

*Exploring Host-State Consent in Counterterrorism Operations:
The Case Study of French Operation Barkhane in Mali*

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ABSTRACT

“Since this morning, [...] [the] redeployment has been effective with the departure from Mali of the last French soldier of Operation Barkhane”.¹ These were the words of the President of the Republic of France, Emmanuel Macron, on August 15, 2022, marking the official end of the second French Counterterrorism Operation in Mali.

For nearly a decade, France militarily supported Mali in the fight against jihadist terrorist armed groups affecting the country’s stability. Due to Malian President Dioncounda Traoré’s request for intervention in 2013, French Operation Serval (2013-2014) was launched. It lasted two years, and in 2014 it was replaced by Operation Barkhane (2014-2022) with a broader scope and a longer duration. While the international community has labelled Serval successful, the second operation is considered a failure. Among the reasons for this failure, observers suggest the Malian strategic shift toward Russia as the primary security provider and the transitional junta in power. However, the existing literature has not sufficiently assessed the role of host-state consent in counterterrorism operations and how it specifically affected Barkhane’s outcome.

Therefore, this research answers the following question: In which ways has host-state consent impacted the outcome of French Counterterrorism Operation Barkhane? With a qualitative approach based on the case study of Mali, this thesis will unpack the volatile but essential nature of host-state consent, mainly studied in peacekeeping and absent in

¹ “Retrait de la force Barkhane du Mali”, President Emmanuel Macron’s official speech, *Élysée*, August 2022, available at: <https://www.elysee.fr/emmanuel-macron/2022/08/15/retrait-de-la-force-barkhane-du-mali>, [accessed 20 May 2023].

counterterrorism. It will also explain the existence of a nexus between host-state consent and the outcomes of counterterrorism operations. Lastly, it will discuss how the two types of host-state consent (host-government and host-population consent) influence the effectiveness of counterterrorism operations.

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1. INTRODUCTION

For nearly a decade, France militarily supported Mali in the fight against jihadist terrorist armed groups affecting the country's stability. Due to Malian President Dioncounda Traoré's request for intervention in 2013, French Operation Serval (2013-2014) was launched. It lasted two years, and in 2014 it was replaced by Operation Barkhane (2014-2022) with a broader scope and a longer duration. While the international community has labelled Serval successful, the second operation is considered a failure.

On 17 February 2022, France started withdrawing from a hostile host-government and a resentful host-population² that has begun shifting its alliances toward other security providers. Among them, the most controversial is the Wagner Group,³ composed of Russian mercenaries, which has been in Mali since the two coups in 2020 and 2021 and is currently filling the power vacuum left by the French troops. Others argue that the primary reason was the instability caused by the new transitional government established after the coups⁴ aimed at procrastinating democratisation. However, observers have not sufficiently assessed the role of

² Negative sentiments towards the former colonial power of France are widely spread across the Sahel. According to the *Global Terrorism Index*, there is a general disapproval of France. See *Global Terrorism Index*, Institute for Economics & Peace, 2023, p. 70.

³ The Wagner Group is a group of Russian mercenaries, also defined by scholars as a Private Military Company (PMC) founded in 2014 by a close associate of Russian President Vladimir Putin. Its presence in Mali is under financial compensation and possibly connected to access to gold mines. However, Bamako has always denied that Wagner is present in the country. For further information about the Wagner Group and its actions, see Paul Stronski, "Russia's Growing Footprint in Africa's Sahel Region", *Carnegie Endowment for International Peace*, February 2023, available at: <https://carnegieendowment.org/2023/02/28/russia-s-growing-footprint-in-africa-s-sahel-region-pub-89135>, [accessed 24 March 2023], and "Ensuring MINUSMA's Smooth Departure from Mali", *Crisis Group*, June 2023, available at: <https://www.crisisgroup.org/africa/sahel/mali/minusma-negocier-un-depart-sans-accroc>, [accessed 25 June 2023].

⁴ "Malian Military Junta Scuttles Security Partnerships while Militant Violence Surges", *Africa Center for Strategic Studies*, February 2023, available at: <https://africacenter.org/spotlight/mali-military-junta-scuttles-security-partnerships-while-militant-violence-surges/>, [accessed 2 June 2023].

host-state consent⁵ and how it affected Operation Barkhane's outcome. Specifically, they have not touched upon the pushback of the host-population toward the former colonial power.⁶

Therefore, this dissertation answers the following research question:⁷ In which ways has host-state consent impacted the outcome of French Counterterrorism Operation Barkhane? To answer this question, this thesis will use a qualitative approach based on the case study of Mali and will be focused on the unit of analysis of Operation Barkhane. After reviewing the existing literature with a special focus on peacekeeping theory, this study will explain the host-state consent's importance, role, and impact on counterterrorism operations.

The main argument of this dissertation is that host-state consent needs constant re-affirmation as a volatile concept that cannot be interpreted as a one-off action. Furthermore, this thesis argues that in the realm of counterterrorism host-state consent must be considered when planning counterterrorism operations.

The timeframe considered goes from 2014 (the start of Barkhane) to 2022 (the end). However, brief reference will be made to Operation Serval (2013-2014) as well as the Malian crisis in 2012 caused by the rebellion of the Tuareg,⁸ an ethnic minority in Northern Mali.

⁵ Firstly, the term 'host-state' refers to UN member state(s) that are hosting the peacekeeping mission within their territorial borders. This term applies to those states that have signed either a State of Forces Agreement (SOFA) or Status of Mission Agreement (SOMA) with the UN. The UN differentiates between the general concept of 'consent' among parties and host-state consent. The latter is at the core of peacekeeping and is used to distinguish it from peace enforcement. For further information, see *UN Peacekeeping Operations: Principles and Guidelines – "Capstone Doctrine"*, 2008, p. 31, and "Principles of Peacekeeping", *United Nations Peacekeeping*, available at: <https://peacekeeping.un.org/en/principles-of-peacekeeping>, [accessed 29 May 2023].

⁶ Faisal Al Yafai, "France's exit from the Sahel war offers Russia an opportunity to move in", *Euractiv*, July 2021, available at: <https://www.euractiv.com/section/defence-and-security/opinion/frances-exit-from-the-sahel-war-offers-russia-an-opportunity-to-move-in/>, [accessed 26 May 2023].

⁷ The choice of a central qualitative question is a complex but crucial stage of the research design and proposal. The qualitative method usually answers questions dominated by *why* or *how*. If a case study type of research is then utilized, the question will seek to explore a process or a phenomenon, such as the role of host-state consent in counterterrorism, as this thesis does. For further information on developing and framing a good research question, see John W. Creswell, *Research Design. Qualitative, Quantitative, and Mixed Methods Approaches*, 3rd edition, Los Angeles, SAGE, Los Angeles, 2009, p. 131.

⁸ The Tuareg are an ethnic minority in Mali, descendant of the Berbers of North Africa. Their history is a story of exclusion, characterized by marginalization, discrimination, and temporal and aspirational relative deprivation. Similar to other case studies that gained independence from their colonial power, the Malian case presents patterns of exclusion that started during the colonial age and continued throughout history. As a consequence, they are the protagonist of several rebellions after the Independence of Mali from France, achieved in 1960 (the most important rebellions of the Tuareg to remember are four: 1962-1965; 1990-1995; 2006-2007; and 2012-2013 with the outbreak of the current civil war in Northern Mali). Furthermore, they craved an independent state (Azawad) which is, however, unrecognized by the international community. For further information regarding the relationship between social identity and conflict, see: Karina Korostelina, *Social Identity and Conflict: Structures, Dynamics, and Implications*, Palgrave Macmillan, London, 2007, p. 23, and *Social Identity, Intergroup Conflict, and Conflict Reduction*, edited by Richard D. Ashmore, et al., Oxford University Press, Oxford, 2001; moreover, for further information about the Tuareg as a tribe, see Abhijit Mohanty, "Mali Crisis: A Historical Perspective of the Azawad

This dissertation will also analyse the two coups in 2020 and 2021 due to their further effect on the withdrawal of Malians' consent.

Previous literature on host-state consent has focused primarily on United Nations peacekeeping operations. The area of research regarding host-state consent in counterterrorism operations still needs to be explored. Hence, there is a significant gap of knowledge in the existing literature that this thesis aims to fill by studying the theoretical framework of peace operations regarding host-state consent and applying it to the field of counterterrorism. Furthermore, this study can be compared to other so-called counterterrorism failures, among which the example of Afghanistan is the most significant and similar to the Malian scenario.⁹ It has been part of the Global War on Terror (GWOT)¹⁰ promoted by the United States after the terrorist attacks in Washington and New York on 11 September 2001. Observers have detected a juxtaposition between the French withdrawal from Mali and the United States' abandonment of Afghanistan.¹¹

The purpose of this thesis is to address and explain the different ways host-state consent can play a role in counterterrorism operations. To do so, this dissertation will firstly try to demonstrate how consent changed among the Malian government and population and how that shift determined the outcome of Operation Barkhane. In this regard, it will explain the existence of an interdependent nexus between host-state consent and the outcome of counterterrorism operations Secondly, it will unpack the volatile nature of the host-state

Movement", 2018, available at: <https://www.geopoliticalmonitor.com/mali-crisis-a-historical-perspective-of-the-azawad-movement/>, [accessed 19 May 2023]; "Tuareg: Mali", Global Security, available at: <https://www.globalsecurity.org/military/world/war/tuareg-mali.htm>, [accessed 19 May 2023]; "Tuareg. Mali", Minority Rights, available at: <https://minorityrights.org/minorities/tuareg/#:~:text=The%20Tuareg%20are%20semi%2Dnomadic,Tamasheq%2C%20calling%20themselves%20Kel%20Tamasheq>, [accessed 19 May 2023].

⁹ "US Withdrawal from Afghanistan", *The White House*, available at: <https://www.whitehouse.gov/wp-content/uploads/2023/04/US-Withdrawal-from-Afghanistan.pdf>, [accessed 23 May 2023].

¹⁰ The George W. Bush administration declared the American Global War on Terror (GWOT) in response to the terrorist attacks in Washington and New York on 11 September 2001. See *Security Studies. An Introduction*, edited by Paul D. Williams, 2nd edition, Routledge, London, 2012, pp. 228-229. During the highest peaks of the age of terror, the GWOT was transformed into a long war against Islamofascism and was described by some scholars as the fourth world war. See also "The Global War on Terror", Chapter 1, in Sondre Lindahl, *A Critical Theory of Counterterrorism. Ontology, Epistemology, and Normativity*, Routledge, London, 2018, pp. 8-32.

¹¹ Bigo, Didier. "Counterterrorism: How to Fail Most Successfully", *SciencesPo*, April 2023, available at: <https://www.sciencespo.fr/research/cogito/home/counterterrorism-how-to-fail-most-successfully/?lang=en>, [accessed 23 May 2023].

consent, principally studied in peacekeeping and absent in counterterrorism. Thirdly, it will question the notions of 'failure' and 'success' in counterterrorism operations by providing the definition of counterterrorism adopted in this thesis and by analysing the outcome of Barkhane in the literature review section. It will then discuss how the two types of host-state consent (host-government and host-population consent) influence the effectiveness of counterterrorism operations. In addition, it will especially look at the importance of the host-population in determining the outcome of a counterterrorism operation.

In the next section, the methodological approach adopted towards answering the research question at the core of this dissertation will be outlined.

2. METHODOLOGY

2.1 Qualitative Approach

The dissertation will be predominantly based on a qualitative perspective. The only exception will be for an analysis of the host-population consent in Mali, based on the work of the quantitative studies of the Friedrich-Ebert-Stiftung initiative.¹² Specifically, a documentary approach¹³ will be adopted to analyse the empirical material of this study. The choice of a qualitative methodology as opposed to quantitative research is because the latter is mainly designed for studies based on experimental data and is aimed at “testing objective theories by examining the relationship among variables”.¹⁴ On the contrary, writing a thesis with a qualitative approach “is a means for exploring and understanding the meaning individuals or groups ascribe to a social or human problem”.¹⁵ The phenomenon under investigation in this dissertation will be host-state consent and its nexus with the outcome of counterterrorism operations. The following paragraph will address the choice of the case study as the type of research for this thesis.

¹² Active in Mali since 1968, the Friedrich-Ebert-Stiftung (FES) supports its partners from the fields of policymaking, trade unions, civil society and the media in facing the various challenges facing the country. The FES country office in Bamako works to strengthen Malian democracy and political participation, and to promote freedom of speech, press and human rights. Moreover, FES in Mali address the areas of combating poverty, economic and security policy, reform of the government and good governance. For further information, see “Mali”, *Friedrich-Ebert-Stiftung*, available at: <https://www.fes.de/en/africa-department/mali>, [accessed 5 September 2023].

¹³ A *documentary analysis* has a spectrum of beneficial aspects due to its accessibility – if not restricted by the government – of public acts and texts “at a time convenient to a researcher”; furthermore, as written data, it “saves a researcher the time and expense of transcribing”, contrarily to interviews, for instance. However, there are also several negative implications, which I will describe in the section ‘Limitations and Difficulties’ further in this thesis. For example, this type of analysis requires documents that “might be protected information unavailable to public or private access”, see John W. Creswell, op. cit., p. 180.

¹⁴ *Ibid.*, p. 4.

¹⁵ *Ibid.*, p. 247.

2.1.1 Case Study Research

An exploratory, qualitative case study methodology focused on Mali and supported by limited primary sources and more accessible secondary sources will be the type of research adopted in this analysis. A case study can be described as a strategy of inquiry in which the researcher explores a program, event, activity, process, or one or more individuals in depth. Moreover, it is bounded by time and activity.¹⁶ For this dissertation, a case study approach will allow us to study in-depth host-state consent and its influence on counterterrorism operations to the extent of impacting their outcomes. The theoretical concepts derived from peacekeeping will be firstly applied to the realm of counterterrorism and secondly to the Malian context and the French intervention from 2014 to 2022. Going through the existing literature on the themes and issues covered in this study will reveal why this research is rooted in the Malian case. Firstly, Mali represents a classic paradigm of political violence¹⁷ due to the new junta in power,¹⁸ a frequent phenomenon in Africa. Secondly, it is a summa of international interventions combining the domains of peacekeeping and counterterrorism. In this sense, it is a theatre of growing Western security providers' presence in African states similar to Burkina Faso, Niger, and Chad. Thirdly, it raises questions concerning the host-government and the host-population's consent to counterterrorism operations which started

¹⁶ Ibid., p. 227.

¹⁷ Although the primary objective of this thesis is not to delve into the phenomenon of political violence, it is helpful to provide an introductory overview of the topic and clarify the various types of political violence. This contextual information is necessary to understand better the Malian coups and their impact on the effective maintenance of host-state consent in Mali. Political violence has gradually gained more and more importance within the research community. However, it is very difficult to provide a definition, and there is not a unanimously agreed one. Political violence in Africa concerns the decolonisation wars and secessionist struggles from 1950 to 1975. According to Frances Stewart, it is a type of violence that "primarily has political objectives". It can take the shape of communal violence, state repression, and separatist conflicts (see Frances Stewart, *Horizontal Inequalities. Understanding Group Violence in Multiethnic Societies*, Palgrave Macmillan, London, 2008, p. 18). It can also involve electoral violence, which is a particular category of violence that happens pre-, during, and post-elections (for further information on electoral violence, see Ursula Daxecker, "All Quiet on Election Day? International Election Observation and Incentives for Violent Manipulation in African Elections", *Electoral Studies*, Vol. 34, 2012, pp. 232-243). Ted Gurr goes further and affirms that political violence is also destructive because the greater its magnitude, the less efficiently a political system fulfils its other functions (see Id., *Why Men Rebel*, Routledge, London, 2011, p. 319).

¹⁸ Although some African countries witness political violence in the form of a partial civil war, this is not the case in Mali. See Lars-Erik Cederman, Andreas Wimmer, and Brian Min, "Why Do Ethnic Groups Rebel? New Data and Analysis", *World Politics*, Vol. 62, No. 1, 2010, pp. 87-119, p. 89. In fact, Mali faced several coups d'état, which are included by Gurr, together with guerrilla wars, rebellions, terrorism, and riots, different types of political violence. See Id., *Why Men Rebel*, op. cit., pp. 415-419.

with military intervention by invitation. It also highlights the role of the host-population, which in Mali became the leading activist in the pushback against France. Fourthly, it can be argued that the French counterterrorism operation continued without an authorised renewal of the agreement because it was assumed that the 2014 Treaty of Cooperation between Paris and Bamako was still valid.¹⁹ However, policymakers and conflict analysts teach that the timeframe is crucial when promoting and officialising any mission.²⁰ Lastly, connected to the first observation is the argument regarding state-building in Mali and how host-state consent has affected democracy.²¹ It seems that the new junta represents the failure of the Malian state, which tends to procrastinate the instauration of democracy (postponing, for instance, the referendum for the new constitution that was supposed to be held on 19 March 2023). The procrastination – along with the political instability – influenced French withdrawal²² and shows how failed states struggle with maintaining external interventions.

Lastly, the topic under investigation has been chosen due to the researcher's interest in terrorism and counterterrorism. In light of this, it can further be justified by the personal curiosity of the student about terrorism as a threatening transnational phenomenon which is nowadays exponentially and predominantly witnessed in Africa, especially in the region of the Sahel. Moreover, the difficulties encountered with the accessibility of counterterrorism documentation were a further incentive to keep investigating.

In conclusion, Operation Barkhane in Mali can be considered a laboratory for further exploration and discussion in the scenario of African security.

¹⁹ *TRAITÉ DE COOPÉRATION EN MATIÈRE DE DÉFENSE ENTRE LA RÉPUBLIQUE FRANÇAISE ET LA RÉPUBLIQUE DU MALI*, SIGNÉ À BAMAKO LE 16 JUILLET 2014, *Assemblée nationale*, Juillet 2014.

²⁰ For further information about time as an operational factor used in contexts of war and conflict, see: Daniel Palmieri, "Time as a factor in understanding the violence of war: The example of Africa", *International Review of the Red Cross*, No. 852, 2003; Shawna K. Metzger, "Time is on my side? The impact of timing and dispute type on militarized conflict duration", *Conflict Management and Peace Science*, Vol. 34, No. 3, 2017, pp. 308-329.

²¹ While the primary focus of this thesis does not lie in assessing whether democratization has impacted Malian stability to the extent of becoming a conflict catalyst in Mali, it does open a direction for future studies to explore the nexus between weak or transitional democracies and violence, which is a topic widely addressed by the existing literature, in the case study of Mali. For further information in this regard, see Samuel P. Huntington, "Democracy's Third Wave", *Journal of Democracy*, Vol. 2, No. 2, 1991, pp. 12-34.

