, is to (a) assist in the identification of proceeds of unlawful activity and the combat of money laundering activities; (b) make information available to investigating authorities, the intelligence agencies and the revenue agencies to facilitate the administration and enforcement of the laws of the Republic; and (c) exchange information with similar bodies in other countries as regards money laundering activities and similar offences. This body has since been in effect, performing the functions
assigned to it by the Act. Some of the functions include, processing, analyzing, disseminating and interpreting information disclosed to or obtained by the Centre in terms of the Act; informing, advising and co-operating with investigating authorities, supervisory bodies, the revenue agencies, the intelligence agencies and foreign counterparts as well as monitoring and giving guidance to accountable institutions, supervisory bodies and other persons on the discharge of their duties and in compliance with the Act.

The importance of this Act to the fight against international terrorism lies in the fact that, terrorism and terrorist acts thrives on funding and it is has been recognized that, one of the major means of terrorist funding is money laundering. Criminalizing the act and putting measures in place to curb it, ensures that, terrorist are starved of the necessary funds generated through this means. It is also important to note that, clamping down on money laundering goes a long way to prevent other predicate crimes such as drug and human trafficking, hijacking, hostage taking and similar other crimes from which the laundered monies are generated.

Followed by the Anti-Money Laundry Act in the same year is the enactment of the Anti-Terrorism Act 2008, (Act762). This Act is intended to combat terrorism, suppress and detect acts of terrorism, to prevent the territory, resources and financial services of Ghana form being used to commit terrorist act, to protect the right of people in the country to live in peace, freedom and security as well as to provide for other connected purposes. The Act adequately criminalizes terrorism and its related activities and commensurate penalties prescribed in accordance with Article 19(11) of the 1992 Constitution, which provides that: “No person shall be convicted of a criminal offence unless the offence is defined and the penalty for it is prescribed in a written
law”. Some of the provisions of the Act which criminalizes terrorism and other related acts is worth highlighting.

One of such provisions is the Concurrent and Universal Jurisdiction given to the High Courts of Ghana to try terrorism and terrorist related cases irrespective of the nationality of the perpetrators or the territory in which it is committed. Section five of the Act for instance provides that, the High Court has jurisdiction for an act which constitutes an offence committed outside this country if the act constitutes an offence in this country where;

a) the person committing the act is
   i) a citizen of Ghana or
   ii) not a citizen of Ghana but is ordinarily resident in Ghana.

b) the act is committed to compel the government to do or refrain from doing an act;

c) the act is committed against the citizen of Ghana;

d) the act is committed against property outside the country that belongs to the republic;

or (e) the person who commits the act is after its commission found present in Ghana.

Just as the Anti-Money Laundry Act criminalizes aiding and abetting money laundry, so does this Act criminalizes support for terrorism and terrorist activities in any form. Sections eleven and twelve of the Act made provisions for these. Section eleven provides that, a person who knows that a group is a terrorist group and

a) solicits or gives support to that group for the commission of a terrorist act, or

b) solicits support for or gives support to that group for the commission of a terrorist act commits an offence.

clause two of the above section explained support to mean;
a) the provision or an offer to provide, forged or falsified travel document to a person connected with a terrorist act or to a member of a terrorist group;

b) the provision or an offer to provide a skill or expertise for the benefit of, at the direction of, or in association with a person or terrorist group;

c) entering or remaining in the a country for the benefit of or at the direction of or in association with any person or a terrorist group.

Similarly, section twelve clauses one and two provide that

(1) a person who habours or conceals a person knowing or having reason to believe that the person

   a) has committed, is planning or likely to commit a terrorist act, or

   b) is a member of a terrorist group

commits an offence.

2) a person who prevents, hinders or interferes with the apprehension of a person knowing or having reasons to believe that the person

   a) has committed, is planning or likely to commit a terrorist act, or

   b) is a member of a terrorist group

commits an offence.

The Act also criminalizes recruitment of persons as a terrorist or into a terrorist organization. Sections fourteen and fifteen cater for this aspects. Section fourteen provides that, a person who recruits or agrees to recruit another person

   a) to be a member of a terrorist group, or

   b) to participate in the commission of a terrorist act

commits an offence.
According to section fifteen also, a person who provides or agrees to provide training or instruction

   a) in the making or use of an explosive or other lethal device,

   b) in carrying out terrorist act, or

   c) in the practice of military exercises or movements.

Knowing that the training or instruction is been provided to a member of a terrorist group or to a person engaged in a terrorist act commits an offence.

Another section that is worth mentioning is section sixteen. This section states that, a person who

   a) incites or promotes the commission of a terrorist act,

   b) incites or promote membership of a terrorist group or

   c) solicits property for the benefit of a terrorist group or for the commission of a terrorist act

commits an offence.