²² Paul Stronski affirmed: "The relationship between Paris and Bamako, for example, sharply declined following back-to-back military coups in Mali in 2020 and 2021". See Id., "Russia's Growing Footprint", op. cit.

2.2 Language of the Sources

The sources cited are predominantly in English but also in French. Indeed, even though much literature about UN peacekeeping, counterterrorism, and host-state consent has been written in English, the primary sources (e.g., French Presidents' speeches) are solely reported in French. Moreover, the literature on Mali and its relationship with France that this dissertation examines is written in French.

2.3 Limitations and Difficulties

During the research and writing process, the main problem was the accessibility of primary sources, many of which are not available. French Counterterrorism Operation Barkhane's mandate is not released for public consultation. Therefore, its examination for this thesis was not possible. The only open-access documents are press releases,²³ online archives of the French Ministry of Defence,²⁴ and the French President's speeches available on Élysée, the official website of the President of France.²⁵ The lack of documentation is definitely the most restricting obstacle for this dissertation. However, it seems to be a trend for all counterterrorism operations. For instance, the mandate of the U.S. counterterrorism operations in Afghanistan is obscured by limited access only to authorised personnel.

Overcoming this significant limitation constituted the principal challenge of this dissertation, and numerous approaches were employed to try to overcome it. The main strategies adopted to fill the gap of information were consulting the French Embassy in Malta and international organisations such as the International Institute for Justice and the Rule of

²³ "DOSSIER DE PRESSE, Opération BARKHANE", Bande sahélo-saharienne", *Ministère des armées*, September 2022.

²⁴ "Opération Serval (2013-2014) Dossier, Présentation de l'opération", *Site archives du ministère des Armées*, October 2013, available at: <https://archives.defense.gouv.fr/operations/missions-realisees/afrique/operation-serval-2013-2014/dossier/presentation-de-l-operation.html>, [accessed 24 March 2023]; "Opération Barkhane", *Site archives du ministère des Armées*, March 2022, available at: <https://archives.defense.gouv.fr/operations/afrique/bande-sahelo-saharienne/operation-barkhane/dossier-de-reference/operation-barkhane.html>, [accessed 24 March 2023].

²⁵ The most significant speech is the one published on the President's official website on 15 August 2022, regarding the withdrawal of the French troops from Mali. See "Retrait de la force Barkhane du Mali.", *Élysée*, publié le 15 août 2022, available at: <https://www.elysee.fr/emmanuel-macron/2022/08/15/retrait-de-la-force-barkhane-du-mali>, [accessed 25 March 2023].

Law (IIJ) based in Malta. Despite these efforts, the ultimate finding was that crucial information concerning Barkhane's mandate or any official documentation pertaining to the deployment of the operation is not in the public domain. The French government classified the files. This holds true also for the first French operation Serval. Undoubtedly, this posed formidable difficulty throughout the research process and heavily impacted the writing process as well. Additionally, among the reasons why counterterrorism operations are still far from being successful, it can be argued that, beyond the usually cited insufficiency of governmental funding, the obstacle of state secrecy is the most difficult impediment to overcome.

For research, it means that, on the one hand, we have to acknowledge the limitations that come with the innovative topic; on the other hand, there is a need for further investigation. In fact, this difficulty explains why there is a necessity for further research in the current field of counterterrorism, especially regarding host-state consent and the relationship with the foreign intervening²⁶ countries. It is, therefore, important for future counterterrorism operations. Hence, this dissertation will specifically enrich the literature by examining various components of counterterrorism operations linked to host-state consent, such as their deployment, mandate, applicability, requirements, timeframe, geographical focus, etc. Moreover, the exploration of the critical issue of host-state consent, which has received limited attention in previous research, will be of particular importance for this dissertation's argument.

Furthermore, this thesis will mitigate these limitations by looking at the peacekeeping theoretical framework in the matter of host-state consent. Then, it will explore and investigate

²⁶ An 'intervening country' is a country that interferes in the internal affairs of another or its relations with other countries. If applied to counterterrorism, it is the country that authorises, launches, and deploys a mission within the borders of another country. For further information, see "Foreign government intervention", *The Union of International Associations UIA*, available at: <http://encyclopedia.uia.org/en/problem/142289>, [accessed 13 July 2023]. Additionally, under article 2 (7) of the Purposes and Principles of the UN (Chapter I of UN Charter), the UN affirms that "the United Nations has no authority to intervene in matters which are within the domestic jurisdiction of any State". See "Purposes and Principles of the UN (Chapter I of UN Charter)", *United Nations Security Council*, available at: <https://www.un.org/securitycouncil/content/purposes-and-principles-un-chapter-i-un-charter>, [accessed 13 July 2023].

the potential transferability of that conceptual structure stemming from the history of peacekeeping operations to the realm of counterterrorism. This research will subsequently identify similarities and divergences between peacekeeping and counterterrorism by undertaking a comprehensive study of the two domains, which a recent body of literature considers to be more and more connected. Finally, it will contribute to the existing literature on counterterrorism operations, which is currently lacking information. Available data mainly pertains to U.S. counterterrorism efforts or case studies on specific counterterrorism operations. The process of identifying a comprehensive theoretical background that delineates a systematic deployment methodology for counterterrorism operations has been proven to be a challenging task for the purpose of this dissertation. The whole literature on counterterrorism covers single operations and, in general, it can be argued that it inadequately addresses the critical aspect and role of host-state consent. To fill the gap, this thesis has studied and synthesised the available case studies and diverse counterterrorism approaches, frequently juxtaposed with counterinsurgency. Despite challenges, valuable insights were derived from handbooks on security studies, although they were often limited to brief paragraphs within the broader texts.

Another clarification needs to be made. During the research process of this thesis, a significant finding emerged regarding the involvement of the Wagner Group in Mali. The current academic knowledge points to the Russian mercenaries as the main cause of France's withdrawal from Mali. However, this research has academically looked at alternative explanations of why Wagner might not be relevant. Moreover, this dissertation argues that issues revolving around host-state consent in Mali existed before the arrival and subsequent involvement of the Wagner Group. Therefore, rather than being the root cause of the withdrawal of Malian host-state consent and of French troops from the country, Russia's presence can be understood as a consequence of unrelated pre-existing conditions. By exploring this alternative explanation, the aim of this thesis is to proactively address and

mitigate potential areas of contention on this matter. Furthermore, the alternative explanations revolving around the challenges of host-state consent in Mali will be discussed in Chapter 6, the section dedicated to the case study.

2.4 Dissertation Outline

The narrative structure of this dissertation is composed of different sections. Each section will touch upon different critical categories within the theoretical frameworks of peacebuilding and counterterrorism. After having presented the Abstract, Introduction (Chapter 1) and Methodology (Chapter 2), the dissertation will be structured as follows:

Chapter 3 will collect and discuss the literature review.

Chapter 4 will set the scene for the study by addressing and framing the theoretical structure of host-state consent in United Nations peacekeeping operations. Host-state consent will particularly be analysed through its characteristics, functions, and nature. The perspective adopted will consider host-state consent as not a one-off action but a volatile concept needing constant re-confirmation.

Chapter 5 will apply the theory of host-state consent drawn from peacekeeping to counterterrorism operations.

Chapter 6 will present, outline, and discuss Operation Barkhane, the unit of analysis of the dissertation, through a critical approach based on the theoretical categories used in peacekeeping and absent in counterterrorism. It will also apply the theory of host-state consent to the case study of Mali and, specifically, to Operation Barkhane. In this regard, it will examine the evolution and withdrawal of the host-state consent among the Malian government and population. The emphasis will be on the role of the host-state population and its impact on the outcome of the counterterrorism operation.

This thesis will conclude with an epilogue on Operation Barkhane and its liaison with the problem of host-state consent and then suggest some perspectives for future work in this field. A research agenda will be recommended.

3. LITERATURE REVIEW

The literature review will be based on the findings and perspectives of the authors on the link between host-state consent and outcomes of international operations. Existing literature focuses predominantly on peacekeeping operations, rarely referring to counterterrorism operations. This dissertation seeks to close this gap by using a theoretical approach derived from studies on peacekeeping operations. Consequently, the most extended part of this literature review will be focused on the nature, importance, and characteristics of host-state consent and its impact on UN peacekeeping operations. Additionally, reference will be made to the authors' opinions regarding the entanglement between peacekeeping and counterterrorism and the history of counterterrorism failures. Finally, regarding the unit of analysis at the core of this dissertation, French Counterterrorism Operation Barkhane, an assessment of the existing literature will be made.

More specifically, the relevant scholarly literature will be reviewed under five areas to build on these contrasting perspectives. The first part will examine what authors have said about the role, nature, and features of host-state consent in UN peacekeeping operations. The second part will focus on terrorism and counterterrorism literature. The third part will assess the entanglement between peacekeeping and counterterrorism. The fourth part will consider the literature dealing with success and failure in counterterrorism by portraying the history of counterterrorism's so-called failures since the American Global War on Terrorism (GWOT). The emphasis will be on the case study of Afghanistan. In the last part, concluding remarks on

the issue and a summary of where this dissertation sits in the context of the present literature will be made.

3.1 Literature on Host-State Consent in Peacekeeping Theory

3.1.1 The Difference between Peacekeeping and Peace Enforcement

Most authors agree that securing and sustaining host-state consent is essential to the success of peacekeeping operations. In their work on UN peacekeeping and the principle of host-state consent, Sofía Sebastián and Aditi Gorur argue that “the absence of genuine host-state consent represents one of the greatest threats to the success of modern peacekeeping missions”.²⁷

However, while there is consensus among scholars to consider host-state consent as central to a mission’s positive outcome, not all of them recognise that peacekeeping stakeholders lack an understanding of how host-state consent works in practice and how to sustain it throughout the operation.

This debate in the literature portrays the difference of perspective inside the United Nations between two types of interventions: peacekeeping and peace enforcement.

On the one hand, authors who wrote about peacekeeping advocate for acknowledging host-state consent as volatile and therefore in need of constant re-affirmation.²⁸ To illustrate this point, Thierry Tardy explains that “precarious consent raises the issues of both the legitimacy and the nature of the operation”,²⁹ consequently putting the mission’s outcome at risk. In addition, he recognises that “how to gain, hold and build consent is a challenge [...]”.³⁰

²⁷ Sofía Sebastián and Aditi Gorur, “U.N. Peacekeeping & Host-State Consent. How Missions Navigate Relationships with Governments”, *Stimson Center*, 2018, p. 4.

²⁸ Chapter VI of the United Nations Charter.

²⁹ Thierry Tardy, “Peace operations: the fragile consensus”, Chapter 3, in *SIPRI Yearbook 2011: Armaments, Disarmament and International Security*, pp. 87-109, p. 91.

³⁰ Ian Johnstone, “Managing Consent – The New Variable?” Beyond the ‘New Horizon’: Proceedings from the UN Peacekeeping Future Challenges Seminar Geneva, 23–24 June 2010, edited by Cedric de Coning et al., *Norwegian Institute of International Affairs*, 2010, pp. 25-39, p. 25.

On the other hand, the alternative approach of aggressive peacekeeping focuses on different influencing factors, such as the number of practitioners deployed, the mission's outcome, the environmental conditions, and public opinion. More importantly, it does not take into consideration host-state consent.³¹ This is because, from a peace enforcement perspective, the main objective should be establishing and maintaining peace by using military assets and tools. According to the UN dictionary, this approach can use coercive measures such as military force.³²

Therefore, it can be concluded that host-state consent is a distinctive feature of peacekeeping, distinguishing it from other international interventions. It is, hence, on this type of intervention that this thesis will base its theoretical framework.

Moreover, it is central to point out that, despite the significance of host-state consent as a core principle of peacekeeping (together with impartiality and non-use of force),³³ very few academic studies have been written in this regard (Johnstone;³⁴ Duursma, Lindberg Bromley, Gorur;³⁵ Gray³⁶).

Furthermore, it can be noted that even though Tardy recognises that “securing and managing consent has become a growing concern”³⁷ in the realm of peacekeeping, it is left aside in counterterrorism theory.

³¹ Chapter VII of the United Nations Charter.

³² “Terminology”, *United Nations Peacekeeping*, available at: <https://peacekeeping.un.org/en/terminology>, [accessed 30 May 2023].

³³ The three UN Peacekeeping principles are consent of the parties, impartiality, non-use of force except in self-defence, and defence of the mandate. Consent, at the core of this dissertation, “signifies that peacekeepers can only be deployed on the territory of a host-state with the permission of that state’s government”, see *The Oxford Handbook of United Nations Peacekeeping Operations*, edited by Joachim A. Koops, Thierry Tardy, Norrie Macqueen, and Paul Williams, OUP Oxford, Oxford, 2015, p. 151. For further information, see the *UN Peacekeeping Operations: Principles and Guidelines - “Capstone Doctrine”*, op. cit.

³⁴ Johnstone, “Managing Consent – The New Variable?”, op. cit.

³⁵ Allard Duursma, Sara Lindberg Bromley, and Aditi Gorur focus predominantly on how the quality of host-state consent can significantly affect the Protection of Civilians (PoC) without touching upon how it affects UN operations. See *id.*, “The Impact of Host-State Consent on the Protection of Civilians in UN Peacekeeping, Civil Wars”, 2023.

³⁶ Christine Gray, “Host-State Consent and United Nations Peacekeeping in Yugoslavia”, *Duke Journal of Comparative & International Law*, 1996, pp. 241-270.

³⁷ *Ibid.*, cit. in Tardy, “Peace operations”, op. cit., p. 91.

3.1.2 The Importance of Host-Population Consent in Literature

Additionally, it is interesting to look at another lacuna present in literature and represented by the role of the host-population (which can be quickly mobilised by the state). Nonetheless, “direct engagement with host populations is the key to fostering mission acceptance”³⁸ and ensuring its positive result.

Only a few authors have written about the role of public support.

A critical study grounded on local perceptions of peacekeeping operations is the one by Sofia Sabrow,³⁹ who utilised newspaper articles and interviews with leaders in society to measure such perceptions. However, she does not touch upon the legitimacy and effectiveness of counterterrorism operations (in terms of outcomes achieved, strengths and challenges) and how they perform within host-populations. Building on the data regarding the Malian population derived from the survey conducted by the Friedrich Ebert Stiftung association,⁴⁰ this dissertation will investigate to what extent and through which channels the host-population consent impacted Operation Barkhane’s outcome. Moreover, it will address in which ways the Malian citizens played a role in pushing back the French presence in the country, shifting alliances toward other security providers.

3.1.3 The Withdrawal of Host-State Consent in Literature

It is essential to elaborate on the literature on the possibility of host-state consent withdrawal and its impact on peacekeeping operations. Even though some authors use different terms to refer to it (revocation, withdrawal, rejection, lack, retreat, end),⁴¹ they all have the same meaning. Host-state consent withdrawal refers to a situation where a peace

³⁸ “Host-Country Consent in UN Peacekeeping: Bridging the Gap between Principle and Practice”, *Stimson Center*, September 2022, p. 2.

³⁹ Sophia Sabrow, “Local perceptions of the legitimacy of peace operations by the UN, regional organisations and individual states – a case study of the Mali conflict”, *International Peacekeeping*, Vol. 24, No. 1, 2017, pp. 159-186.

⁴⁰ “Mali Mètre – Le sondage de la FES au Mali”, *Friedrich Ebert Stiftung*, available at: <https://mali.fes.de/mali-metre>, [accessed 22 April 2023].

⁴¹ Sebastián and Gorur, “U.N. Peacekeeping & Host-State Consent”, op. cit., p. 38.

operation is no longer welcome to operate within the state and hence must leave because host-state consent has been compromised. Research often focuses on the theoretical implications of the withdrawal of host-state consent. For instance, in the Capstone Doctrine, this happens “when consent given grudgingly is withheld in various ways, such as restrictions on freedom of movement”.⁴²

Another way to look at it is by applying the theory of host-state consent to case studies. In general terms, according to the UN peacekeeping principles, consent necessitates the parties’ trust.⁴³ However, what happens when consent dramatically ends? “In situations where consent has greatly deteriorated, missions may even be asked to leave by the host-state”,⁴⁴ as in the case of Eritrea/Ethiopia, Burundi, and Chad. The list grows longer. Host-state consent was revoked by Egypt in 1967, causing the withdrawal of the UN troops. UNAMIR⁴⁵ operation in Rwanda was a consequence of the Rwandan government withdrawing its consent. Another example is Somalia, where the interruption of consent had disastrous consequences. Furthermore, in the case of Yugoslavia, Christine Gray⁴⁶ divided host-state consent into three stages: (a) consent to establishment and deployment; (b) consent to the mandate; (c) consent to the structure of the operation, with a predominant focus on the importance of the SOFA.⁴⁷

⁴² *UN Peacekeeping Operations: Principles and Guidelines - “Capstone Doctrine”*, op. cit., p. 32.

⁴³ *Ibid.*

⁴⁴ *Host-Country Consent in UN Peacekeeping*, op. cit., p. 2.

⁴⁵ UNAMIR is the acronym for the United Nations Assistance Mission for Rwanda, active for three years, from October 1993 until March 1996.

⁴⁶ Gray, “Host-State Consent and United Nations Peacekeeping in Yugoslavia”, op. cit.

⁴⁷ SOFA is the acronym for Status of Forces Agreement. It generally establishes the framework under which an external country intervening, such as France, in the case of Mali, operates in a foreign country. It is usually generated alongside a Defense Cooperation Agreement. Bamako and Paris signed this in July 2014, while the SOFA was signed in March 2013.

Lastly, some authors have focused on the scenarios of Côte d'Ivoire and Chad (Giulia Piccolino e John Karlsrud),⁴⁸ and others on the UNEF⁴⁹ (Jack Israel Garvey).⁵⁰

However, even if there is a plethora of cases, the only study concerning the issue of host-state consent in Mali is the one written by Isaline Bergamaschi. Although she provides an excellent assessment of the root causes of the multifaceted Malian crisis, she does not touch upon the interconnection with French military intervention and its success, and her analysis stops at the beginning of Barkhane. Therefore, this dissertation will consider and build upon it by further exploring the nexus between host-state consent and the outcome of the counterterrorism operation Barkhane in Mali.

3.2 Literature on Terrorism and Counterterrorism

This study seeks to understand how counterterrorism operations can fail or succeed, depending on the definition of counterterrorism adopted. Moreover, this research focuses on the terrorist attacks striking the Malian territory from 2014 to 2022 under the deployment of Barkhane's soldiers. Therefore, a solid theoretical background on terrorism and counterterrorism, the "defining features of security practice [of] this century"⁵¹, was necessary. The work of authors such as Alan Collins, Mike Bourne, Alex Conte, and others provided essential knowledge.