The punishment for the offences mentioned above as provided in the Act ranges between seven years and twenty five years imprisonment. There are other sections of the Act, which also provided for the confiscation of properties belonging to a terrorist organization or used to commit terrorist act or terrorist related acts.

These two Acts (Act 749 and Act762) and other fringe Acts such as the Immigration (Amendment) Act, 2012 Act 848 which prohibit migrant smuggling, and the Economic and Organised Crime Act, 2010 Act 804, which is to prevent and detect organised crime, and generally to facilitate the confiscation of the proceeds from crime, all together provide a policy framework within which international terrorism is being combated in Ghana. It is also worth
noting that Legislative Instruments (L.Is) have been passed to complement each of these Acts. These L.Is give fine details for the effective implementation of the Acts.

3.2.2.1 Efforts to Prevent Money Laundering and Terrorist Financing

Operationally, the Financial Intelligence Centre (FIC) is in charge Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT), in Ghana while the National Crisis Responds Centre (NCRC) handles the prevention of international terrorism and threats of it, in Ghana.

The FIC according to Mr. Samuel Thompson Essel, the Chief Executive Officer, has put in place several measures to ensure the prevention of the above twin-menace. To enhance the effective operations and function of the Centre in view of increase volume of its work for instance, Mr. Essel revealed that, the FIC engaged its permanent staff in 2012 after it started operations in January 2010, the IT infrastructure of the FIC has also been constructed, and the requisite equipment and software installed to receive and store electronic data. The FIC according to him has also established and commission Local and Wide Area Networks for its operations. In addition, both the permanent and seconded staff were given extensive and comprehensive in-house, local and foreign training on AML/CFT matters.

Essel further intimated that, the FIC in collaboration with other Agencies in Ghana, have made some of efforts in AML/CFT matters. Some of these measures include, the establishment of AML/CFT Unit in Bank of Ghana, and Securities and Exchange Commission and the implementation of the Bank of Ghana AML/CFT Guidelines through the support provided by
Office of Technical Assistance of the Department of the Treasury, USA. The FIC in collaboration with key stakeholders have also carried out series of AML/CFT outreach programmes for the Gaming Commission, Lawyers and Notaries, Dealers in Precious Metals and Rural Banks. In addition, he noted that, the National Insurance Commission and Securities and Exchange Commission with the support of FIC and Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) conducted outreach programmes for Accountable Institutions in their respective sectors. Again in July 2012, six Superior Court Justices, including Her Ladyship the Chief Justice, were sponsored by GIABA to update their knowledge in AML/CFT in Minnesota, USA.

Being a Centre for intelligence, the FIC realized the importance of information generation and sharing. The Centre according to Essel has therefore accordingly made arrangements with some of its foreign counterparts for Information Exchange. He revealed for example that, in 2012, Memoranda of Understanding (MOU) on intelligence exchange were executed with Nigeria and South Africa, in accordance with section 5(c) of Act 749 and consistent with the provisions of Act 807. These together bring the number of MOUs signed with foreign counterparts to six.

In spite of the above measures, the Financial Action Task Force (FATF), an international organization, on February 16, 2012, issued an adverse Public Statement on Ghana and some other countries. The FATF stated that, "Ghana has taken steps towards improving its AML/CFT regime, including by ratifying the UN Convention on Transnational Organised Crime and Customer Due Diligence (CDD) guidelines. The statement however went further to reveal that, despite Ghana’s high-level political commitment to work with the FATF and GIABA to address
its strategic AML/CFT deficiencies, Ghana has not made sufficient progress in implementing its action plan, and certain strategic AML/CFT deficiencies remain”. The FATF admonished Ghana to work on implementing its action plan to address these deficiencies, including by: (1) adequately criminalizing money laundering and terrorist financing, (2) establishing and implementing adequate measures for the confiscation of funds related to money laundering, (3) establishing a fully operational and effectively functioning Financial Intelligence Unit, and (4) establishing and implementing adequate procedures to identify and freeze terrorist assets. The FATF encouraged Ghana to address these deficiencies and continue the process of implementing its action plan. The statement therefore cautioned FATF member states to take into account the risks associated with the strategic deficiencies in Ghana’s AML/CFT regime. Ghana was by this statement identified as a high risk Money Laundry and Terrorist Financing jurisdiction.

In the light of this indictment, Essel intimated that new impetus was given to the fight against money laundering and financing of terrorism in Ghana. Some of these new measures he cited include the Amending of the Criminal Offences Act, 1960 (Act 29) in 2012, to criminalize the remaining predicate offences of Money Laundering. They included the following: Unlawful use of human parts, Enforced disappearance, Sexual exploitation, including sexual exploitation of children, Illicit trafficking in explosives, firearms and ammunition, and Racketeering; The enactment of the Immigration (Amendment) Act, 2012 (Act 848) to criminalize migrant smuggling; The passing of the Anti-Terrorism Regulations, 2012 (LI 2181) to adequately criminalize terrorist financing and also broadened the scope of powers to freeze, seize and confiscate proceeds of terrorist related crimes; and The passing of Economic and Organized Crime Office (Operations) Regulations, 2012 (LI 2183) to complement the parent enactment,
(Act 804). These new measures and other operations conducted in collaboration with the security agencies, arguably yielded an extraordinary results to the extent that, on October 19, 2012, the FATF reassessed Ghana’s AML/CFT regime and the steps taken to address the strategic deficiencies. Their satisfaction with the new measures led to the removal of Ghana from its black list on the same year.⁴

Though Essel conceded that the country cannot be said to totally rid of the crime of money laundering and terrorist financing, he nevertheless reiterated that, there at least exist the policy framework and institutions which are capable and in fact working hard to keep the crime under control.

### 3.2.2.2 Mechanism to Prevent International Terrorism in Ghana

The body charged with the responsibility of ensuring the prevention of international terrorism in Ghana as stated earlier, is the National Crisis Responds Centre. This Centre according to Gen. Ayamdo was formally established in 2001 as a collaborative effort between the United States Government and the Government of Ghana, under the National Security Council. Prior to its establishment however, he recalled that, the US government had collaborated with the Ghana government to train some Ghanaian Security Officials in Counter-Terrorism Analysis, immediately after the 1998 US Embassy bombings in East Africa.

Regarding the structure of the Centre, Gen. Ayamdo intimated that, the NCRC in its current form is made up Liaison Officers from the six main Security and Intelligence Agencies in Ghana. These agencies include the Department of Defense Intelligence (DI), Bureau National
Investigation (BNI), Research Department (RD), Ghana Police Service, Ghana Immigration Service and the Customs Excise and Preventive Services (CEPS, now known as the Customs Division of Ghana Revenue Authority). The Agencies coordinate with each other in the provision and sharing of information and intelligence in respect of counter terrorism and also in conducting counter terrorism operations within and outside Ghana. The Centre he maintained, also collaborates with several other similar bodies around the world in fighting international terrorism.

As a result of the threats of international terrorism identified in Ghana, some measures have been put in place by the Centre to forestall any successful act of international terrorism. Some of these measures as gathered in the interview of Gen. Ayamdo are discussed below.

The first to be mentioned is the mutual collaborations that exist between Ghana’s counter terrorism centre and the centres of other friendly nations. It has been mentioned earlier that, the establishment of the Centre in Ghana, was a collaborative effort between Ghana and the US governments. Apart from these, the Centre as explained by Gen. Ayamdo, works in collaboration with their other counterparts to receive and disseminate information on the activities of known terrorists and their collaborators around the world. Their movements, business transactions and other activities are keenly monitored and shared among the collaborative agencies. The Centre in Ghana therefore gets to know when any such person is about to visit Ghana or to transit through Ghana. Intelligence generated from the above collaboration he continued, has enable the Centre to create a list of terrorist and suspected terrorist across the world. This list, which has become known as the Stop-List, is placed at the various entry points of the country. Once any such
person appears in Ghana, his/her activities are closely monitored. Continued surveillance may be mounted on such a person till the person exits the country. Many arrests and repatriations have been made due to these measures by the security agencies he added.

Again, having noted that the funds generated by terrorist front companies are virtually siphoned out of the country in physical cash since there were no adequate provisions to prevent it, the FIC in collaboration with the Bank of Ghana, and in accordance with Foreign Exchange Act, 2006 (Act 723) and other relevant Acts, introduced a limit to the amount of physical cash that could be taken out or brought into the jurisdiction of Ghana. This amount must not exceed ten thousand US Dollars or its equivalent. Amounts in excess of US$10,000 or other foreign currency equivalent shall be transferred only through a bank or other authorized dealers. Again, even if the amount does not exceed the US$10,000 limit or its equivalent in any other currency the traveller is still required to declare the amount to Customs and proceed to fill the BOG Foreign Exchange Declaration Form (FXDF) at the port of departure or entry. Any amount that exceeds the limit of US$10,000, shall be seized entirely by the Customs at the port, whether declared or not once it is detected. There are also specific guidelines and procedures developed for Accountable Institutions to ensure that such institutions are not used for laundering money. Some of the measures include: The adoption of policies by every financial institution indicating its commitment to comply with AML/CFT obligations under the relevant Acts and regulations to prevent any transaction that facilitates ML/TF activities, Formulation and implementation by every financial institution internal rules, procedures and other controls which will deter criminals from using its facilities for money laundering and terrorist financing and to ensure that its obligations under the relevant laws and regulations are always met, And also an appointment of
a person of senior status as an anti-money laundering reporting officer in accordance with Regulation 5(1) of L.I.1987 and such an officer shall receive suspicious or unusual transaction reports from persons handling transactions for the financial institution.6