⁴⁸ Giulia Piccolino and John Karlsrud, "Withering consent, but mutual dependency: UN peace operations and African assertiveness", *Conflict, Security & Development*, Vol. 11, No. 4, 2011, pp. 447-471.

⁴⁹ UNEF is the acronym for the United Nations Emergency Force on Egyptian territory. It is generally considered the model for almost all future efforts at peacekeeping. In 1967, Egypt withdrew its consent to the presence of the mission and the Secretary-General, after having assessed the legal aspects and implications of the Egyptian position, concluded that the United Nations had no legal option but to withdraw. The decision was made according to his view of the nexus between consent and peace operations. He argued that peacekeeping missions require constantly reaffirming the state's consent to deploy the troops. See David Wippman, *Symposium: The United Nations, Regional Organizations, and Military Operations*, Article "Military Intervention, Regional Organizations, and Host-State Consent", 1996, pp. 209-239, p. 234, 209 and Paul F. Diehl, *International Peacekeeping*, The Johns Hopkins University Press, Baltimore and London, 1993, p. 31.

⁵⁰ Jack Israel Garvey, "United Nations Peacekeeping and Host State Consent", *The American Journal of International Law*, Vol. 64, No. 2, 1970, pp. 241-269.

⁵¹ "Terrorism and Counterterrorism", Chapter 11, in Mike Bourne, *Understanding Security*, Red Globe Press, London, 2014, pp. 223-247, p. 223.

Terrorism is not a new phenomenon,⁵² but the term is relatively new. The concept of terrorism has existed for millennia⁵³ but it was encapsulated in the word ‘terrorism’ only starting from the late 1960s.⁵⁴ Currently, there is no unanimously accepted definition of the term.⁵⁵ Among the multiple theories, there are three primary schools of thought, according to Peter Sederberg.⁵⁶ Terrorism can be seen as (a) warfare, (b) crime, and (c) disease.⁵⁷ This research will adopt option (a) and focus on terrorism as warfare. Consequently, it will analyse the French counterterrorism intervention as a military technique and direct action against armed groups. That is because, even though the second Operation Barkhane lasted longer, it was not a long-term strategy that investigated the underlying motivations or symptoms of the attacks.

Regarding its definition, most of the literature agrees on the following six principal characteristics of terrorism. (1) It involves the use or threat of violence; (2) it is committed by an organised group; (3) it is carried out to achieve political goals; (4) there are premeditated targets as victims; (5) at least one terrorist group has to be a non-governmental actor; (6) it is, according to the concept of New Wars,⁵⁸ a weapon of the weak.

However, although this dissertation studies terrorist groups that use violence in Mali and are an organised collectivity, they are motivated by several reasons, not solely political but also religious and ideological. Hence, it can be argued that there is a combination of old and new ways of committing terrorist acts, as studied by Bruce Hoffman.⁵⁹

⁵² “International Terrorism”, Chapter 2, in Alex Conte, *Security in the 21st Century. The United Nations, Afghanistan and Iraq*, Routledge, Oxfordshire, 2005, pp. 9-40, p. 9.

⁵³ “Terrorism”, Chapter 21, in Alan Collins, *Contemporary Security Studies*, 5th edition, Oxford University Press, Oxford, 2019, pp. 318-333, p. 319.

⁵⁴ See Joseba Zulaika and William Douglass, *Terror and Taboo: The Follies, Fables, and Faces of Terrorism*, Routledge, New York, 1996.

⁵⁵ Bruce Hoffman, *Inside Terrorism*, Columbia University Press, New York, 2017, p. 23.

⁵⁶ Peter Sederberg, “Conciliation as Counter-Terrorist Strategy”, *Journal of Peace Research*, Vol. 32, No. 3, 1995, pp. 295-312.

⁵⁷ “Terrorism”, Chapter 21, op. cit., p. 319.

⁵⁸ Mary Kaldor, *New and Old Wars: Organized Violence in a Global Era*, 3rd edition, Stanford University Press, Stanford, 2012.

⁵⁹ Hoffman, *Inside Terrorism*, op. cit.

To explain how Operation Barkhane contributed to curbing the threat of terrorism in Mali, the definition of counterterrorism adopted in this dissertation is the following: it is “the collection of strategies and tactics that seek to thwart terrorism”,⁶⁰ without giving it any political connotation. Among the different theories, this thesis will use the counterterrorism model of Sondre Lindahl.⁶¹ He distinguishes five components of counterterrorism: (1) key assumptions, (2) basic principles, (3) strategies and tactics, (4) priorities, and (5) evaluation. Together they create an approach that can be applied in research and praxis. For this thesis, more attention will be dedicated to strategies and tactics due to the importance of first isolating and then addressing the purposes of Barkhane’s deployment. The significance of the outcome in counterterrorism literature will be assessed in the next paragraph.

3.2.1 Counterterrorism Outcomes

In the realm of counterterrorism, the outcome of a counterterrorism operation is a concept subject to different interpretations. This dissertation takes a different approach compared to the majority of analysts – who define outcome as the simplistic end of an operation – and it considers that an appropriate definition would be “the result of a counterterrorism operation”.⁶² This interpretation of the term ‘outcome’ would allow this study to deliberately maintain a neutral stance when describing Barkhane’s result once it had terminated, thus avoiding the categorisation of failure or success, which is usually employed by the majority of scholars.

⁶⁰ *Essentials of counterterrorism*, edited by James J. F. Forest, Praeger, Santa Barbara, 2015, p. 2.

⁶¹ Lindahl, *A Critical Theory*, op. cit., p. 92.

⁶² To be more specific, in this context, the definition of outcome adopted is the one found in the Cambridge Dictionary, which defines it as “the result of something”. See “Outcome”, *Cambridge Dictionary*, available at: <https://dictionary.cambridge.org/dictionary/english/outcome>, [accessed 10 September 2023].

3.2.1.1 Success or Failure

When academic literature addresses the concepts of success and failure in a counterterrorism operation, the interpretations vary according to how scholars define counterterrorism's objectives. Whereas some argue that success is determined by the number of terrorist leaders killed, emphasising the military aspect,⁶³ others tend to be more careful in their approach and base the outcome on a broader system of features, comprehensive strategy, and soft measures, which will impact the terrorist groups in the long-term.⁶⁴

While it is beyond the scope of this thesis to create structural ways of defining the main aspects of the success and failure of both peacekeeping and counterterrorism, this section will critically assess the references in the literature.

3.2.1.1.1 Success or Failure in Peacekeeping

Firstly, it is central to notice that among the research community, there is the assumption that successful operations are self-evident. However, openly declared and replicable standards to ensure so do not exist. Moreover, when clarification is requested, there is considerable disagreement among scholars.

The second important consideration is that practitioners usually assume success is fulfilling the operation's mandate.⁶⁵ The explanations for this are varied. Paul F. Diehl, who will be the main reference for this dissertation's theoretical framework on host-state consent, points out that if this is the case, there are two problematic aspects. One the one hand, the mandate's clarity and, on the other hand, the limitations to comparisons of operations because of lack of information and differences between the operations themselves.⁶⁶ In contrast, others state that within the mandate, there is a great risk of over-committing, which could easily lead to

⁶³ Graig R. Klein, "The Leader of ISIS is Dead, but Are Targeted Killings Effective?", *International Centre for Counter-Terrorism*, February 2022, available at: <https://www.icct.nl/publication/leader-isis-dead-are-targeted-killings-effective>, [accessed 5 June 2023].

⁶⁴ Ibid.

⁶⁵ Diehl, *International Peacekeeping*, op. cit., p. 33.

⁶⁶ For further information about the two problematic elements highlighted by Diehl, see Ibid.

generally defining as unsuccessful that which has not been fulfilled or accomplished.⁶⁷ That is because “by [their very nature], peace operations are ambitious”.⁶⁸ However, another school of thought proposes that the first parameter for judging the success of a peacekeeping operation is its ability to “prevent violent conflict in the area of deployment”.⁶⁹ Another approach, which Diehl also critically presents, argues that success is measured based on the intended outcome.⁷⁰ However, there is a problem with this perspective. How does an operation achieve its results? What are the indicators to measure that success?

Finally, some analysts define success exclusively in relation to resolving the conflict and, therefore, associate it with a state of absence of violence.⁷¹

This dissertation will argue in Chapter 6 that the main issue in the case of Barkhane is the mandate’s accessibility and transparency. Moreover, this thesis asserts that there is a nexus between the effectiveness of an operation and the structure of the operation itself.

3.2.1.1.2 Success or Failure in Counterterrorism

3.2.1.1.2.1 Literature on Failures, Including the Case of Afghanistan

In order to identify empirical generalisations about counterterrorism operations and hence draw guidelines for future operations, this dissertation will base its framework, as already pointed out, on the case study of Mali. However, it is important to look for precedents in the history of counterterrorism failures to identify recurring features and gaps. Therefore, this literature review section is of central importance because it allows a search for common patterns across case studies.

⁶⁷ Walter A. Dorn, “Protecting civilians with force: Dilemmas and lessons from the UN stabilization mission in Haiti”, Chapter 6, in *The Use of Force in UN Peacekeeping*, edited by Peter Nadin, Routledge, Oxon, 2018, pp. 124-144, p. 139.

⁶⁸ Thierry, “UN Peacekeeping”, op. cit., p. 72.

⁶⁹ Diehl, *International Peacekeeping*, op. cit., p. 34. Diehl lists other analysts that follow this approach. Among them, Henry Wiseman, “Peacekeeping in the International Political Context: Historical Analysis and Future Directions”, in *The United Nations and Peacekeeping: Results, Limitations, and Prospects – The Lessons of 40 Years of Experience*, edited by Indarjit Rikhye and Kjell Skjelsbaek, St. Martin’s, New York, 1991; and Kjell Skjelsbaek, “UN Peacekeeping: Expectations, Limitations, and Results”, in *Ibid.*, pp. 52-67.

⁷⁰ *Ibid.*, p. 34.

⁷¹ Diehl, *International Peacekeeping*, op. cit., p. 72.

Acknowledging the difficulty of defining an operation as a success or a failure, it is worth noting that there is a common tendency in counterterrorism to focus mainly on failures. For the purpose of this thesis, the discussion will focus primarily on the so-called failure of the United States in its counterterrorism intervention in Afghanistan.

Arguably, Mali and Afghanistan share meaningful commonalities that facilitate the comparative process. In fact, among the several counterterrorism failures throughout history, scholars concur in stating that Mali was for the French as Afghanistan was for the Americans, writing about the “Afghanisation” of Mali⁷² due to the French military presence in the area. The list of similarities, however, does not stop there. As for the Malian case, the Defense Cooperation Agreement is the only official traceable document (Operation Enduring Freedom, started on 7 October 2001, as a response to the attacks of 11 September 2001) between the United States and Afghanistan.⁷³ Moreover, the official speeches of both the French President for the Malian case and the American President for the Afghanistan example can be accessed and compared. They share commonalities, especially in the terminology used, according to which they promote a positive master narrative of counterterrorism. In fact, both Macron and Biden talk about a successful counterterrorism operation.⁷⁴ Another parallelism can be traced in the words of Jacob Ware. In his provocative work, he argues that “the United States was not winning in Afghanistan, but it also was not losing”.⁷⁵ Similarly, this dissertation will try to

⁷² Barkhane is seen as part of the same wave of failure of the GWOT, raising the argument that France is “using the justificatory framework of counterterrorism to remain involved in the region and benefit from this involvement”. See Carmen Cuesta Roca, “From Operation Serval to Barkhane. Understanding France’s Increased Involvement in Africa in the Context of Françafrique and Post-colonialism”, *Journal of Political Inquiry*, 2015 Issue, p. 6. <https://jpinyu.com/wp-content/uploads/2015/05/3-Hollande.pdf>, [accessed 15 September 2023]. Among the alleged benefits is France's position in the UN – which the operation has contributed to improving – and its role in the international game.

⁷³ *Security and Defense Cooperation Agreement* between the Islamic Republic of Afghanistan and the United States of America (English text), signed in Kabul on September 30, 2014.

⁷⁴ “Remarks by President Biden on a Successful Counterterrorism Operation in Afghanistan”, *White House*, August 2022, available at: <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/08/01/remarks-by-president-biden-on-a-successful-counterterrorism-operation-in-afghanistan/#:~:text=Remarks%20by%20President%20Biden%20on%20a%20Successful%20Counterterrorism%20Operation%20in%20Afghanistan,-Home&text=THE%20PRESIDENT%3A%20My%20fellow%20Americans,Qaeda%2C%20Ayman%20al%2DZawahiri>, [accessed 5 June 2023]; and the French President Emmanuel Macron’s speech on the withdrawal of the French troops from Mali, op. cit.

⁷⁵ Jacob Ware, “The Enduring Importance of Tactical Counterterrorism for Strategic Competition”, *Irregular Warfare Initiative*, March 2023, available at: <https://irregularwarfare.org/articles/strongthe-enduring-importance-of-tactical-counterterrorism-for-strategic-competition-strong/>, [accessed 11 July 2023].

demonstrate that the French counterterrorism operation in Mali cannot be simplistically described as a failure without assessing its individual successes and the extent of its impact over the years. Barkhane troops were not completely losing, and neither were they winning.

3.2.1.1.2.2 Literature on Operation Barkhane's "Failure"

Because of the features of the Malian context that can be applied to other case studies, sources focusing on Malian terrorism and consequent French counterterrorism intervention were also helpful.

The Barkhane case has been primarily defined as a failure by current literature and statistical studies.⁷⁶ Notwithstanding, studies regarding its failure have been divergent in explaining the reasons. Some observers have focused exclusively on the French withdrawal from Mali as related to the presence of the Wagner Group as the new security actor filling the power vacuum left by France (Stronski, Druet, Coffey).⁷⁷ Others have vaguely connected the so-called failure to the political instability in Mali due to the new junta in power after the two coups in 2020 and 2021 (Le Cam; Doxsee, Thompson, and Harris).⁷⁸ However, it is surprising that no one has assessed the successful objectives achieved by Barkhane over almost a decade. In the light of this, it is necessary to reevaluate.

⁷⁶ *Global Terrorism Index*, op. cit., p. 24.

⁷⁷ Stronski, "Russia's Growing Footprint", op. cit.; Dirk Druet, "Wagner Group Poses Fundamental Challenges for the Protection of Civilians by UN Peacekeeping Operations", *International Peace Institute*, 2023, available at: <https://theglobalobservatory.org/2023/03/wagner-group-protection-of-civilians-un-peacekeeping-operations/>, [accessed 25 March 2023]; David Coffey, "Did France's Operation Barkhane win the fight against terror in the Sahel?", *Radio France Internationale*, 2022, available at: <https://www.rfi.fr/en/africa/20221112-what-did-france-s-operation-barkhane-achieve-in-fight-against-terror-in-the-sahel>, [accessed 26 March 2023].

⁷⁸ Morgane Le Cam, "France's Barkhane military operation discreetly withdraws from Mali", *Le Monde*, August 2022, available at: https://www.lemonde.fr/en/le-monde-africa/article/2022/08/16/france-s-barkhane-military-operation-discreetly-withdraws-from-mali_5993721_124.html, [accessed 4 June 2023]; Catrina Doxsee, Jared Thompson, Marielle Harris, "The End of Operation Barkhane and the Future of Counterterrorism in Mali", *CSIS*, available at: <https://www.csis.org/analysis/end-operation-barkhane-and-future-counterterrorism-mali>, [accessed 25 April 2023].

3.2.1.1.2.3 French Perspective of Success and Failure

France does not consider its counterterrorism operations in Mali as a failure. Rather, the French perspective suggests that, present in the Sahel since 2013 with the launch of Operation Serval, the European country “played a leading role in blocking the advancement of terrorist groups in the region”.⁷⁹ Moreover, according to the French viewpoint, the counterterrorism operations in Mali provided vital assistance to the West African country in fighting terrorism. Therefore, the narrative promoted by the French President is a narrative of success.⁸⁰

3.3. The Entanglement of Peacekeeping and Counterterrorism

As Theo Neethling affirmed, “any scholarly discussion on contemporary peacekeeping and counterterrorism would be incomplete without reflections on scholars and analysts who consider an increasing entanglement⁸¹ between peacekeeping and counterterrorism as highly problematic”,⁸² even if extremely important. He calls it a genuine ‘entanglement’.

Moreover, he believes that the increasing trend of terrorism after 11 September 2001, is the leading cause of the change in the dynamics of peace operations in Africa, specifically in Mali and Somalia. He also brings up the example of MINUSMA⁸³ in Mali as the first UN peacekeeping operation that conducted military activities against terrorists. However, his

⁷⁹ “Terrorism: France’s International Action”, *France Diplomacy*, available at: <https://www.diplomatie.gouv.fr/en/french-foreign-policy/security-disarmament-and-non-proliferation/terrorism-france-s-international-action/>, [accessed 11 July 2023].

⁸⁰ See the speech on the French troops’ withdrawal from Mali of the French President Emmanuel Macron, op. cit.

⁸¹ Existing literature refers to the contemporary interconnectedness between the realms of peacekeeping and counterterrorism with the technical term ‘entanglement’. Therefore, it represents the assemblage of the two fields of peacekeeping and counterterrorism, which are investigated side by side in order to see differences and overlaps. See Theo Neethling, “The entanglement between peacekeeping and counterterrorism. With special reference to peacekeeping operations in Africa”, *Accord*, 2019; and Louise Wiuff Moe, “The Dark Side of Institutional Collaboration: How Peacekeeping-counterterrorism Convergences Weaken the Protection of Civilians in Mali”, *International Peacekeeping*, Vol. 28, No. 1, 2021, pp. 1-29. This entanglement was also used by Maya Mynster Christensen to explain the processes and practices through which international peacekeeping experiences can be entangled with national counterterror policing in her work Ead., “Assembling UN Peacekeeping and Counterterrorism in Ghana”, *Contemporary Journal of African Studies*, Vol. 9, No. 1, pp. 80-92.

⁸² Neethling, “The entanglement between peacekeeping and counterterrorism”, op. cit., p. 1.