Apart from the measures that are taken by the Centre in collaboration with other Centres and Agencies, the Centre also involves the general Ghanaian public in some of their counter terrorism measures. One of such measures as indicated by Gen Ayamdo is the occasional outreach and community sensitization programmes that they carry out. With this they are able to educate the people on activities and other pointers to look out for to prevent terrorists from infiltrating their communities. These community outreach programmes according to him were concentrated mostly in the Zongo communities and the inhabitants were sensitized to probe the activities of every stranger in their mist to know especially, the kind of work such a stranger is involved in and the kind of company he/she keeps.

This outreach programme as indicated by Gen Ayamdo became necessary due to the influx of some West African citizens in Ghana. He intimated that Intelligence available to the Centre revealed that, there has been a sharp increase in Nigerian immigrants to Ghana. With this intelligence, and recognizing that there are several unauthorized entry routs and unmanned borders into the country, it became necessary that communities are sensitized to be on the lookout, and to report any suspicious character to the appropriate authority, in this case, the police. Assessment conducted on the impact of the sensitization programme according to the interlocutor has so far yielded some positive results he noted with some sense of satisfaction. The Centre has also employed individuals, who are dotted across the length and breadth of the
country, to act as the eyes and ears of the Centre and therefore as much as possible, the Centre is always abreast with the happenings in the country in respect of most activities that are likely to degenerate into threats or acts terrorism.

Having detected some of the conditions that are likely to breed radicalism and possibly terrorism in Ghana, the NCRC according to information gleaned from some officers who claimed anonymity, has recently engaged Resource Persons from the USA and Jordan to train some of the officers of the Centre on *De-radicalization*. This training is to enable the officers to manage the activities of the bulging radical youth who are likely to resort to some extremist acts before their activities get out of hand in some targeted communities.

Finally, an important step taken in the fight against international terrorism is the establishment in the Ghana Armed Force a special unit dubbed *The Special Forces*. This group has been train in techniques of counter terrorism and has undertaken several military simulation exercises to make them combat ready for any eventual radical cell that would resort to terrorism or threat of terror in Ghana. The Special Forces unit was for the first time brought to the public notice on the 6th of March 2012, based on the assessment of the terrorist threat levels of the country. Apart from the Special Forces, the Ghana Armed Forces had also organized a three day counter terrorism seminar for some Seventy Junior Officers and Senior Non-Commissioned Officers drawn from various units to equip them with the rudiments of the threats of terrorism and counter terrorism so that they could impact same to their colleagues.⁷

In the nutshell, the forgoing are some the measures put in place to prevent terrorism from occurring in Ghana, and to combat it if it so occurs. Emphasis is placed on "some of the
measures” because of the inability divulge other measures that are in place due to their sensitivity and national security considerations. The next section assesses the adequacy of these measures.

3.3 The Adequacy of the Counter Terrorism Measures in Ghana

This section assess how adequate the above measures are, in preventing the occurrence of terrorism in Ghana. This is done bearing in mind the kind of terrorist threats identified in the study as well as the hypothesis of the study that, Ghana is not adequately prepared in terms of policies, and mechanisms to prevent terrorism from occurring or to combat it if it occurs.

This assessment is limited to three key elements of counter terrorism measures which include, Legislations, Intelligence and Combat Readiness. These three are considered because Ghana is currently not under any terrorist attack as in the case of sub-regional neighbours like Nigeria and Mali. The measures in Ghana are therefore mainly preventive instead of combative.

3.3.1 Legislations

An element for effective attack on terrorism is adequate legislations. This provides a legal framework within which the security and intelligence organizations in a country operate in the fight against terrorism.\(^8\) Both Gen. Ayamdo and Mr. Essel agreed that, Ghana prior to the year 2008, did not have any specific laws which criminalized terrorism, money laundering and terrorist financing as offences consistent with Article 19(11) of the 1992 Republican Constitution. The legal framework for combating these crimes as Essel pointed out however indirectly existed albeit in a limited scope under various enactments which criminalized some predicate offences of these crimes. These include the Criminal Offences Act, 1963 (Act 29), the
Narcotics Drugs (Control, Enforcement and Sanctions) Act, 1990 (PNDC 236) and the Internal Revenue Act, 2000 (Act 592), as amended.

Though work began earlier on the Bills that were passed into laws, some even dating as far back as 2002 as noted by Gen Ayamdo, it was only until 2008, that two important Acts were passed in Parliament and received Presidential Assent. These Acts include the Anti-Money Laundry Act 2008 (Act 749) and the Anti-Terrorism Act 2008, (Act762). These two legislative framework as observed by both Gen. Ayamdo and Mr. Essel introduced a new impetus into the fight against international terrorism and its associated crime of money laundering. There are some other previously existing Acts that were also amended to include anti-terrorism measures. The Criminal Offences Act and the Immigration Acts are but a few examples. Again, noting some deficiencies in the Anti-Terrorism Act of 2008, the Act has been amended in 2012, to further provide an enabling framework for the prevention of terrorism Mr. Essel noted.

The adequacy of these legal instruments lie in the fact that, they together as discussed earlier, prohibit international terrorism in its all forms and all crimes associated with it in Ghana. Several provisions in Act 762 for instance criminalizes any act that may seem like providing support for terrorism in the form of funding, logistics expertise as well as human capital. The Immigration Act as amended, also prohibit the facilitation of the acquisition of any Ghanaian travel of identity document by a person which otherwise is not entitled to possess such a document. This protects Ghanaian territory from giving safe haven to terrorists and terrorist groups. The passing of the Anti-Money Laundry Act 2008 (Act 749) and several other measures taken after the passing of the Act as maintained by Mr. Essel, has to a large extent halted money
laundering in Ghana. The adequacy of these legislations are therefore not in doubt. They are capable of dealing with any terrorist related crimes.

### 3.3.2 Intelligence

Counter-terrorism efforts are intelligence-led. Intelligence gathering hinges on strong partnerships and cooperation at both the national and the international levels, and effective information sharing.\(^9\) The Agencies established in Ghana to deal with terrorism and its threats have paid great attention to the gathering of intelligence. These Agencies as discussed earlier have established several partnership and cooperation with other similar Agencies around the globe. This enables them to receive and share the necessary information and intelligence needed to attack the threat of terrorism. At the national level also, the intelligence and security services in Ghana have been said to collaborate in the generation of intelligence around the country.

One critical form of intelligence needed for the combat of terrorism, is Human Intelligence.\(^{10}\) The respective Agencies have all claimed to have at least some numbers of informants dotted across the country, who provide them with the necessary information needed for intelligence generation. This is done amidst some challenges that are discussed in the subsequent section. It is therefore not out of place to conclude that, the creation of the NCRC and the FIC is an adequate step in the fight against terrorism since their main mandates revolves around creating and sharing of intelligence in the fight against terrorism and money laundering and the financing of terrorism respectively. These two agencies together ensure that, the overall counter-terrorism intelligence capabilities of the country are well integrated.
3.3.3 Combat Readiness

Once there are adequate legislations and a good intelligence gathering system, there is the need for a units that is combat ready and standing by that will take control of any unforeseen eventualities. In this regard, the Armed Forces as earlier mentioned have a special unit termed the Special Forces. The Police as intimated by a Senior Police Officer, also have a similar unit known as the Special Weapons And Tactics (SWAT) unit.

Though it will be difficult to assess the adequacy of their training and preparedness due to the obvious secrecy attached to such information, it will suffice however to state that, their establishment is in recognition of the fact that such units are necessary for the fight against terrorism and that they are adequately trained and resourced to be up to the task once the need arises.

These mechanisms seem adequate enough to aid Ghana in the fight against international terrorism, safe for the fact that there are some challenges faced in the effort of preventing the terrorist crime. The next section is devoted to the discussion of some these challenges.

3.4 Challenges in Preventing International Terrorism in Ghana

The fight against the occurrence of international terrorism in Ghana is not without challenges. This section discusses some of the challenges that stakeholders face in the prevention of international terrorism in Ghana. Some of the issues identified by the study as major challenges include; resource constraints, Unwillingness to prosecute suspected criminal, Lack of public awareness of Ghana's terrorist threat levels and finally, Lack of Civil Society Organizations'
Participation in counter-terrorism efforts. The subsequent subsections discuss each of these challenges.

3.4.1 Resource Constraints

Intelligence gathering in general is resource driven. These resources may include funds, logistics and personnel. According to Gen. Ayamdo, their efforts are not only limited by logistical constraints, but he also pointed to financial and personnel constraints as great challenges in the terrorism fight. The operations of the NCRC as attributed to him earlier are co-funded by the US government and the government of Ghana, through the National Security Council. While the US part of the funding is almost always forthcoming, he stated with concern that, the Ghanaian side is not living up to expectation. This gap in funding makes it difficult for the Centre to operate in full capacity. Financial constraints have for instance resulted in the centre’s inability to conduct frequent operations in most parts of the country and to pay their informants as well as recruit new ones.