⁸³ The United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) was created by Security Council Resolution 2100 of 25 April 2013 to support the political transition toward democracy in that country and perform a number of security tasks. The Security Council asked MINUSMA to help the Malian transitional authorities stabilize the country and implement the transition roadmap. See “MINUSMA”, *United Nations Peacekeeping*, April 2013, available at: <https://peacekeeping.un.org/fr/mission/minusma>, [accessed 6 June 2023].

analysis of the relationship between peace and terrorism is not developed further. Similarly, Namie Di Razza⁸⁴ argues that there is a widely spread trend of militarising UN peacekeeping operations in Mali. Lastly, Charbonneau⁸⁵ uses counterterrorism and peacekeeping to bring peace to Mali and compares the MINUSMA with the French counterterrorism operations of Serval and Barkhane.⁸⁶

This dissertation will go further by saying that, even though literature primarily looks at peacekeeping and counterterrorism separately, it would be short-sighted not to accept that the entanglement between the two has become more evident in recent years. In fact, a debate has begun developing in the literature on whether there is a link between the fields of peace and counterterrorism and on their dynamics of entanglement.

The convergence between the two realms will be employed where counterterrorism lacks a methodological foundation. In that case, the structure will be derived from peacekeeping theory, which will be transferred, applied, and translated into the domain of counterterrorism. This approach is aimed at exploring similarities and differences and at assessing the extent to which it can effectively be applied to counterterrorism operations.

3.4 Concluding Remarks

To conclude, this literature review highlights the function of host-state consent and its connection with the outcome of a counterterrorism operation. Most scholars agree with understanding the importance of host-state consent. However, the existence of links between host-state consent and the outcome of counterterrorism operations is debated. Very few

⁸⁴ Namie Di Razza, "Protecting Civilians in the Context of Violent Extremism: The Dilemmas of UN Peacekeeping in Mali", *International Peace Institute*, October 2018, available at: <https://www.ipinst.org/2018/10/protecting-civilians-in-the-context-of-violent-extremism-the-dilemmas-of-un-peacekeeping-in-mali>, [accessed 15 September 2023].

⁸⁵ Bruno Charbonneau, "Intervention in Mali: Building peace between peacekeeping and counterterrorism", *Journal of Contemporary African Studies*, Vol. 35, No. 4, 2017, pp. 415-431.

⁸⁶ Similar to Charbonneau is the work of Louise Wiuff Moe, in ead., "The Dark Side of Institutional Collaboration", op. cit. Other perspectives are the ones of John Karlsrud, who links liberal peacebuilding to counterterrorism but still treats the fields as separate. He also believes that UN peacekeeping missions are including more and more counterterrorism features, which should be avoided in the future. See Id., "From Liberal Peacebuilding to Stabilization and Counterterrorism", *International Peacekeeping*, Vol. 26, No. 1, 2019, pp. 1-21.

authors point out that it is essential to identify and investigate the similarities between peacekeeping and counterterrorism and, thus, their degree of comparability. That is because the two phenomena have always been considered two separate fields. In fact, while there is vast literature on peacekeeping and counterterrorism, few studies exist on their entanglement.

Due to this considerable information gap in the aforementioned, this thesis will use peacekeeping theory to study and explain the failure of a counterterrorism operation. The next chapter, Chapter 4, will develop a theoretical framework of host-state consent in UN peacekeeping operations, primarily adopting Diehl's conceptual structure of peacekeeping operations as the main reference point.

4. HOST-STATE CONSENT THEORY IN PEACEKEEPING

Understanding host-state consent in peacekeeping operations is of great importance, especially because its presence or absence differentiates the peacekeeping field from peace enforcement⁸⁷ and other types of international operations.⁸⁸

Host-state consent is, moreover, one of the most difficult challenges that peacekeeping is facing at the present moment. One could argue that, currently, there is a significant “trust deficit”⁸⁹ stemming from the host-state and referring to the peacekeeping forces deployed. This trend can be seen in the peacekeeping operations in, for instance, the Central African Republic (CAR), the Democratic Republic of Congo (DRC) and Mali. In all three cases, the UN peacekeepers have arguably not met the provisions of their mandates regarding protecting civilians and supporting the host-states with a view to countering violence and ending conflict.⁹⁰

Therefore, there is a need for a deeper understanding of host-state consent theory. Thus, this chapter will focus on peacekeeping operations and, specifically, it will propose a conceptual framework of how the pillar of host-state consent can be established, respected, and

⁸⁷ “United Nations Offensive Peacekeeping Operations: Theory and Doctrine”, Chapter 2, in Antonio Garcia, *South Africa and United Nations Peacekeeping Offensive Operations: Conceptual Models*, Mwanaka Media and Publishing, Zimbabwe, 2018, pp. 26-42, p. 31.

⁸⁸ Traditional peacekeeping was conducted under Article 36(1) of the UN Charter (Chapter VI), and UN forces would deploy with the consent of the host-state and only use force in self-defence. Contemporary operations are typically authorised under Chapter VII to use force and, as a result, are a blend of Articles 40 and 42 depending on whether the UN forces are enforcing provisional measures or ‘taking all necessary measures’ to ensure the realisation of other mandated activities such as the protection of civilians. See Alexander Gilder, “The Effect of ‘Stabilization’ in the Mandates and Practice of UN Peace Operations”, *Netherlands International Law Review*, Vol. 66, No. 1, 2019, pp. 47-73, p. 55.

⁸⁹ Cedric de Coning, “How Not to Do UN Peacekeeping: Avoid the Stabilization Dilemma with Principled and Adaptive Mandating and Leadership”, *Global Governance*, Vol. 23, 2023, pp. 152-167, p. 153.

⁹⁰ *Ibid.*

maintained throughout the deployment of a peacekeeping operation and how easily it can be lost, depending on different situational parameters.

The theoretical structure elaborated in this section of the thesis will then be applied in Chapter 5 to the field of counterterrorism in light of the possible entanglement between the two domains.

Building on the definition of host-state consent given in the Introduction of this dissertation,⁹¹ one can look at the nature of host-state consent and assess its volatility in order to understand its impact on peacekeeping operations. Such host-state consent has important characteristics that peacekeeping should consider. For example, its ability to change and be withdrawn over time is central.

Finally, it is worth pointing out that the theoretical foundations of this chapter are predominantly rooted in the work of Paul F. Diehl, *International Peacekeeping*. In his analysis of international peacekeeping operations, he provides a framework to address what he calls “host countries consent” or “permission”.⁹² His detailed assessment will be used in this thesis to explain the role of host-state consent in impacting the outcomes of both peacekeeping and counterterrorism operations.

4.1 Host-State Consent: A Prerequisite for Peacekeeping Operations

In recent decades, the role of host-state consent has been analysed, challenged, and even questioned within the field of United Nations peacekeeping. It has consequently become the central characteristic, the heart of peacekeeping capacity.

The host-state consent school of thought includes and draws upon different peacekeeping domains. In fact, according to host-state consent theory, the opportunity for peacekeeping intervention is provided by the consent of the parties and, specifically, by host-state consent.⁹³

⁹¹ See the ‘Introduction’, footnote 5.

⁹² Diehl, *International Peacekeeping*, op. cit., p. 9.

⁹³ *Ibid.*, p. 11.

It can be claimed that the most common but fundamental relationship exists between the troops and the host-state. To be more precise, Diehl highlighted that peacekeeping operations work “in cooperation with the host state and under its authority”.⁹⁴ So, even though the UN Security Council is the authorising body, host-state consent is the necessary step, a fundamental prerequisite “before the process can begin”.⁹⁵ However, this important interrelation can represent a danger. It follows, in fact, that peacekeeping operations cannot and should not be launched or authorised without it. Thus, one could argue that the withdrawal of host-state consent can cause the end of any mission. In fact, its absence is not only a violation of international legal standards⁹⁶ (an abuse of power), but it will also likely increase the chance of military attacks on the peacekeeping forces by the host-state.⁹⁷ This would result in a suicidal situation for the troops deployed in the area of concern.⁹⁸ In order to prevent those attacks, host-state consent tends to be universally considered vital.

However, only a few authors think it will “build confidence, encourage disarmament, deter violence, act as a trip-wire, and assist in the building of state capacity”,⁹⁹. In contrast, the majority do not consider its presence a prerequisite in peacekeeping.

Nonetheless, it is important to point out that the reasons why host-state consent is required are not only linked to the nexus between the intervening country and the host-state. Host-state consent affects the legitimacy of an operation and, therefore, has the power to influence its outcome.¹⁰⁰ Consequently, as Wippman suggested, “it seems more plausible [...] that consent

⁹⁴ Alex J. Bellamy, Paul D. Williams, and Stuart Griffin, *Understanding Peacekeeping*, Polity Press, Malden, MA, 2010, p. 230.

⁹⁵ Ibid., but see also Allard Duursma, Sara Linderg Bromley, and Aditi Gorur, “The Impact of Host-State Consent on the Protection of Civilians in UN Peacekeeping”, *Civil Wars*, pp. 1-25, p. 1.

⁹⁶ Jack Garvey, “United Nations Peacekeeping and Host State Consent”, *American Journal of International Law*, Vol. 64, 1970, pp. 241-269.

⁹⁷ Diehl, *International Peacekeeping*, op. cit., p. 9.

⁹⁸ Ibid., p. 154.

⁹⁹ Bellamy, Williams, Griffin, *Understanding Peacekeeping*, op. cit., p. 398.

¹⁰⁰ Secretary-General Boutros Boutros-Ghali re-emphasized the importance of the three fundamental principles governing peacekeeping in 1995. Without the fulfilment of consent, impartiality, and minimum use of force, he stressed that peace operations are less likely to be successful. See UN A/50/60, *Supplement to an Agenda for Peace*, paragraph 33.

or its absence is central to the definition of wrongful intervention in the first place”.¹⁰¹ In fact, without host-state consent, “the UN would be taking enforcement action”.¹⁰²

The problem is that, despite the lack of effectiveness without host-state consent, such an approach based on the disregard of host-state consent is part of many UN peacekeeping operations (this can be noted by looking at the examples of Mali, CAR, and DRC – although they are not isolated cases).¹⁰³

4.2 The Maintenance of Host-State Consent during a Peacekeeping Operation

While host-state consent is a key principle of United Nations peacekeeping, once it is secured, it is difficult to maintain over time, and, more importantly, its preservation varies according to the different geopolitical contexts in which it is established.¹⁰⁴

Experts from the Stimson Center argue that there is no easy answer for this. However, they highlight the relevance of the link between host-state consent and cooperation among the countries.¹⁰⁵ According to them, the key is to promote cooperation “at the earliest possible moment of the mission planning stage”,¹⁰⁶ especially if states are not already collaborating on other fronts, and to maintain it throughout the duration of the operation.

Moreover, maintaining host-state consent also means engaging with different stakeholders within the host-state, such as “the opposition parties [if such exist], the legislative branch, mid-level government officials, local governors and administrators, civil society and the private sector”.¹⁰⁷

¹⁰¹ Wippman, “Military Intervention”, op. cit., p. 210.

¹⁰² Alexander Gilder, “Ukraine Symposium – UN Peacekeepers and the Zaporizhzhia Nuclear Plant”, *Lieber Institute West Point, articles of war*, January 2023, available at: <https://lieber.westpoint.edu/un-peacekeepers-zaporizhzhia-nuclear-plant/>, [accessed 10 July 2023]. Regarding the three principles of peacekeeping, the non-use of force can better explain why the UN usually considers military intervention and using force as a last resort.

¹⁰³ See the beginning of Chapter 4 of this thesis.

¹⁰⁴ “Host-Country Consent in UN Peacekeeping: Bridging the Gap between Principle and Practice”, op. cit.

¹⁰⁵ Ibid.

¹⁰⁶ *Lessons Learned in Peacekeeping Operations*, Art. 22, p. 11, available at: https://www.nato.int/docu/peacekeeping_lessons/peacekeeping-lessons-eng.pdf, [accessed 11 September 2023].

¹⁰⁷ Johnstone, “Managing Consent – The New Variable?”, op. cit., p. 33.

In the domain of peacekeeping operations, specialised units called Psychological Operations Task Forces, such as the one for Operation Joint Endeavour, usually come into play in order to win the “hearts and minds”¹⁰⁸ of the host-state population. These task forces are often coupled with UN experts on the culture of the host-state. In addition to their primary function, they also monitor and report possible propaganda against the United Nations,¹⁰⁹ fostering a positive image of them and contributing to the maintenance of the host-state consent.

Although sometimes it might be necessary to sacrifice important aspects of UN peacekeeping operations¹¹⁰ in order to safeguard host-state consent, the most frequently employed strategy by the UN forces is to provide concrete incentives to host-state population and host-state government. These measures can range from economic to humanitarian aid and are designed with the aim of demonstrating the benefits of the UN mission in that specific territory. For instance, the UN could focus on creating joint activities such as collaborative infrastructural projects¹¹¹ (e.g., hospitals or schools) in order to enhance collaboration with the host-state. Other examples deal with conflict resolution and aftermath peacebuilding techniques, such as creating community trauma-healing activities for the host-population affected by the threat of conflict.

4.3 Withdrawal or Revocation of Host-State Consent in Peacekeeping

Peacekeeping operations are deployed with the consent of the host-state. However, despite the efforts to maintain it, it is central to highlight that host-state consent can be withdrawn anytime.¹¹² Governments are usually recognised as the main actors in charge of that

¹⁰⁸ De Wijk, “Contributions from the Military Counterinsurgency Literature”, op. cit., p. 109.

¹⁰⁹ *Lessons Learned*, op. cit., Art. 37, p. 14.

¹¹⁰ Kristin Beck, “The Challenges of Consent: Policy Recommendations for Maintaining Host State Consent for United Nations Peacekeeping Missions”, *DWA Student Scholarship*, 2011, p. 1.

¹¹¹ “The Challenges for The United Nations Peacekeeping Operations to Maintain Host-State Consent”, *Medium*, May 2016, available at: https://medium.com/@THE_CEO/the-challenges-for-the-united-nations-peacekeeping-operations-to-maintain-host-state-consent-6babf7a70c6a, [accessed 11 September 2023].

¹¹² Diehl, *International Peacekeeping*, op. cit., p. 39.

revocation, limiting a mission's ability to carry out its mandate. However, as this thesis will demonstrate, one should also consider the host-population's role and impact. Otherwise, there is a risk of not completely assessing the problem from the root causes and, thus, of missing a piece of the puzzle. Even though it can be affirmed that the withdrawal or diminishment¹¹³ of consent represents an increasingly serious challenge that peacekeeping is currently facing, there is no awareness of the importance of investigating the motivations behind it. However, not taking these into consideration means not only putting the lives of peacekeepers and the fulfilment of the operation at risk but also, as discussed by Kristin Beck, the UN peacekeeping missions' credibility as a tool for peace at the service of the international community.¹¹⁴

Building further on these considerations, it is important to address two aspects related to the withdrawal of host-state consent identified by Diehl. On the one hand, the peacekeeping mission must have a limited timeframe since it is a temporary measure to curb violence. Therefore, he believes that an operation must be short-term to succeed. On the other hand, Diehl specifies that the "conditions surrounding the withdrawal"¹¹⁵ are also controversial and worth noting. They could be of different natures and significance. This thesis will focus on the political setting of the new junta in power and on the social dimension of the support of the host-population to explain the withdrawal of host-state consent in Mali. Hence, it will seek to demonstrate that Barkhane lost host-state consent politically and societally.

For example, the Center for Strategic and International Studies contends that "France also lost the trust of the Malian population through a lack of transparency about civilian casualties during military operations".¹¹⁶ From a local perspective, these episodes may have had a highly negative impact on public trust. Moreover, anti-French sentiment started to grow in 2020 and

¹¹³ Diminished consent from the host state and local populations is part of the conditions in which the majority of peacekeepers are deployed. See Fiifi Edu-Afful, "Peacekeeping in Nonpermissive Environments: Assessing Troop-Contributing Countries' Perspectives on Capabilities and Mindsets", Issue Brief, *International Peace Institute International Peace Institute*, March 2023, p. 2.

¹¹⁴ Beck, "The Challenges of Consent", op. cit., p. 3.

¹¹⁵ Diehl, *International Peacekeeping*, op. cit., p. 40.

¹¹⁶ Doxsee, Thompson, and Harris, "The End of Operation Barkhane", op. cit.

then escalated after the two coups, which deposed leaders who were more cooperative with the French counterterrorism troops.¹¹⁷

4.4 Challenges and Solutions in Maintaining Host-State Consent in Peacekeeping Operations

Since, as host-state consent theory underlines, host-state consent is characterised by several limitations and problems, a branch of research has been looking for possible solutions. In this matter, this study draws from David Wippman's challenging thoughts and further investigates them. "What happens when a state consents to intervention and then withdraws that consent?"¹¹⁸ He thinks that, normally, the answer is simple. "Intervention by consent must remain within the bounds of that consent. Accordingly, if a generally effective incumbent government revokes its prior consent to external military intervention, the intervenors must withdraw"¹¹⁹ Otherwise, the mission is within the state borders but against the host-state will. At the same time, however, consent is such a volatile concept that this requires further analysis. The logic of this statement is, indeed, challengeable, considering that when a host-state withdraws its consent, several consequences impact the UN operations and their effectiveness.

Beck¹²⁰ identified and discussed in her work the following set of issues: (a) failure to translate agreements between host-state and intervening country into action, specifically referring to the respect and fulfilment of the SOFA and SOMA; (b) a decrease of the UN influence over the host government and host population once the operation is launched; (c) the sacrifice of central aspects of the operation to meet the requirements of the emergency and the need for renegotiation of those requirements; and, lastly (d) the political nature of the UN mission and its apparent subordination to the host-state. Investigating the legal relationship

¹¹⁷ Ibid.

¹¹⁸ Wippman, "Military Intervention", op. cit., p. 234.

¹¹⁹ Ibid.

¹²⁰ Beck, "The Challenges of Consent", op. cit., p. 3.

between the UN and the host-state and assessing its problems and solutions is central to understanding the nexus between success and failure in peacekeeping. In fact, these issues act as potential spoilers to the UN peacekeeping operations' effectiveness and successful continuation.

How to overcome the obstacles? What to change? What is the best way to proceed? How, in other words, to protect host-state consent?

This thesis will present the most relevant solutions suggested by Beck within the theory of host-state consent. In this regard, it is important to underline that, following the international relations and peacekeeping theories, the host-state consent theory recognises that the UN could use different instruments to keep host-state consent active. Firstly, the UN could use other incentives to keep the host-state engaged while promoting cooperation and collaborative involvement. Secondly, the UN could employ diplomatic tools (e.g., dialogues, meetings, and workshops) to keep the relationship between the intervening country and the host-state solid. Lastly, it could prepare and present to the host-state detailed emergency plans in case the risk of consent withdrawal becomes real (thus, adopting a preventive strategy).¹²¹

Ultimately, another difficult implication is that cooperation with host-state forces is dangerous for the UN's reputation of impartiality. The position of the UN as an impartial actor tends to be challenged in contexts such as in MINUSCA or MINUSMA where the mandates call for assistance to the host-state authority to conduct operations and share information. The fear is that the UN may be considered responsible for actions committed by the host-state forces in the areas where they cooperated.¹²²

¹²¹ *Ibid.*, p. 4.