While counter terrorism depends hugely on human intelligence as asserted by Richard Best, this intelligence is difficult to gather due to the present nature of international terrorism. Most terrorist cells are very small, and in most cases, its members have close ties. It will therefore be almost impossible to infiltrate the ranks of such cells and acquire adequate information on their activities, if sufficient financial resources are not made available and channeled into motivating existing informants and recruiting new ones.
The Centres of counter terrorism apart from financial problems, also suffer from low staffing. The FIC since its establishment in January 2010 according to Mr. Essel was only able to employ its permanent staffs in April and July 2012, that is more than two years after its establishment. The permanent staff as of July 2012, amounted to only 23. While the NCRC is supposed to be staffed by liaison officers from the relevant security and intelligence agencies in the country, Gen. Ayamdo noted with grave concern that, the Centre has for several years not have the full complement of these liaison officers. Currently for instance, he added that, no liaison officer from the external intelligence agency of Ghana is represented in the Centre. This poses a great challenge to intelligence gathering especially when it comes to acquiring information on activities of groups and individuals operating in a countries that is reluctant to share intelligence with Ghana, due to their national interest.

3.4.2 Unwillingness to Prosecute Suspected Criminals

While the anti-terrorism agencies work hard to clamp down on terrorist threats and terrorist related crimes in the country, their efforts are mostly hindered by the unwillingness of the appropriate authorities to prosecute suspected criminals. The reason given to this inertia in prosecution by an interlocutor in one of the counter-terrorism agencies is political influence. Most suspects involved in these terrorist related crimes according Gen. Ayamdo have what he termed 'Strong Links with people in higher political authority'. Owing to the fact that, the agencies directly involved in the fight against crimes of international terrorism do not have the powers of prosecution, they always count on the good will of Attorney General's Department to prosecute and punish suspected criminals.
While some of the prosecutions are handled in haphazard nature, leading to the suspected criminals being left off the hook by the courts, other cases are not prosecuted at all. Going back to the earlier example of the Takoradi incidence, where certain companies were cordoned and searched and evidence produced to the effect that, those companies are actually fronting for a terrorist organization, further probe from the NCRC revealed that those companies have up to date not been prosecuted for such an offence. Thanks to the efforts of the NCRC, and the FIC however, Gen. Ayamdo believed some of the companies have gone bankrupt whiles one has relocated its operation to Liberia. Lack of prosecution does not only encourage the continuation of a such criminal acts, but it also demoralizes and discourages the agencies and particularly, individuals working day and night to ensure that, the crime of international terrorism and its threats are effectively prevented in Ghana.

3.4.3 Lack of Public Awareness of Threat Levels of Terrorism in Ghana

While grappling with meagre resources and non prosecution, both Gen. Ayamdo and Mr. Essel bemoaned the poor awareness of the Ghanaian populace of the looming international terrorism threat that the country faces and therefore are not prepared to cooperate in the fight against it. This lack of awareness though being a challenge, as stated by Ayamdo is justified on at least two grounds; firstly that, there has not been any explosion in the country attributed to terrorists and secondly, the government has deliberately made conscious efforts to keep terrorism related issues on a low key in the country, in other not to create fear and panic. Meanwhile, it is among this same people that the potential perpetrators will dwell and scheme their activities he lamented.
What makes this lack of awareness more challenging, he added, is the porous nature of the country's borders. There are several unauthorized entry and exit points in the country. For this reason, it becomes difficult for security personnel to monitor those who come in and leave the country. Public awareness and public interest in fighting terrorism would have enable the people to be on the lookout for activities which may seem innocuous but are in fact very relevant in the fight against international terrorism and therefore assist security and intelligence agencies with such information. Such activities may include the purchases of materials that could be used to produce improvised explosive and clandestine meetings.

3.4.4 Lack of Participation of Civil Society Organizations

One other major challenge identified in Ghana, is the lack of interest of the Civil Society Organizations (CSOs) in the fight against international terrorism. There a substantial numbers of CSOs in Ghana, most of which are working in sectors such as health, education, agriculture, water, environment and the like. Although CSOs have been working indirectly to reduce the spread of underlying conditions of international terrorism as identified in earlier in chapter two, such as supporting in sustainable development, supporting the realization of the Millennium Development Goals (MDGs), empowering marginalized communities, promoting dialogue, protecting human rights, improving governance, expanding political participation, empowering women, and preventing and resolving of other violent conflict in the country, It is difficult to point to any CSOs working directly in the prevention of international terrorism in Ghana either by collaborating with the security agencies or working on its own.
CSOs in many instances have access to and have engaged with groups in the country that the states agencies have little contact with or limited influence over.\footnote{14} If CSOs partner with the state agencies in the fight against terrorism, it will reduce the public awareness challenge that is above mentioned and create popular support for the work of security and intelligence agencies. This is necessary for intelligence generation. The intelligence agencies can also tap into the knowledge, skills and expertise of these CSOs in the performance of their duties. It is due to the important roles the CSOs are playing around the world in several sectors that UN Counter-terrorism Strategy recognized them as key stakeholders in the prevention of international terrorism.\footnote{15} The CSOs in Ghana, according Gen. Ayamdo, are regrettably not living up to this UN expectation. The above challenges notwithstanding, the counter-terrorism agencies in Ghana have been able to operate to protect the jurisdiction from attacks as well as prevent it from being used as a safe haven from which to attack other neighbouring countries. Ghana has remain stable and safe from terrorism irrespective of the turbulent and unstable nature of the West African sub-region.
Endnotes

1 See details in the United Nation Office on Drugs and Crime, (Terrorist Prevention Branch); A Review Of The Legal Regime Against Terrorism In West And Central Africa. United Nations, New York 2009. pg 98
2 FATF Public Statement - 16 February 2012 [http://rbidocs.rbi.org.in/rdocs/content/PDFs/FATF16022012.pdf assessed on 23/07/2013
3 ibid, p. 3
5 Ghana Revenue Authority, Customs Guide Hints To Passengers And Traders August 2011 Volume 1, Issue 1
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7 General News Agency Report, First ever counter terrorism seminar held for 70 personnel of GAF, 29th March 2012.
8 Mark Rix, Australia's Anti-Terrorism: The National Security and the Community Legal Sector, 2006, p. 5.
9 Australian Government, Counter-Terrorism White Paper: Securing Australia | Protecting Our Community, (Canberra: Department of the Prime Minister and Cabinet, 2010); p. 25.
10 Richard A. Best, Jr., Intelligence to Counter Terrorism: Issues for Congress, Congressional Research Service Report for Congress, February 21, 2002, pp. 5-8
11 ibid, p. 15.
12 Gordon Woo, Quantitative Terrorism Risk Assessment, [http://user.iiasa.ac.at/~hochrain/KIT2013/Thema%202017%20Terrorism%20Risk%20II.pdf assessed on 24/07/2013
13 Eric Rosand, Alistair Millar, and Jason Ipe, Civil Society and the UN Global Counter-Terrorism Strategy: Opportunities and Challenges, Center on Global Counterterrorism Cooperation September 2008, p. 9.
14 ibid, p. 9.
CHAPTER FOUR

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

4.0 Introduction

This chapter consists of the summary of the major findings of the research relative to the objectives set at the beginning, the conclusions drawn from the findings and some recommendations. The chapter is therefore in three sub-sections, each section dealing with the above outline.

4.1 Summary of Findings

The findings of the work are summarized in the following seven bulleted points below. The major findings are that;

- There are no international terrorist cells currently operating in Ghana. However, there are certain conditions which put Ghana under the threat of international terrorism. Some of these conditions are: frequent visits of top level individuals from terrorist groups to Ghana, companies fronting for terrorist organizations in Ghana, individuals who are trained by al Qaeda working as representatives of NGOs in Ghana.

- In order to prevent international terrorism, Ghana has acceded to more than ten international Conventions and Protocols, which, in one way or the other, deals with measures to prevent international terrorism. These Conventions and Protocols include those formulated by the UN, AU as well as the ECOWAS.
• Ghana in 2008 enacted two major Acts of Parliament, Anti-Money Laundering Act 2008 (Act 749) and Anti-Terrorism Act 2008 (Act 762) to, as a policy, provide legislative framework for the combat of international terrorism in Ghana. These two Acts criminalize money laundering which is recognized as one of the main means of financing terrorism and terrorism respectively, as well as all other activities related to money laundering and terrorism.

• Apart from the two new Acts of Parliament, some of the already existing Acts have been amended especially in 2012 to include in them elements for the prevention of international terrorism. Some of these Acts are the Immigration Act, and Criminal Offences Act, 1960 which prohibit some activities deemed to be related to international terrorism. Legislative Instruments have also been passed especially in 2012 to provide fine details that supplement the Acts.

• There are two intelligence Centres - the FIC and the NCRC - dealing with operational matters of preventing international terrorism in Ghana. These two Centres have, in their respective capacities, put in place security measures, to curb international terrorism in Ghana. These measures include collaborating with other international terrorism prevention bodies in areas of intelligence creation and sharing, monitoring the activities of suspected terrorists and terrorist organizations and educating targeted groups and communities on terrorism.

• The measures adopted in the fight against terrorism in Ghana, contains the key elements of Legislation, Intelligence and Combat readiness. These are the necessary ingredients in any effective anti-terrorism mechanism.
There are however some challenges that hinder effective counter-terrorism operations in Ghana. Some of the challenges identified include resource constraints, unwillingness to prosecute suspected criminals, lack of public awareness of levels of threats of terrorism in Ghana and finally, lack of Participation of Civil Society Organizations in counter-terrorism efforts.