¹²² Gilder, "The Effect of 'Stabilization'", *op. cit.*, p. 64.

4.5 Levels of Host-State Consent in Peacekeeping

Another essential aspect of host-state consent theory is the analysis of the different stages of host-state consent. This is because ensuring host-state consent at multiple levels is the key for a UN peacekeeping operation to be successful.¹²³ Notably, this is especially necessary in order to prevent the several incidents that already happen in peacekeeping. MONUSCO¹²⁴ in CAR and MINUSMA¹²⁵ in Mali represent cases of peaks of violence as well as examples of requests by the host-states for the peacekeeping forces to leave.

To provide a theoretical framework which can examine the different phases of host-state consent, this thesis will base its assessment on Beck's work.

As she described, there are three types of host-state consent to consider in ensuring its presence and stability, depending on the different levels of establishment of consent. Therefore, host-state consent can be defined as tactical, operational, and strategic.

The first level, tactical, is generally considered the lowest. It involves a local understanding of consent, mainly regarding the host-population and the involvement of key local stakeholders. The Capstone Doctrine explains it well.¹²⁶ "However, some actors and activists in the area have argued that peace becomes deeply rooted in society, becoming a Galtuniang "positive peace",¹²⁷ only when international peace providers invest in local communities and ensure that there is no more structural violence.¹²⁸

¹²³ Anjali Dayal, "A Crisis of Consent in UN Peace Operations", *International Peace Institute*, August 2022, available at: <https://theglobalobservatory.org/2022/08/a-crisis-of-consent-in-un-peace-operations/>, [accessed 11 July 2023].

¹²⁴ The UN mission in the DRC is called MONUSCO. It is the United Nations Organization Stabilization Mission in the Democratic Republic of Congo. For further information, see "MONUSCO Fact Sheet", *United Nations Peacekeeping*, available at: https://peacekeeping.un.org/en/mission/monusco?_gl=1%2A1aomfei%2A_ga%2AMTEwMjU0NzkyMS4xNjg4MjAyMzYz%2A_ga_TK9BQL5X7Z%2AMTY4OTIyNTMzMzMy4xLjAuMTY4OTIyNTMzMzMy4wLjAuMA., [accessed 13 July 2023].

¹²⁵ The UN mission in Mali is defined as MINUSMA. It is the United Nations Multidimensional Integrated Stabilization Mission in Mali. For further information, see "MINUSMA", *United Nations Peacekeeping*, available at: <https://minusma.unmissions.org/en>, [accessed 13 July 2023].

¹²⁶ *Capstone Doctrine*, op. cit., pp. 2 and 4.

¹²⁷ Johan Galtung, *Peace by Peaceful Means: Peace and Conflict, Development and Civilization*, International Peace Research Institute Oslo PRIO, Oslo, 1996.

¹²⁸ Dayal, "A Crisis of Consent", op. cit.

Host-state consent can also be seen as operational.¹²⁹ In that case, addressing host-state consent would mean fulfilling the mission's objectives within the geographical area of its concern. Furthermore, considering the host-state consent as operational would also contribute to ensuring the mandate's applicability throughout the entire duration of the operation. The restrictions that the host-state could impose, in this case, are related, for instance, to the VISA of the UN peacekeepers.

The difference between tactical and operational is that the first category is concerned especially with the population of a host-state, whereas the second deals with the host-government. Although tactical consent, determined by the public support of the host-state, has been widely considered minor compared to government support, this thesis argues that, on the contrary, it is essential.

The last level is strategic.¹³⁰ It is usually considered the highest level, and it regards the tasks and goals of the Security Council (the authorising body of the missions). The expression of strategic consent is determined by the permission of the mission's deployment given by the host-state.

It is important to emphasise that this work does not agree with the distinction made by E. Paddon Rhoads between strategic and tactical consent because he does not consider the third type and simply divides the concept into consent of the host-state (strategic) and consent of other parties (tactical).¹³¹

Moreover, for all the three types of consent, different approaches need to be employed.

¹²⁹ *Capstone Doctrine*, op. cit., p. 6.

¹³⁰ *Ibid.*, pp. 4-6.

¹³¹ Ilaria Zavoli, "Peacekeeping in Eastern Ukraine: The Legitimacy of a Request and The Competence of the United Nations General Assembly", *Journal of Conflict and Security Law*, Vol. 22, No. 1, pp. 147-173, p. 156.

4.6 Exceptions in Peacekeeping Host-State Consent

Peacekeeping troops are usually present in the host-state territory with the consent of the state concerned. This is the case of the UN mission in Lebanon (UNIFIL),¹³² Western Sahara (MINURSO),¹³³ India and Pakistan (UNMOGIP),¹³⁴ Cyprus (UNFICYP),¹³⁵ and Colombia (UNVMIC).¹³⁶

However, although this is the majority of the cases, the UN has established more than one peacekeeping operation without host-state consent. What could happen is that host-states could become hostile toward peacekeepers, especially if the latter are not meeting the host-state's interests anymore. Thus, they become potential spoilers of the mission. For instance, this is the case of the United Nations Operations in Somalia (UNOSOM I).¹³⁷ However, it is important to note that UN forces acting without Somalians' consent were motivated by the absence of a "functioning government"¹³⁸ because the latter lacked effective control of its territory and brought the country into an institutional collapse, which caused significant implications. Accordingly, the UN peacekeepers were perceived as taking sides in the conflict and thus lost their claim of impartiality.

This dynamic, however, can be noted outside Somalia in various scenarios. Another example is given by the United Nations Protection Force (UNPROFOR) in Croatia,¹³⁹ which

¹³² UNIFIL is the United Nations Interim Force in Lebanon. See "UNIFIL", *United Nations Peacekeeping*, available at: <https://unifil.unmissions.org>, [accessed 13 July 2023].

¹³³ MINURSO is the United Nations Mission for the Referendum in Western Sahara. See "MINURSO", *United Nations Peacekeeping*, available at: <https://minurso.unmissions.org>, [accessed 13 July 2023].

¹³⁴ UNMOGIP is the United Nations Military Observer Group in India and Pakistan. See "UNMOGIP Fact Sheet", *United Nations Peacekeeping*, available at: <https://peacekeeping.un.org/en/mission/unmogip>, [accessed 12 July 2023].

¹³⁵ UNFICYP is the United Nations Peacekeeping Force in Cyprus. See "UNFICYP", *United Nations Peacekeeping*, available at: <https://unficyp.unmissions.org>, [accessed 12 July 2023].

¹³⁶ UNVMIC is the United Nations Verification Mission in Colombia. See "UNVMIC", *United Nations Missions*, available at: <https://colombia.unmissions.org/en>, [accessed 12 July 2023].

¹³⁷ UNOSOM I is the United Nations Operation in Somalia I, a completed operation. See "UNOSOM I", *Completed Peacekeeping Operations*, available at: <https://peacekeeping.un.org/sites/default/files/past/unosomi.htm>, [accessed 13 July 2023].

¹³⁸ James Sloan, "UN Peacekeeping and International Law, Chapter 12, in *The Use of Force in UN Peacekeeping*, edited by Peter Nadin, Routledge, Oxon, 2018, pp. 265-291, p. 273.

¹³⁹ For further information about the UN mission and the withdrawal of host-state consent in Croatia, see Christian Grey, "Host-State Consent and United Nations Peacekeeping in Yugoslavia", in *International Peacekeeping*, edited by Boris Kondoch, Routledge, London, 2007. For further information, conversely, solely on the UN peacekeeping operation, see *Former Yugoslavia, UNPROFOR*, available at: https://peacekeeping.un.org/mission/past/unprof_p.htm, [accessed 10 July 2023].

lasted three years from 1992 to 1995. The termination of Croatia's consent to the presence of the United Nations troops on its territory shows that the host-state government's consent was essential for the continuation of the mission.

Finally, a similar pattern can be seen in the United Nations Mission in Ethiopia and Eritrea (UNMEE).¹⁴⁰ This is also an important case because it demonstrated that the withdrawal of host-state consent might cause restrictions to the peacekeepers' freedom of movement in operational activities and obstruct the mission's logistics.¹⁴¹

Acknowledging that there is a meaning and a necessity¹⁴² for host-state consent, this research will now look more closely at the theoretical structure of host-state consent in peacekeeping operations.

4.7 Host-State Consent as a Characteristic of Peacekeeping Operations

After identifying the problems and solutions, and their exceptions, this research will focus on the features of host-state consent.

According to the conceptual picture provided by Diehl, three sets of factors come into play when a peacekeeping operation is organised and deployed. Looking at his analysis, it can be noted that practitioners need to consider, firstly, the characteristics of the operation itself; secondly, the authorisation of the mission; and thirdly, the political context. For the purpose of this dissertation, the focus will be on the last two. The choice of narrowing down the influencing parameters from three to two does not mean that these indexes automatically affect the success or failure of peacekeeping operations and that they have more impact than the first. Rather, it is a strategic decision that aims to provide a starting point for this dissertation's analysis of Operation Barkhane, which will be at the core of Chapter 6. In fact,

¹⁴⁰ For further information on UNMEE, see "UNMEE", *United Nations Missions*, available at: <https://unmee.unmissions.org>, [accessed 10 July 2023]. The Security Council adopted resolution 1827 to terminate the operation.

¹⁴¹ A.K. Bardalai, "UN Peacekeeping and Ambiguity in Normative UN Norms", *Manohar Parrikar Institute for Defence Studies and Analyses Journal of Defence Studies*, Vol. 16, No. 3, 2022, pp. 25-53, p. 29.

¹⁴² *Ibid.*, p. 39.

Diehl's first set of characteristics is not relevant for an analysis specifically limited to host-state consent.

4.7.1 Characteristics of Authorisation.

Since peacekeeping operations do not function in a vacuum, “to set up a peacekeeping force, the host state(s) must grant its (their) approval”.¹⁴³ Therefore, one could argue that the authorisation goes beyond the permission formally given by the United Nations Security Council, which officially authorises an operation by adopting a resolution.¹⁴⁴ Importantly, it requires the involvement of the host-state as well. In this regard, the host-state has to consent to the peacekeeping operation deployment and mandate. By doing so, the sovereignty of the host-state is also theoretically preserved and part of the process,¹⁴⁵ which is central to the conception of peace operations.¹⁴⁶ However, the authorisation of the mission is only the first step. Operations, in fact, needs constant reaffirmation and dialogue with local leaders and civil society groups. Host-state consent, as already mentioned, is not a one-off action. That is why, according to Tardy, the UN must also be clear about what it will realistically be able to achieve and what it will not.¹⁴⁷

Additionally, in order to understand in depth the entanglement between authorisation and the host-state, it is also crucial to look at the UN peacekeeping operations mandates.

¹⁴³ Ibid., p. 503 and p. 62.

¹⁴⁴ The resolution sets out the operation's mandate, size, and details of the tasks. See: “Deploying Peacekeepers”, *United Nations Peacekeeping*, available at: <https://peacekeeping.un.org/en/deploying-peacekeepers#:~:text=Security%20Council%20resolution,will%20be%20responsible%20for%20performing>, [accessed 3 July 2023].

¹⁴⁵ Thierry Tardy, “UN Peacekeeping: The 21st Century Challenges”, in “New Trends in Peacekeeping: In Search for a New Direction”, *NIDS International Symposium on Security Affairs*, November 2014, pp. 61-72, p. 62, available at: <http://www.nids.mod.go.jp/english/event/symposium/pdf/2014/E-00.pdf>, [accessed 15 September 2023].

¹⁴⁶ Ibid., p. 66.

¹⁴⁷ Ibid., p. 72.

4.7.1.1 The Mandate

United Nations peace operations are deployed based on the UN Security Council's mandates. The mandate is essential in peacekeeping theory and practice because it defines an operation's mission and often sets out the goals that must be achieved within its duration.¹⁴⁸ Moreover, it is characterised by two key aspects: clarity and specificity. Whereas the first refers to how precisely purpose and actions are explained, the second concerns the number of details given.¹⁴⁹

However, for the purpose of this thesis, it is fundamental to underline and investigate the influencing ability of the mandate in particular. In fact, according to peacekeeping theory, it can drive the success of peace operations in two different ways. Firstly, it sets out the mission's expectations in order to leave less room for disagreement among parties. Secondly, it helps ensure public support for the operation, which may be particularly critical, especially if the political context is unstable. If the mandate is vague, it undermines popular consent upon which an operation should be deployed.

4.7.1.1.1 The Renewal of The Mandate

Mandates are also important because they can be renewed once they end or are about to end. The UN Security Council is responsible for authorising this action, representing how the UN can face emergencies. In fact, the renewal of the mandate can strengthen the mission's objectives or resolve the difficulties encountered during the initial phases. Therefore, it

¹⁴⁸ Even though each UN peacekeeping operation is different, there is a pattern worth noting in their tasks. Peacekeeping operations can be deployed to (a) prevent a conflict, (b) stabilise a conflict situation after a ceasefire, (c) assist in implementing peace agreements, and (d) lead through a governmental transition. Moreover, the specific activities peacekeepers might find themselves involved in are the following: (i) disarmament, demobilisation and reintegration of ex-combatants, (ii) mine action, (iii) security sector reform and rule of law-related activities, (iv) protection and promotion of human rights, (v) electoral assistance, (vi) support for the restoration and extension of State authority, (vii) promotion of social and economic recovery and development. Lastly, the mandates cover three thematic areas: *Security Council resolution 1325* (2000) on women, peace and security; *Security Council resolution 1612* (2005) on children and armed conflict; *Security Council resolution 1674* (2006) on the protection of civilians in armed conflict. See, "Mandats and The Legal Basis for Peacekeeping", *United Nations Peacekeeping*, available at: <https://peacekeeping.un.org/en/mandates-and-legal-basis-peacekeeping>, [accessed 3 July 2023]. For a more detailed picture of how peacekeeping mandates are designed and structured, see the *UN Peacekeeping Operations: Principles and Guidelines - "Capstone Doctrine"*, op. cit., Part I, Chapter 2 (2.3 and 2.4).

¹⁴⁹ *Ibid.*, p. 72.

represents an asset for UN peacekeeping and should be utilised as a way to link the United Nations with the host-state further.

However, Anjali Dayal has pointed out that the UN Security Council tends to simply “repeat language and terms of engagement whenever possible, preferring to shift mission logistics at the margins instead of having to renegotiate the terms of an intervention fully”.¹⁵⁰ The problem with this approach is that the solutions adopted might not weather the dynamic nature of a political situation. Therefore, although re-authorising an operation usually means increasing its power over the mandate, it is a delicate process which, if performed incorrectly, could mean the UN withdrawing and leaving the country.

To sum up, the mandate and the possibility of its renewal are linking once again peacekeeping operations to host-state consent.

However, one can wonder if other factors influence such host-state consent. It mainly depends on the political setting where a mission is deployed.

4.7.2 Political Context

The United Nations’ work remains “inherently political, especially as missions operate at the behest of host governments”.¹⁵¹ Therefore, UN peacekeeping operations should give priority to the political settlement,¹⁵² in which the host-state and, more specifically, its consent to a peacekeeping operation plays an impactful part. The political setting where the peacekeeping forces are deployed can change over time. If this happens, it is likely that the mission will no longer be feasible on its terms and therefore be asked to leave. This shows again how consent can be critically important to a sustainable peacekeeping mission.

¹⁵⁰ Dayal, “A Crisis of Consent”, op. cit.

¹⁵¹ Naureen Chowdhury Fink and Arthur Boutellis, “Between a Rock and a Hard Place: Counterterrorism and Peacekeeping in the Sahel”, *Global Observatory of the International Peace Institute*, July 2021, available at: <https://theglobalobservatory.org/2021/07/between-a-rock-and-a-hard-place-counterterrorism-and-peacekeeping-in-the-sahel/>, [accessed 26 July 2023].

¹⁵² *Position Paper of the People’s Republic of China. For the 73rd Session of the United Nations General Assembly*, available at: https://www.fmprc.gov.cn/eng/wjdt_665385/2649_665393/201808/P020210525407121754577.pdf, [accessed 25 July 2023], p. 4.

However, there are other contributing factors besides this. Diehl believes that the kind of dispute (e.g., civil war), the third-party states and the subnational actors can also affect a peacekeeping operation. However, this dissertation will focus solely on the behaviour of the host-state¹⁵³ and local populations.¹⁵⁴

4.7.2.1 The Behaviour of The Host-State

Peacekeeping operations should “require the cooperation of the primary disputants in a conflict”.¹⁵⁵ Before that, however, it is important that UN peacekeepers have permission to be deployed on the host-state soil. Securing the support of the host-state is vital but not sufficient on its own. When consent is obtained from only one party to a conflict – as in the case of the operations in CAR, the DRC, and Mali – it undermines the principle of host-state consent.¹⁵⁶

This thesis disagrees with the observations of Roberto Ago in his report to the International Law Commission on state responsibility. He argues that host-state consent may be “expressed or tacit, explicit or implicit, provided however that it is clearly established” and is not “vitiated by defects such as error, fraud, corruption or violence”.¹⁵⁷ Conversely, as stated by Bellamy, Williams, and Griffin, the “engagement with host states and their societies” is central to having an effective operation.¹⁵⁸ Moreover, as Steven R. Ratner noted, not only is the technical existence of host-state consent important, but also the quality of that consent.¹⁵⁹

¹⁵³ Diehl, *International Peacekeeping*, op. cit., p. 77.

¹⁵⁴ Edu-Afful, “Peacekeeping in Nonpermissive Environments”, op. cit., p. 2.

¹⁵⁵ *Ibid.*, p. 79.

¹⁵⁶ De Coning, “How Not to”, op. cit., p. 163.

¹⁵⁷ Roberto Ago, “8th report on State responsibility, Special Rapporteur: The internationally wrongful act of the State, source of international responsibility”, *United Nations Digital Library*, 1979, available at: <https://digitallibrary.un.org/record/5853>, [accessed 15 September 2023].

¹⁵⁸ Bellamy, Williams, Griffin, *Understanding Peacekeeping*, op. cit., p. 399.

¹⁵⁹ Steven R. Ratner, *New Un Peacekeeping: Building Peace in Lands of Conflict after the Cold War*, Palgrave Macmillan, London, 1995, pp. 39-41.

4.8 Concluding Remarks

This chapter has shown that host-state consent in peacekeeping is volatile and hard to secure and maintain throughout an operation. However, it is an essential prerequisite for success. Its absence or withdrawal can cause several consequences, among which the worst is the request from the host-state to the UN troops to leave the country of concern. This negative effect can be seen in several examples from the history of UN peacekeeping missions, which are described in this chapter. This section has also argued that addressing host-state consent is central to strengthening the effectiveness of peacekeeping operations.

The next chapter will provide an assessment of the comparison between peacekeeping and counterterrorism by applying the theoretical framework of host-state consent constructed in this section to counterterrorism operations.

5. THE APPLICABILITY OF HOST-STATE CONSENT IN COUNTERTERRORISM

5.1 The Entanglement between Peacekeeping and Counterterrorism

For the purposes of exploring the role of host-state consent in counterterrorism operations, which is the theme at the core of this chapter, a few primary considerations have to be addressed.

Firstly, no existing literature on this specific matter connects counterterrorism theory with host-state consent and its impact on counterterrorism operations.

Nonetheless, in contemporary research, there is a growing branch which is useful for this dissertation and which connects the doctrine of peacekeeping with the field of counterterrorism, as previously illustrated in the Literature Review. This entanglement¹⁶⁰ will be utilised as the theoretical framework to examine the case study of French Counterterrorism Operation Barkhane.

Secondly, although the current literature has linked the two phenomena through various *filles rouges* (e.g., the presence of a failed or weak state, as shown in countries like Afghanistan or Somalia),¹⁶¹ this dissertation will specifically delve into one, the host-state consent. It will then unpack the intersections between the two fields in this particular regard.

¹⁶⁰ For a more in-depth explanation of the term 'entanglement', see paragraph 3.3. 'The Entanglement of Peacekeeping and Counterterrorism' of this dissertation, footnote 81.

¹⁶¹ Ekaterina Stepanova, "Anti-terrorism and Peacebuilding During and After Conflict", *Stockholm International Peace Research Institute SIPRI*, June 2003, p. 22. For a deeper understanding of the concept of state failure in Africa, see Robert H. Bates, *When Things Fell Apart: State Failure in Late-Century Africa*, Cambridge University Press, Cambridge, 2008.

Thirdly, understanding the significance of a theoretical connection between peacekeeping and counterterrorism in terms of host-state consent is fundamental for several reasons: (a) it sheds light on the scarcity of information concerning counterterrorism operations and their deployment; (b) it creates a new theoretical lens for analysing counterterrorism operations where the existing literature does not provide any; and (c) it generates a comprehensive model, rooted in peacekeeping theory, which can be used both for past and future counterterrorism operations. In addition to this, it can establish future strategies and strengthen the measures for combating terrorism.

However, opinions among scholars differ. Some academics, like Shannon Zimmerman,¹⁶² believe that incorporating counterterrorism characteristics and tasks into UN peacekeeping operations mandates will likely worsen the situation. Notwithstanding, there is a trend within the international community towards reevaluating the grey areas between peacekeeping and counterterrorism.

Accordingly, despite the reasoning of some academics like Lucky Imade, who asserts that “counterterrorism and counterinsurgency play no significant role in the UN’s peacekeeping operations”,¹⁶³ it is important to acknowledge that the UN Charter, in Chapter VII, has as one of its primary aims “to maintain international peace and security”,¹⁶⁴ which broadly encapsulates the need to address security threats as well.¹⁶⁵

¹⁶² Shannon Zimmerman, “Peace and security are not the same thing”, *Lowy Institute*, 13 January 2022, available at: <https://www.lowyinstitute.org/the-interpretor/peace-security-are-not-same-thing>, [accessed 28 July 2023].

¹⁶³ Lucky Imade, “UN counterterrorism and counterinsurgency operations in Africa: Paradigm shifts and emerging structures”, in *The Routledge Handbook of Counterterrorism and Counterinsurgency in Africa*, edited by Usman A. Tar, Routledge, London, 2021, New York, p. 169.

¹⁶⁴ *United Nations Charter*, 1945, full text available at: <https://www.un.org/en/about-us/un-charter/full-text>, [accessed 8 August 2023].

¹⁶⁵ One illustration of the nexus between UN peacekeeping and counterterrorism lies in the agreement signed in 2022 between the United Nations Office of Counter-Terrorism (UNOCT) and the Department of Peacekeeping Operations (DPO). It is a Strategic Partnership Framework Action Plan aimed at guiding the development of counterterrorism and the prevention of violent extremism in UN peacekeeping missions. The rationale behind it is the recognition of the difficulties of the UN in operating in increasingly volatile, hostile, and high-risk environments. However, prior to this moment, peacekeeping and counterterrorism activities at the UN have intentionally and traditionally been kept separate. The Action Plan also represents a changing perspective. Looking back to 2015, on June 16, when the UN Secretary General’s High-Level Independent Panel released its review of UN-mandated peacekeeping, ‘Uniting our Strengths for Peace’, it is evident that the UN should not have engaged in any counterterrorism operations. For further information, see Patryk I. Labuda, “UN Peace Operations: Tracking the Shift from Peacekeeping to Peace Enforcement and State-Building”, *EJIL: Talk!* Blog of the European Journal of International Law, September 2015, available at: <https://www.ejiltalk.org/un-peace-operations-tracking-the-shift->

The case of Mali represents an example of this entanglement. MINUSMA, the UN Peacekeeping Operation in Mali, has been described as the deadliest mission on record due to the fact that terrorist groups targeted both UN peacekeeping and counterterrorism forces without any distinction.¹⁶⁶

Thus, the comparison¹⁶⁷ between peacekeeping and counterterrorism reveals points of convergence. Tensions arise in several areas, but host-state consent emerges as the main challenge. In fact, although seeking host-state consent to avoid issues with both the government and the population of the host-state might be perceived as a shared feature between the two phenomena, the host-state consent's importance, impact, effectiveness, and required nature differ between the two. Notably, while an admittedly modest corpus of literature has developed exploring the role of host-state consent within peacekeeping theory, an analogous analysis in the domain of counterterrorism doctrine remains remarkably absent. This lacuna stands as a central difference between the two fields and can be attributed to the scarce availability of publicly accessible information concerning both counterterrorism theories and operations. Furthermore, this information gap concerning counterterrorism will be solved in this thesis by looking at peacekeeping theory. As a consequence, the aim of this thesis is not to develop an entirely new theory of counterterrorism where one does not exist but rather to enrich the field of counterterrorism by taking insights from the well-established domain of peacekeeping.

Importantly, the approach chosen for this thesis to discuss the realm of counterterrorism is rooted in a legal basis, with international law emerging as the fundamental framework in the next sub-chapter.

from-peacekeeping-to-peace-enforcement-and-state-building/, [accessed 28 July 2023]. Counterterrorism operations involve offensive measures to prevent, deter, pre-empt, and respond to terrorism.

¹⁶⁶ Ibid.

¹⁶⁷ For a more comprehensive understanding, see Larry Attree, Jordan Street and Luca Venchiarutti, "United Nations peace operations in complex environments: Charting the right course", *SAFEWORLD*, Discussion Paper, September 2018, p. 21.

5.2 Counterterrorism Laws, UN Security Council, and States

First of all, to better understand the entanglement between peacekeeping and counterterrorism in terms of host-state consent and to what extent host-state consent influences the effectiveness of the operations, this research will look at the international legal framework. Moreover, it will examine whether host-state consent functions as a necessary requirement in counterterrorism operations as it is in peacekeeping.

Therefore, it is essential at this stage to introduce a premise regarding the current laws and policies provided by the United Nations Security Council and undertaken or implemented by individual states. Accordingly, Security Council resolutions establish a baseline of counterterrorism measures to which each member state must adhere and implement. Although some states have adopted at least a few forms of counterterrorism measures, their strength and effectiveness vary from state to state.¹⁶⁸ Therefore, it can be argued that there are diverse approaches to fighting terrorism.

5.2.1 The Use of Force: Self-Defence, UN SC Authorisation, Host-State Consent in International Law

In the “golden age”¹⁶⁹ of the Global War on Terrorism (GWOt), counterterrorism campaigns have reached an unprecedented level that goes hand in hand with the high degree of transnational threats affecting global security. When examining the role of the host-state in

¹⁶⁸ Jessica Burniske, Naz K. Modirzadeh, and Dustin A. Lewis, “Counter-terrorism laws and regulations. What aid agencies need to know”, *Humanitarian Practice Network HPN*, Counterterrorism and Humanitarian Engagement Project, No. 79, November 2014, p. 4. It is worth noting that “in addition to international and domestic sources of counterterrorism law, inter-governmental bodies may also promulgate counter-terrorism” policies (e.g., FATF, the Financial Action Plan Task Force, and the GCTF, the Global Counter-Terrorism Forum). See *ibid.* FATF and GCTF are other sources of counterterrorism policy, international bodies that have the power to influence domestic, regional, and international counterterrorism laws. For further information, see *Ibid.*

¹⁶⁹ Jack Davies, “Do Western states view special operations forces as tools with which to conduct operations violating international legal restrictions?”, *Human Security Centre*, October 2020, available at: <http://www.hscentre.org/uncategorized/do-western-states-view-special-operations-forces-as-tools-with-which-to-conduct-operations-violating-international-legal-restrictions/>, [accessed 27 July 2023].

counterterrorism, it necessarily intersects with the domain of international law, which mostly sees host-state consent as its foundation.¹⁷⁰

Counterterrorism operations conducted in another state are usually referred to as “cross-border counter-terrorism operations”.¹⁷¹ The justification for such operations is guided by international law. According to the Charter of the United Nations, the use of force within the territory of another state (host-state) is legally justified under three circumstances: (1) in self-defence (UN Charter, Article 51),¹⁷² (2) under Chapter VII, with the UN Security Council authorisation,¹⁷³ and (3) with the consent of the host-state, which means that the use of force is permissible when the state concerned gives its consent.¹⁷⁴ Thus, it can be noted that current international law does not prohibit the use of force based on host-state consent.¹⁷⁵

When the force is used at the request or with the consent of the host-state, specifically of the host-state government, it does not give rise to any issues under the *jus ad bellum*.¹⁷⁶ The intervention will be considered valid as long as it remains within the limits of the host-state consent, which must be “granted freely, clearly and effectively, and not be vitiated by error, fraud, corruption or coercion”.¹⁷⁷ To illustrate this, the case of Mali should be considered. The

¹⁷⁰ Ashley Deeks, “Consent to the Use of Force and International Law Supremacy”, *Harvard Law Journal*, Vol. 54, No. 1, 2013, pp. 1-60, p. 9; and Eric Posner, *Obama’s Drone Dilemma. The killings probably aren’t legal- not that they’ll stop*, 2012, available at: http://www.slate.com/articles/news_and_politics/view_from_chicago/2012/10/obama_s_drone_war_is_probably_illegal_will_it_stop_.html, [accessed 26 July 2023].

¹⁷¹ Michael N. Schmitt, *Counter-Terrorism and the Use of Force in International Law*, The Marshall Center Papers, No. 5, p. 31.

¹⁷² Self-defence can be further divided into: inherent self-defence against non-State actors operating from the host-state; or inherent self-defence against the host-state itself. For further information, see Sean D. Murphy, “The International Legality of US Military Cross-Border Operations from Afghanistan to Pakistan”, *International Law Studies*, Vol. 85, “The War in Afghanistan: A Legal Analysis.” *International Law Studies*, Vol. 85, October 2009, pp. 109-139., pp. 109-139, p. 118. A debate exists, regarding self-defence. It has been highlighted by Sophie Bobillier. She asked a question to the international community: Does the international law principle of self-defence entitle a state to engage in non-consensual lethal counterterrorism operations on the territory of another state against a non-state armed group that poses a direct and immediate threat of attack, even when the armed group concerned has no operational connection to its host state? If so, under what conditions does such a right of self-defence arise? For further information, see Sophie Bobillier, “General Assembly, The use of drones in counter-terrorism operations”, *ICRC*, available at: <https://casebook.icrc.org/case-study/general-assembly-use-drones-counter-terrorism-operations>, [accessed 28 July 2023].

¹⁷³ The authorisation from the United Nations through the Security Council is one of the requirements to legally justify an operation in a foreign country.

¹⁷⁴ *Ibid.*

¹⁷⁵ D. Wippman, “Pro-Democratic Intervention”, in *The Oxford Handbook of the Use of Force in International Law*, edited by Marc Weller, Oxford University Press, Oxford, 2015.

¹⁷⁶ Michael Wood, “International Law and the Use of Force: What Happens in Practice?”, *Indian Journal of International Law*, Vol. 53, 2013, pp. 345-367, p. 352.

¹⁷⁷ Parra, “Self-Defence against Non-State Actors”, *op. cit.*

interim Malian President gave host-state consent to the UN mission. France considered it sufficient to intervene in support of Mali, even if the President was not universally recognised as the legitimate authority in the country.¹⁷⁸

However, the relationship between the use of force and host-state consent remains ambiguous, as pointed out by Ashley Deeks. Following this provocative approach, some scholars have suggested that the rules of international law on the use of force “are [now] dead”.¹⁷⁹

Moreover, with respect to the third circumstance of host-state consent, it is worth noting that agreements with host-states are often classified or otherwise not publicly announced, making it difficult to determine the extent to which counterterrorism activities are justified by host-state consent compared to self-defence. It is also true that in many cases, the U.S. prefers to use both justifications, invoking the right to self-defence in response to the attacks on 11 September 2001, while seeking host-state consent where possible. This approach is evident in the U.S. counterterrorism operations in Afghanistan, Iraq, Somalia, Libya, Yemen, and other African countries.

While the international law community has extensively analysed the resort to self-defence in the context of the GWoT, it has insufficiently assessed the role of the consent by the host-state, which remains only partially “uncontroversial”.¹⁸⁰ It is also important to remember that the “state in which the terrorists are located has a right of territorial integrity”,¹⁸¹ adding another layer to the complexity of the issue.

Then a different question, which has received little attention in academic literature, is the intervention of a foreign state into a host-state in cases where the latter is unable or unwilling to pursue counterterrorism activities to prevent terrorist attacks. In this situation as well, a

¹⁷⁸ Zavoli, “Peacekeeping in Eastern Ukraine”, op. cit., p. 150.

¹⁷⁹ Ashley Deeks, “Unwilling or Unable, Towards a normative framework”, *Virginia Journal of International Law*, Vol. 52, 2012, p. 494. An emerging school of thought suggests the “death of Article 2(4)”, alluding to the little relevance of the article in the context of counterterrorism operations.

¹⁸⁰ Ibid.

¹⁸¹ Ibid., p. 32.

request from the host-state must take place to allow the intervening country to enter its territory legally. Otherwise, it is a non-consensual entry¹⁸² because “[the host-] state must consent to any use of force within its territory”.¹⁸³

5.3 Planning a Counterterrorism Operation: Theoretical Framework

The theoretical framework for planning a counterterrorism operation within the scope of this thesis has been drawn from the conceptual knowledge described by Rob de Wijk regarding counterinsurgency (COIN) and counterterrorism (CT) operations.¹⁸⁴ According to him, before the planning stage of an operation, it is necessary to perform an evaluation of the nature of the violent conflict where it needs to be deployed, its implications, the available methodologies to resolve it, and the counterterrorism policies to follow. Moreover, political objectives have to be identified. In addition, it is fundamental to separate the terrorists from their bases, which is done by denying them goods such as information, funding, popular support, etc.

More importantly, he believes that victories in both counterinsurgency and counterterrorism will be achieved “by a sequence of small successes”.¹⁸⁵ Four are the objectives to follow according to the universally valid approach described by de Wijk: (1) ensuring the safety of the population; (2) isolating the terrorists; (3) neutralising the terrorists’ strategy; (4) and, finally, supporting other organisations to create a unified front against the threat of terrorism.¹⁸⁶

¹⁸² Michael N. Schmitt, “Counter-Terrorism and the Use of Force in International Law”, *George C. Marshall European Center for Security Studies*, No. 5, January 2002, available at: <https://www.marshallcenter.org/en/publications/marshall-center-papers/counter-terrorism-and-use-force-international-law/counter-terrorism-and-use-force-international-law>, [accessed 30 July 2023].

¹⁸³ Mitt Regan, “Counterterrorism as Armed Conflict”, Counter Terrorism Tactics, Research Paper, *Counter Terrorism Ethics*, available at: <https://counterterrorismethics.tudelft.nl/counterterrorism-as-armed-conflict/>, [accessed 25 July 2023].

¹⁸⁴ Rob de Wijk, “Contributions from the Military Counterinsurgency Literature for the Prevention of Terrorism”, Chapter 5 in *Handbook of Terrorism Prevention and Preparedness*, edited by Alex. P. Schmid, International Centre for Counter-Terrorism, The Hague, pp. 109-138, pp. 122-123.

¹⁸⁵ *Ibid.*, p. 122.

¹⁸⁶ *Ibid.*

This methodological framework, synthesised by de Wijk, is a useful starting point to understand how operations are deployed in counterterrorism and with which goals.

Furthermore, it will help to analyse host-state consent within counterterrorism operations and the case study of Barkhane, the unit of analysis at the core of this dissertation, which will be discussed in Chapter 6.

5.4 Host-State Consent: A Prerequisite for Counterterrorism Operations?

To the knowledge of this author, little research has been done by scholars on counterterrorism operations, specifically in relation to their deployment, techniques, characteristics, and guiding principles. The only theoretical piece of literature about how counterterrorism operations are deployed is the one analysed in the preceding sub-chapter, which is derived from a publication of the International Centre for Counter-Terrorism.¹⁸⁷

Moreover, acknowledging the existing nexus between peacekeeping and counterterrorism, this thesis will use the first doctrine to provide an important theoretical basis and key lessons for counterterrorism operations. The lack that this dissertation has encountered is also linked to the gap between strategy and doctrine in counterterrorism. Literature does not value them enough for their importance to determine the failure or success of an operation.¹⁸⁸

The challenge for counterterrorism is to establish which tactic is more appropriate or whether a hybrid approach is needed. In cases of foreign intervention, it is even more complicated if the sending country “is considered an adversary”.¹⁸⁹

While UN peacekeeping operations are consent-based¹⁹⁰ (which means that their deployment requires the consent of the host-state,¹⁹¹ differentiating them from peace

¹⁸⁷ Ibid.

¹⁸⁸ Ibid., p. 110.

¹⁸⁹ Ibid., p. 113.

¹⁹⁰ Charles T. Hunt and Shannon Zimmerman, “Counter-Terrorism & Peace Operations: The Impacts of UN Security Council Approaches to Tackling Terror in the Pursuit of Peace”, *Securing the Future Initiative SFI, Recalibrating Counterterrorism in the Security Council Two Decades after 9/11*, Research Brief, July 2022, p. 5.