4.2 Conclusions

This study set out with the primary aim of examining the possibility of Ghana becoming a possible target of international terrorism or a safe haven for terrorist groups in the sub-region and the policies aimed at preventing terrorism in Ghana, as well as the bottlenecks to their successful implementation. Specifically therefore, the study assessed the existence or other wise of terrorist conditions in Ghana, examined existing policies and mechanisms in place to counter terrorism and assessed the adequacy of the policies and the preparedness of Ghana's security, and finally, examined possible challenges in preventing or countering these groups from operating in Ghana. In the course of the research, literature was reviewed extensively on the concept of terrorism, the causes of terrorism, as well as some mechanisms to address the menace of international terrorism.

From the information gathered in the research, it is concluded that, though there are no known terrorist organizations or cells currently operating in Ghana, the possibility of Ghana becoming a target of international terrorism or being used as a safe haven is high. This is because, conditions such as poverty, lack of education, rapid urbanization and unemployment which are identified as root causes of terrorism are on the ascendancy in Ghana. Again, other conditions such as the
frequent visits of top level individuals from terrorist groups to Ghana, existence of terrorist front companies in Ghana, presence of individuals who have been trained by al Qaeda, working as representatives of NGOs in Ghana as well as the influx of nationals from neighbouring West African countries who are under siege of terrorism into the country due to porous borders in the sub-region, all heightens this possibility.

On the existence of mechanisms to prevent possible occurrence of international terrorism in Ghana, the study concludes that, there exist mechanisms in the form of policies and legislative frameworks, some of which are acceded to from the international community and the others developed in the country, to prevent international terrorism from occurring in Ghana. Further analysis led to the conclusion that, these mechanisms seem adequate enough to prevent international terrorism in Ghana. There are also intelligence bodies and special military and police units established as part of counter terrorism mechanisms in Ghana.

It is therefore appropriate to reject entirely the hypothesis of the study that “Ghana is not adequately prepared in terms of policies and mechanisms to prevent terrorism from occurring or to combat it if it occurs”. This is because, Ghana has by far not experienced any act of international terrorism or terrorism, which could be attributed to the adequacy of these counter-terrorism and anti-terrorism measures adopted and being implemented by the country. It is also the hope that, these measures will be adequate enough to stand the test of time.

The research also revealed some challenges facing agencies in charge of counter-terrorism in Ghana. These include resource constraints, unwillingness to prosecute suspected criminals, lack
of public awareness of threat levels of terrorism in Ghana and finally, lack of Participation of Civil Society Organizations in counter-terrorism efforts. These challenges notwithstanding, the counter-terrorism agencies in Ghana have been able to operate to protect the jurisdiction and its people from attacks as well as prevent it from being used as a safe haven from which to attack other neighbouring countries. Appropriate steps must however be taken to address these challenges, for a more effective and efficient counter terrorism operations.

Finally, it is also worth noting that, all the measure taken to avert the occurrence of international terrorism in Ghana as discussed in the previous chapters are best explained as national security measures. These measures are put in place to ensure that, the territory of Ghana is not violated by terrorist attacks or is not used to attack other neighbouring states. These measures are also to ensure that Ghanaians live in peace and safety without fear of terror and to ensure in general that lives and properties are protected.

These anti-terrorism measures can therefore fit well into the concept of national security, as put forward by Walter Lippmann, Arnold Wolfers, Harold Brown and Kofi Bentum Quansont which was discussed earlier in chapter one and therefore justifying the conceptual framework adopted in explaining this study.

### 4.3 Recommendations

Based on the findings of the research, the following recommendations are made for policy considerations.
Firstly, as a long term measure, steps should be taken to address the underlying causes of terrorism such as poverty and youth unemployment in the country. In this regard, the Ghana Youth Employment and Entrepreneurial Development programme can be refocused and directed towards this purpose. This is likely to reduce the motivation for terrorist recruitment in the country.

Secondly, to ensure that the NCRC is well resourced for their responsibilities, the government should consider upgrading the Centre to a semi-autonomous agency under the Ministry of Defense or Interior, with its own budgetary allocations.

Thirdly, Counter-terrorism agencies in Ghana should be given prosecutorial powers so that, once an arrest is made in respect of any terrorist related crime, the agencies themselves will be able to prosecute the case to a logical conclusion. This would ensure deterrence and also motivate the agencies in performing their tasks.

Finally, a critical attention should be paid to building the capacities of Civil Society Organizations and empowering them in the context of efforts to support implementation of the country's counter-terrorism measures. In doing so however, care should be taken in order to engage only genuine CSOs in this endeavour so as not compromise the integrity of counter-terrorism measures in the country.
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