¹⁹¹ Jake Sherman, Agath Sarfati, and Ilhan Dahir, “The Future of UN Peacekeeping and Parallel Operations”, *International Peace Institute*, p. 8, available at: <https://www.ipinst.org/wp-content/uploads/2021/01/Future-of-Peace-Operations-and-Parallel-Forces-js.pdf>, [accessed 15 September 2023].

enforcement ones), the counterterrorism missions have diverse characteristics.

Notwithstanding, they generate similar concerns within the international community.

Unlike peacekeeping missions, where host-state consent is typically received in some forms,¹⁹² counterterrorism operations witness a more diverse spectrum of exceptions.

Nevertheless, seeking host-state consent remains crucial in counterterrorism and not only as a matter of principle. In fact, it is also important for operational purposes, as the chapter of this thesis dedicated to the case study will try to demonstrate (Chapter 6).¹⁹³ One could consequently wonder to what extent host-state consent is needed in counterterrorism. Its significance grows when counterterrorism operations involve military or intelligence activities carried out by intervening countries. However, the question that the community of scholars has not sufficiently raised is to what extent host-state consent truly represents an imperative for a counterterrorism operation.

5.4.1 SOFA, SOMA, and their Relevance in Counterterrorism

The importance of the bilateral relationship between the intervening or foreign (sending) country and the host-state (receiving) country cannot be overstated. Their dynamics are rarely easy, with challenges arising in both peacekeeping and counterterrorism contexts. However, this dissertation argues that bilateral agreements such as the Status of Forces and Status of Mission Agreement (SOFA and SOMA), negotiated with the host-government before the deployment of an operation, have more importance in the realm of counterterrorism than in the domain of peacekeeping.

The value of this procedure lies in the likelihood of the host-government and host-population giving their consent to the deployment of a counterterrorism operation and

¹⁹² There are, however, some extreme situations in which the operations have been launched without host-state consent. They are listed and discussed in Chapter 4 of this dissertation, sub-chapter 4.6, entitled 'Exceptions in Peacekeeping Host-State Consent'. See also Eric David and Ola Engdahl, "How does the involvement of a multinational peacekeeping force affect the classification of a situation?", *International Review of the Red Cross*, Vol. 95, No. 891/892, 2013, pp. 659-679, p. 668.

¹⁹³ United Nations Security Council S/PV.8552, 18 June 2019, p. 9.

maintaining that consent for the duration of the operation. However, it is also significant to consider that such consent will be more difficult to maintain where the operation extends over a protracted timeframe instead of being short-term.

While SOMA and SOFA appear to ensure consent with the host-state government predominantly, it is equally crucial to cultivate a solid relationship with the host-population. This is because both the government and the population wield power in the sense that they can potentially become hostile towards the counterterrorism operation's presence and demand its exit from the country and consequently declare its end or withdrawal. Therefore, both actors have to be also carefully considered in the context of counterterrorism operations.

5.5 The Maintenance of Host-State Consent during a Counterterrorism Operation

Securing and maintaining host-state consent represents a real challenge in counterterrorism operations, which have different objectives compared to peacekeeping. Moreover, the lack of true host-state consent creates serious obstacles to the effective deployment of counterterrorism troops.

The main problem and limitation is that a methodology for safeguarding host-state consent during counterterrorism operations has not been conceived yet in academic literature.

However, although relatively unexplored, there are a few good practices to follow.

After the formal securitisation of host-state consent through a Status of Mission Agreement (SOMA) or Status of Forces Agreement (SOFA) between the intervening country and the host-state, the assumption that host-state consent is secured once granted initially has to be challenged. To tackle this, counterterrorism strategists often include joint education and training programs, as well as a number of online media projects in their planning processes.¹⁹⁴

Differently from peacekeeping, however, the literature does not touch at all upon the crucial role of the host-population in maintaining host-state consent. Still, the whole community

¹⁹⁴ *Review of Australia's Counter-Terrorism Machinery*, Commonwealth of Australia, January 2015, p. 16.

should be engaged in implementing¹⁹⁵ the agreements between the two states, considering both immediate and long-term beneficial outcomes.

5.6 Withdrawal or Revocation of Host-State Consent in Counterterrorism

The maintenance of host-state consent is also problematic. Mere initial consent is insufficient in counterterrorism, as it might be easily revoked, compelling the state to leave the host-state territorial boundaries.¹⁹⁶ Therefore, it can be argued that the rollback of the core principle of host-state consent is not witnessed only by the United Nations peacekeeping operations,¹⁹⁷ but extends also to counterterrorism missions. However, there is a significant problem with examining this due to limited literature and documentation available on the topic.

To bridge this knowledge gap, this dissertation will draw on studies that explore the entanglement between peacekeeping and counterterrorism, using this link as a basis of analysis.¹⁹⁸ In fact, although limited data exist, certain fundamental principles from peacekeeping may be applicable to counterterrorism as well.

Firstly, the withdrawal of host-state consent has several consequences in counterterrorism that are similar to those of peacekeeping, impacting the outcome and effectiveness of the operation. Moreover, since the actors involved – host-government and host-population – are analogous to those in UN peacekeeping operations, their influence on counterterrorism missions will likely be similar.

Secondly, the withdrawal of host-state consent causes concern within international law. In this regard, some scholars have raised a question: what happens “in the case in which a host-

¹⁹⁵ *National Prevention Framework*, U.S. Department of Homeland Security, June 2016, p. ii.

¹⁹⁶ Moorehead, “Yemen’s consent for U.S. counterterrorism operations”, op. cit.

¹⁹⁷ Edu-Afful, “Peacekeeping in Nonpermissive Environments”, op. cit., p. 10.

¹⁹⁸ The importance of the nexus between peacekeeping and counterterrorism and the new branch in current literature that deals with it have been addressed in the ‘Literature Review’ of this dissertation, sub-chapter 3.3 ‘The Entanglement of Peacekeeping and Counterterrorism’.

state consent is lacking, and no Security Council authorisation exists”?¹⁹⁹ To answer this question, Paulina Starski, in her work, joined the debate by listing and assessing the potential breaches of international law in counterterrorism because of host-state consent (a) lack, (b) withdrawal or (c) absence.²⁰⁰

However, it is important to specify that this dissertation does not aim to tackle the specifics of these violations, but rather it seeks to look at the two aspects related to host-state consent withdrawal in peacekeeping operations identified by Diehl. To be more specific, the aim is to determine whether these aspects are also applicable to counterterrorism.

Firstly, the importance of duration in peacekeeping is notable, as pointed out by Diehl. It is essential at this stage to examine whether time plays a similarly crucial role in the context of counterterrorism operations. Long-term operations are more difficult to handle and complete because of the number of different variables that can play a role and change during the operation. On the contrary, when the timeframe is limited, there are more possibilities for an operation to be fulfilled. This is what happened during France’s military intervention in Mali, as this thesis will argue in Chapter 6, where the case study will be examined.

Secondly, aggravating circumstances (such as the political setting or societal dynamics) can significantly affect both peacekeeping and counterterrorism operations.

To sum up, host-state consent can indeed be withdrawn, leading to the expulsion of operations, as exemplified in the case of Operation Barkhane in Mali.

5.6.1 The Refusal of Host-State Consent

This dissertation has pointed out the lack of consensus among scholars regarding the classification of foreign state use of force for counterterrorism purposes on the territory of

¹⁹⁹ Paulina Starski, “Right to Self-Defense, Attribution and the Non-State Actor – Birth of the “Unable or Unwilling” Standard?”, *Heidelberg Journal of International Law*, 2015, pp. 455-501, pp. 473.

²⁰⁰ *Ibid.*

another state without its consent. This issue raises questions about the potential abuse of the use of force and violation of the host-state sovereignty.²⁰¹

In this context, an even more significant game-changing scenario occurs when host-state consent is refused *a priori*.²⁰² In such cases, the most natural consequence is aggression. Violence, in fact, is more likely to happen when a foreign state has forces stationed within another state and commits aggressive actions without the consent of the host-state.²⁰³

This scenario well represents a situation where the host-state unequivocally refuses to provide its consent, which may be interpreted as an unwillingness to cooperate.²⁰⁴

In the literature on international law and counterterrorism, the discussion regarding the refusal of host-state consent mainly pertains to the counterterrorism operations of the United States. The debate revolves around the issue of a “state that wishes to use force being ostensibly authorised to make a unilateral determination of whether another state that refuses consent to do so within its territory meets the standard”.²⁰⁵

Another aspect to consider pertains to the public dimension of an intervention. In some instances, host-states may give their consent to U.S. operations within their territory, but they may not prefer to publicly acknowledge such events (e.g., Yemen or Pakistan).²⁰⁶ A state which “covertly consented to the military actions of another, while overtly remaining silent or even denying that consent has been given”²⁰⁷ leads to further complexities. It can be argued that the presence of silence or secrecy contributes to worsening the already challenging situation.

²⁰¹ See, for example, the discussion in Dapo Akande, “Classification of Armed Conflicts: Relevant Legal Concepts”, *International Law and the Classification of Conflicts*, No. 50, 2012, pp. 70-79, p. 75.

²⁰² United Nations Security Council S/PV.8552, op. cit., p. 14.

²⁰³ For further information, see Steven R. Ratner, “Self-Defense Against Terrorists: The Meaning of Armed Attack”, *Counter-terrorism Strategies in a Fragmented International Legal Order: Meeting the Challenges*, edited by N. Schrijver and L. van den Herik, Cambridge, Cambridge University Press, 2013, pp. 334-355, p. 338.

²⁰⁴ Ashley Deeks, “Unwilling or Unable, Towards a normative framework”, op. cit., p. 494.

²⁰⁵ Regan, “Counterterrorism as Armed Conflict”, op. cit. It is worth noting that, up to this point, the U.S. had predominantly followed this approach only in cases involving failed states such as Somalia or where the governing authorities were sympathetic to Al-Qaeda, such as in Yemen.

²⁰⁶ Ibid.

²⁰⁷ Lynn E. Davis, Michael Mc Nerney, and Michael D. Greenberg, “Clarifying the Rules for Targeted Killing. An Analytical Framework for Policies Involving Long-Range Armed Drones.” *RAND Corporation*, 2016, p. 4.

Nevertheless, it is worth noting that, once again, the current studies covering counterterrorism operations are limited in terms of the outright refusal of host-state consent, the position of a state unwilling to cooperate, and the presence of silence and secrecy that frequently accompanies such difficult dynamics. Hence, there is a necessity for more research in this regard.

5.6.2 Challenges and Solutions in Securing Host-State Consent in Counterterrorism Operations: The U.S. Counterterrorism Drone Strikes

While drone strikes²⁰⁸ are typically covered by counterterrorism literature, along with special operations forces raids,²⁰⁹ this dissertation excludes them based on the adopted definition in the Literature Review of counterterrorism operations. Nevertheless, it is essential to acknowledge that the only available literature which has in some way investigated host-state consent within the context of counterterrorism – although once again solely following an American approach – pivots primarily around cases such as Pakistan, Syria, and Yemen. This is an area where research has made admittedly limited progress in understating and assessing the importance of host-state consent. Different means have been utilised to investigate this topic, and there are several limitations to each approach. However, these approaches give an example of the significance of host-state consent in counterterrorism and, consequently, this paragraph will address them as a starting point for further elaboration and exploration.

Counterterrorism missions that closely collaborate with the host-state face extreme difficulties in strengthening the relationships among the host-state, the intervening state, the international community and other external security providers. In light of this, one could argue that engaging in counterterrorism operations on foreign soil without host-state consent can

²⁰⁸ Ryan Swan, "Drone Strikes: An Overview, Articulation and Assessment of the United States' Position Under International Law", *Center for Global Security Research*, 2019, p. 15.

²⁰⁹ Ware, "The Enduring Importance of Tactical Counterterrorism", *op. cit.*

lead to adverse consequences, including the breakdown of diplomatic relations, public backlash, and potential legal repercussions according to international law.

Notably, the United States has engaged in the use of force, including targeted killings of terrorists in Yemen, Pakistan, and Syria, since 2001.²¹⁰ The U.S. has cited consent as legitimation for their international drone strike operations under the label of counterterrorism missions. This action is protected by Article 20 of the Draft Articles on Responsibility of States for Internationally Wrongful Acts of the International Law Commission.²¹¹

While the U.S. airstrike against Da'esh in Iraq was a counterterrorism action legally justified by the request of the Iraqi government for an American military intervention, the same cannot be said for the U.S. operation in Pakistan aimed at capturing or killing Osama bin Laden. In fact, on 1 May 2011, the U.S. conducted a counterterrorism operation in Pakistan without host-state consent following the attacks on 11 September 2001. Subsequently, when President Barack Obama announced the leader of al-Qaeda's death,²¹² it triggered the Pakistani reaction. The host-state referred to a violation of sovereignty due to the U.S. drone strikes carried out within its territory to target bin Laden.²¹³

However, as already pointed out in the previous subchapter, facts and details of host-state consent are often secret. Neither government has disclosed the facts and details of Pakistan's consent, "reportedly because of concerns about domestic political optics".²¹⁴ Reports suggesting that consent was obtained by the CIA²¹⁵ merely through sending faxes about drone

²¹⁰ Theresa Reinold, "State Weakness, Irregular Warfare, and the Right to Self-Defense Post-9/11", *American Journal of International Law*, Vol. 105, No. 2, April 2011, pp. 1-65.

²¹¹ "Draft articles on Responsibility of States for Internationally Wrongful Acts, with commentaries", report in the *Yearbook of the International Law Commission, 2001, Vol. II, Part Two*, available at: https://legal.un.org/ilc/texts/instruments/english/commentaries/9_6_2001.pdf, [accessed 8 August 2023].

²¹² Al-Qaeda is an Islamist terrorist organization originally led by Osama bin Laden and responsible for several attacks.

²¹³ See also Gymon, Carrie Lyn D., *Digest of United States Practice of International Law*, Office of the Legal Adviser United States Department of State, 2011, pp. 557-561.

²¹⁴ *Ibid.*

²¹⁵ CIA is the acronym for Central Intelligence Agency. The U.S. government agency provides objective intelligence on foreign countries and global issues to the president, the National Security Council, and other policymakers to help them make national security decisions. Their mission is to use the power of information to keep the Nation safe. For further information, see the official website of CIA: "About CIA", *CIA*, available at: <https://www.cia.gov/about/>, [accessed 8 August 2023].

attacks without receiving any reply further raises questions about the scope and extent of the host-state consent in counterterrorism operations.²¹⁶

Another notable instance was the U.S. airstrike in Syria, which happened without the host-state consent, as the United States did not recognise Syria's government as legitimate.²¹⁷ Both the Syrian and Pakistani examples raised the question as to the constitutive elements of "armed attack" within the context of Article 51 of the UN Charter.²¹⁸

Yemen is a different case.²¹⁹ Yemen withdrew its consent from U.S. Special Operations ground missions "following a commando raid on January 29, which resulted in the death of a number of civilians, including an 8-year-old girl, and a Navy SEAL".²²⁰ This scenario also sheds light on other factors,²²¹ such as "the lack of transparency surrounding both the facts and details of any consent given",²²² and what actors within a government actually give consent.²²³

Lastly, although drone strikes or terrorist kills represent only a limited range of the spectrum of the different interpretations of counterterrorism operations and although this dissertation has adopted a different definition, they are the only aspects discussed in the current literature.

²¹⁶ Ibid. for further information, see "CIA sends ISI monthly faxes about drone attacks: WSJ", *Dawn*, September 2012, available at: <https://www.dawn.com/news/752400>, [accessed 28 July 2023].

²¹⁷ Theo Farrell, "Are the US-led air strikes in Syria legal – and what does it mean if they are not?", *The Telegraph*, September 2014, available at: <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/11116792/Are-the-US-led-air-strikes-in-Syria-legal-and-what-does-it-mean-if-they-are-not.html>, [accessed 26 July 2023]. See also Paola Diana Reyes Parra, "Self-Defence against Non-State Actors: Possibility or Reality?", *Revista Facultad de Jurisprudencia*, No. 9, 2021, pp. 151-176, available at: <https://www.redalyc.org/journal/6002/600266295004/html/>, [accessed 27 July 2023].

²¹⁸ Starski, "Right to Self-Defense", op. cit., pp. 456-457.

²¹⁹ Moorehead, "Yemen's consent for U.S. counterterrorism operations", op. cit.

²²⁰ Ibid. A Navy SEAL is the United States Navy Sea, Air, and Land Teams acronym. It is a member of special operations force trained to engage in raids or assaults on enemy targets and take part in counterterrorism operations. See "Navy Seal", *Britannica*, August 2023, available at: <https://www.britannica.com/topic/Navy-SEAL>, [accessed 8 August 2023].

²²¹ The phenomenon extends beyond the specific cases of Afghanistan, the American CIA's involvement in Pakistan, and the situation in Yemen. Other examples identified in the literature are represented by the Turkish attacks on Kurds in Northern Iraq or Russia's raids into Georgia between 2002 and 2003.

²²² Ibid.

²²³ Ibid.

5.7 Levels of Host-State Consent in Counterterrorism

Host-state consent theory in counterterrorism does not touch upon the different levels of host-state consent, despite recognising its importance for the success of a counterterrorism operation. Within the scarce references available in contemporary studies, host-state consent is usually described as explicit or implied, clear or vague.

Unlike in peacekeeping, where Kristin Beck employed terms such as strategic, tactical, and operational to define host-state consent main levels, these terminologies in the domain of counterterrorism are used to describe the types of warfare adopted within counterterrorism activities. According to this perspective, the strategic level refers to the overall direction of warfare, acknowledging the importance of political influence and diplomatic relations. The technical level is linked to the warfighting activities.²²⁴ Lastly, the operational level governs the operation in the chosen geographical area and can play a supporting role, such as providing air support to ground troops.²²⁵

Hence, it is evident that specialised literature dedicated to the analysis of the different levels of host-state consent is absent in the field of counterterrorism, which causes notable obstacles for this dissertation. However, it is also a significant reason for further studies in this domain.

5.8 Host-State Consent as a Characteristic of Counterterrorism Operations

After having examined the limitations and exceptions pertaining to host-state consent, especially within the context of U.S. counterterrorism operations, this dissertation will now focus on the essential features of host-state consent. This analysis will draw from the theoretical framework developed in Chapter 4 for peacekeeping, emphasising the existing elements and identifying any omissions within the body of literature on counterterrorism.

²²⁴ De Wijk, "Contributions from the Military Counterinsurgency Literature", op. cit., p. 118.

²²⁵ Ibid.

5.8.1 Characteristics of Authorisation

The challenge regarding this particular topic lies in acquiring information about the specific actor responsible for authorising a counterterrorism operation and the mechanisms through which such authorisation is granted. Nonetheless, it is worth remembering that there is an international legal framework governing counterterrorism, which has been outlined in subchapter 5.2.1 of this thesis titled ‘The Use of Force: Self-Defence, UN SC Authorisation, Host-State Consent in International Law’. International law also covers counterterrorism guidelines. However, national counterterrorism strategies that may differ from state to state or build upon the broader international framework are even more important than the global approach.

5.8.1.1 The Mandate

Another major issue of concern for the field of counterterrorism is the clarity and specificity of the mandate of a counterterrorism operation. The primary challenge in composing this paragraph was the difficulty in finding comprehensive information regarding the mandates of counterterrorism operations like Barkhane.

Generally, all counterterrorism activities must conform to the rule of law and government institutions must act within legal frameworks. However, the available academic knowledge on the topic reveals that counterterrorism mandates are often loose,²²⁶ broad, and formulated without sufficiently considering the politically unstable host-states. Mandates in counterterrorism are known to be unclear. They show a lack of clarity especially about their “nature and operational goals”.²²⁷ Therefore, it can be argued that their level of clarity resembles that of peacekeeping mandates, which are often characterised by a lack of details on paper, as confirmed by the words of Heba Mostafa Mostafa Risk, Permanent Mission of Egypt

²²⁶ Frank Foley, “The expansion of intelligence agency mandates: British counter-terrorism in comparative perspective”, *Review of International Studies*, Vol. 35, No. 4, 2009, pp. 983-995, p. 990.

²²⁷ Stepanova, “Anti-terrorism and Peace-building”, op. cit., p. 1.

to the United Nations. She stressed the importance for the Security Council to adopt clear and realistic mandates, steering clear of polarisation or ambiguity that undermine the effectiveness of missions.²²⁸ Hence, in both fields, there is a need for more decisive mandates – which have to be provided with the necessary capabilities and guidelines to fulfil their objectives.²²⁹

Mandates should be restricted to a certain domain or with limited capabilities.

They should also be clear, credible, and realistic. This is one of the four issues commonly associated with counterterrorism mandates theorised by the Routledge Handbook of African Security.²³⁰ According to the handbook, the second problem is that they may provide contradictory instructions, potentially affecting the relationship with the host-state. Thirdly, rebel groups or non-state actors may see them as illegitimate. Fourthly, they frequently present a discrepancy between their often-unrealistic demands and the practical tools and resources available to the counterterrorism troops.²³¹

5.8.1.1.1 The Renewal of The Mandate

Less discussed in the existing literature on counterterrorism, yet considerably significant, are the implications of the renewal of mandates within counterterrorism settings. With a need for further research in this regard, the door has been pushed open for mandates to change over time. One example is the case study at the core of this dissertation. Accordingly, Operation Serval was transformed by the French into Operation Barhane in August 2014 to stabilise the

²²⁸ “In Presidential Statement, Security Council Underscores Critical Role of Strategic Communications in Fulfilling Peacekeeping Mandates, Protecting Troops, Civilians”, *United Nations*, 12 July 2023, available at: <https://press.un.org/en/2022/sc14966.doc.htm>, [accessed 28 July 2023]. Heba Mostafa Mostafa Risk, Delegate of Egypt, spoke at the Security Council 9090th meeting SC/14966 on the 12th of July 2022.

²²⁹ John Karlsrud, “Towards UN counter-terrorism operations?”, *Third World Quarterly*, Vol. 38, Issue 6, 2017, pp. 1215-1231.

²³⁰ *Routledge Handbook of African Security*, edited by James J. Hentz, Routledge, London, 2017, pp. 78-79.

²³¹ *Ibid.* Another distinction can be made. In contrast with peacekeeping, counterterrorism differentiates between conditioned-based and calendar-based by arguing that counterterrorism operations usually have the former. One example is the US counterterrorism operation’s goal in Syria. For further information, see Jomana Qaddour, “THE DAY AFTER: Anticipating trouble in the event of a US withdrawal from Syria”, *Atlantic Council*, Issue Brief, March 2022, available at: <https://www.atlanticcouncil.org/in-depth-research-reports/issue-brief/the-day-after-anticipating-trouble-in-the-event-of-a-us-withdrawal-from-syria/>, [accessed 30 July 2023] and Martijn Vugteveen and Joshua Farrell-Molloy, “Turkish Military Offensive in Syria: Consequences for Counter-Terrorism Operations”, *International Centre for Counter-Terrorism*, June 2022, available at: <https://www.icct.nl/publication/turkish-military-offensive-syria-consequences-counter-terrorism-operations>, [accessed 30 July 2023].

area impacted by terrorism in the Sahel. Despite the continuity of the presence of French troops in Mali over almost a decade, this does not constitute an authentic renewal of the mandate; rather, it represents an extension of Serval with slightly different characteristics that will be discussed in Chapter 6.

5.8.2 Political Context. An Emphasis on The Role of Host-Population

There is no clear-cut way of successfully carrying out counterterrorism. Defining success in counterterrorism remains complicated and differs according to the existing multiple schools of thought. Scholars have observed that the effectiveness of counterterrorism operations is usually heavily influenced by the political context of the host-state in which the operation of the intervening country is deployed. In addition to that, according to Alex Schmid, James Forest, and Timothy Lowe, certain aspects lie beyond the control of both host-state governments and intervening countries,²³² especially when dealing with unstable, weak, or failed host-states.

From an “operational perspective of counterterrorism strategies”,²³³ some academics see internal political instability merely as an exceptional circumstance among other public emergencies. In fact, they believe that other factors, such as historical, military, societal, or cultural aspects, can affect the willingness of a host-state to consent to foreign military presence, especially in counterterrorism operations.

However, the most established school of thought considers the political climate as vital, advocating the principle of respecting the environment of the host-state, alongside an awareness of the local customs of the host-population.²³⁴

²³² Alex P. Schmid, James J. F. Forest, and Timothy Lowe, “Counter-Terrorism Studies: A Glimpse at the Current State of Research (2020/2021)”, *Perspectives on Terrorism, Terrorism Research Institute*, Vol. 15, No. 4, August 2021, pp. 155-183, p. 163.

²³³ Jonathan Cooper, *Countering Terrorism, Protecting Human Rights. A Manual*, OSCE for ODIHR, edited by Peter Eicher, 2007, p. 117.

²³⁴ Fionnuala Ni Aolain, Dina Francesca Haynes, and Naomi Cahn, *On the Frontlines: Gender, War, and the Post-Conflict Process*, Oxford University Press, Oxford, 2011, p. 125.

Moreover, Silvia D'Amato and Edoardo Baldaro argue that the relationship between counterterrorism operations and the political setting where troops are deployed demands further discussion in the current literature. They specifically refer to the situation in the Sahel and assert that “political tensions [...] [within a country] have clear implications on how counterterrorism operates in the [...] [area]”.²³⁵ Social grievances among the host-population, institutional failure of the host-state government, weak democratic foundations of the host-state, and political mismanagement are parts of the political context where the counterterrorism operations may be mobilised.²³⁶ Literature on this²³⁷ reminds us that counterterrorism and politics are intertwined to the extent to which the latter often becomes the primary field of action of the former.

One could wonder why counterterrorism is a political game. In fact, “like military action, counterterrorism can be directly linked with the vital national interests of the world’s leading states and even associated with the global war on terrorism”.²³⁸ Furthermore, the historical link between politics and terrorism dates back to and is rooted in the concept of old terrorism, which has been discussed in the Literature Review of this thesis.²³⁹

In general, the problem is that “disproportional counterterrorism operations can increase the support of the population for a terrorist organisation”²⁴⁰ rather than for counterterrorism forces themselves.

Additionally, similar to Diehl’s theory for peacekeeping operations, tense political relations with host-state governments and populations in counterterrorism environments can lead to violations of Status of Forces Agreements (SOFA), threats, and even the withdrawal of host-

²³⁵ Silvia D’Amato, and Edoardo Baldaro, “Counter-Terrorism in the Sahel: Increased Instability and Political Tensions”, *International Centre for Counter-Terrorism*, July 2022, available at: <https://www.icct.nl/publication/counter-terrorism-sahel-increased-instability-and-political-tensions>, [accessed 31 July 2023].

²³⁶ Jenny Hocking, “Terrorism and Counter-Terrorism: Institutionalising Political Order”, *Australian Institute of Policy and Science, The Australian Quarterly*, Vol. 58, No. 3, Spring 1986, pp. 297-307, p. 304.

²³⁷ Ibid.

²³⁸ Stepanova, “Anti-terrorism and Peace-building”, op. cit., p. 10.

²³⁹ Marta Crenshaw, “New versus Old Terrorism”, *Palestine-Israel Journal*, 2023, available at: <https://pij.org/articles/80/new-versus-old-terrorism>, [accessed 6 August 2023].

²⁴⁰ De Wijk, “Contributions from the Military Counterinsurgency Literature”, op. cit., p. 127.

state consent.²⁴¹ Thus, the intervening state has to prioritise “awareness and attention to the needs of [...] the local host-populations”.²⁴² In fact, in matters of terrorism and counterterrorism struggles, the position and role of the host-population is generally considered to be “the key to the success of any operation against [...] terrorists”.²⁴³ Otherwise, the counterterrorism operation will likely be based on the wrong principles.

To sum up, failing to engage with local communities can lead to flawed peacekeeping operations.²⁴⁴ The same can be argued for counterterrorism. In essence, the key to success in both domains lies in effectively connecting with host-populations and maintaining such consent throughout the operations. This principle can shed light on several so-called counterterrorism failures, exemplified by the case of Barkhane for the French counterterrorism forces in the Sahel region.

Still, maintaining the crucial relationship between the host-state (comprising the host-government and the host-population) and the intervening country during the deployment of a mission is one of the most important and challenging aspects for the sending state.²⁴⁵

5.8.2.1 The Behaviour of The Host-State

As previously noted and similar to peacekeeping operations, securing the support of the host-state is vital in the realm of counterterrorism as well. However, it is important to recognise that such support, while necessary, is not a one-off action which guarantees the success of counterterrorism efforts. Therefore, considering and preventing the potential reactions of the host-state is part of the necessary requirements for a successful

²⁴¹ Viola Giuliano and Josh Jorgensen, “How the UN Can Strengthen its Peacekeeping Mission in the Central African Republic Amid a Changed Conflict”, *Just Security*, October 2021, available at: <https://www.justsecurity.org/78681/how-the-un-can-strengthen-its-peacekeeping-mission-in-the-central-african-republic-amid-a-changed-conflict/>, [accessed 28 July 2023].

²⁴² Ni Aolain, Haynes, and Cahn, *On the Frontlines*, op. cit., p. 105.

²⁴³ De Wijk, “Contributions from the Military Counterinsurgency Literature”, op. cit., p. 113.

²⁴⁴ “In Presidential Statement”, op. cit.

²⁴⁵ United Nations Security Council S/PV.8552, op. cit., p. 14.

counterterrorism operation. To be more specific, the behaviour of the host-state and the variables that come with it need to be assessed by the intervening country.

Heba Mostafa Mostafa Risk²⁴⁶ advocates for strengthening communication between peacekeeping forces and host-states to explain mandates and cultivate mutual trust through an active dialogue between the parties. She cites the case of Mali – where one of the most dangerous missions is deployed – as it is an asymmetric environment with active armed groups. Moreover, she argues that, among other factors, such as the need for an equal allocation of adequate human and financial resources, there is a necessity for finding effective communication strategies in local languages, promoting a robust coordination with host states to ensure stability.²⁴⁷ Similarly, in counterterrorism, a realm where military forces remain “subject to host-state consent for their presence and activities”²⁴⁸ within a host-state’s territorial boundaries, a congruent principle is valid. Thus, it is evident that a profound knowledge of the host-state is a defining factor in the operational landscape of both peacekeeping and counterterrorism.

5.9 Concluding Remarks

After expressing the importance of the entanglement between peacekeeping and counterterrorism as the theoretical basis for this chapter, this section of the thesis has elaborated on the fundamental concept of host-state consent in counterterrorism. While many aspects of host-state consent examined in this chapter are similar to the principles of peacekeeping theory, it can be argued that host-state consent plays a bigger role in counterterrorism than in peacekeeping. Nonetheless, whereas peacekeeping literature has given attention to host-state consent, even if to a limited extent, the same cannot be said for counterterrorism theory. The most difficult challenges encountered in writing this chapter were

²⁴⁶ Heba Mostafa Mostafa Risk, Permanent Mission of Egypt to the United Nations, spoke at the Security Council 9090th meeting SC/14966 on the 12th of July 2022, op. cit.

²⁴⁷ “In Presidential Statement”, op. cit.

²⁴⁸ Burniske, Modirzadeh, and Lewis, “Counter-terrorism laws and regulations”, op. cit., p. 3.

the scarcity of documentation regarding counterterrorism doctrine and the availability of data predominantly focused on a U.S. approach to counterterrorism operations with a marked focus on drone strikes.

Having acknowledged this, the chapter has subsequently drawn its conceptual foundation from the theoretical framework articulated by Diehl to describe what is present and absent in the field of counterterrorism because this thesis does not aim to build a new theoretical construct.

Moreover, one of the great differences between peacekeeping and counterterrorism is that in the latter, there is not only the possibility of a withdrawal of host-state consent but also the refusal *a priori* of such consent. Furthermore, host-state consent might be secured but not publicly advertised because of political and sensitive considerations.

The next chapter will focus on the French counterterrorism operation that followed Serval in 2014, the mission called Operation Barkhane (2014-2022). The operation will be critically presented and analysed. Subsequently, this thesis will examine it according to the theoretical categories derived from peacekeeping (Chapter 4) and applied to counterterrorism (Chapter 5).

6. APPLYING HOST-STATE CONSENT THEORY TO OPERATION BARKHANE

Operation Barkhane has been extensively studied and addressed by the existing literature on counterterrorism, covering the timeframe from its deployment (2014) to its end (2022). However, this chapter will provide a fresh perspective on this by looking at Barkhane through the lens of host-state consent theory. This approach represents an alternative and innovative attempt to explore an operation that is usually remembered as a failure.

This chapter will proceed as follows.

Firstly, an introduction to Operation Barkhane will be presented. In particular, an assessment of the transformation from the first French campaign, Operation Serval towards Barkhane will be discussed.

Then, the analysis from historical and descriptive will change towards a different approach, which will be more critical. Rather than following a chronological order in the presentation of Barkhane, this thesis will employ the theoretical categories developed in Chapter 4 from the work of Paul F. Diehl in *International Peacekeeping* and tested on counterterrorism in Chapter 5. To be more specific, this chapter will follow the step-by-step guide derived from Diehl in order to explore the role of host-state consent and its impact on the outcome of Operation Barkhane. Moreover, the operation will be addressed from the angle of the entanglement between peacekeeping and counterterrorism domains.

Secondly, an investigation into whether host-state consent represented a strict requirement for Operation Barkhane will be made.

Thirdly, this section will focus on whether and how host-state consent was established, respected, and maintained throughout the deployment of the second French military intervention in Mali. It will draw upon counterterrorism literature on the operational planning stage in order to see whether Barkhane respected such well-established norms.

Then, an international law perspective will be adopted in order to explain the host-state consent foundations in the context of Barkhane. This thesis will investigate whether Barkhane operated under the legality of a Status of Mission Agreement (SOMA), Status of Forces Agreement (SOFA), or other relevant legal documents.

The importance of the mandate will be addressed for Barkhane, as it was in Chapters 4 and 5 for peacekeeping and counterterrorism operations, respectively. This will shed light on the critical role of the mandate and on the problem of its inaccessibility in counterterrorism.

The levels of host-state consent in Mali during Operation Barkhane will then be addressed and compared to the statements of counterterrorism theory. In this regard, a distinction between host-government and host-population will be made in terms of consent. Importantly, the predominant emphasis will be on the Malian population, supporting the analysis with the data of the Friedrich Ebert Stiftung Initiative.²⁴⁹

This chapter will also show how easily host-state consent can be lost, according to different situational parameters. This is peculiar not only to the Barkhane case but also to other counterterrorism operations like Operation Enduring Freedom in Afghanistan.²⁵⁰

Connected to this, the main characteristics of host-state consent will be outlined to provide counterterrorism experts, governments, ministries of defence, and homeland security agencies with the necessary information for when they have to set up a foreign operation.

Lastly, this chapter will address the scholarly debate regarding Barkhane and its so-called failure, providing an alternative perspective on this matter.

²⁴⁹ "Mali", *Friedrich-Ebert-Stiftung*, available at: <https://www.fes.de/en/africa-department/mali>, op. cit.

²⁵⁰ For further information on the American Counterterrorism Operation in Afghanistan, see Chapter 3 of this thesis, sub-paragraph 3.2.1.1.2.1 'Literature on Failures, Including the Case of Afghanistan'.

Before delving into the analysis of the relationship between Operation Barkhane and the host-state of Mali and, more specifically, of how the consent of both the host-government and host-population impacted the outcome of the counterterrorism operation, it is important to provide a brief presentation of Operation Barkhane.

6.1 An Overview of Operation Barkhane

Launched on 1 August 2014,²⁵¹ Operation Barkhane was a French counterterrorism operation carried out in West Africa, specifically in the Sahel, to counter jihadist armed groups (such as AQIM, Ansar al-Din, Ansar al-Sharia, and MUJAO)²⁵² operating in the area. It was conceived as the successor of Operation Serval²⁵³ and played a pivotal role in the French security plan for the Sahel. It is important to highlight that during the transition from Serval to Barkhane, the geographical and operational scope of the French military intervention was dramatically increased.²⁵⁴ Some observers noticed that France alternated a planned counterterrorism operation, such as Serval, which was prepared for a longer time with the host-state, with an operation of opportunity, Barkhane, which was conducted more reactively on the basis of immediate intelligence.

This dissertation will diverge from the conventional historical approach usually employed by scholars and analysts when analysing Barkhane. Instead, while answering the research

²⁵¹ "Opération Barkhane", *Site archives du ministère des Armées*, op. cit., and "Security in Sahel", *France Diplomacy, ministère de l'Europe et des Affaires étrangères*, available at: <https://www.diplomatie.gouv.fr/en/country-files/africa/security-and-the-fight-against-terrorism/security-in-sahel/>, [accessed 22 August 2023].

²⁵² The terrorist threat is represented by terrorist groups such as AQIM, Ansar al-Din, Ansar al-Sharia, and MUJAO. AQIM is the acronym for Al-Qaeda in the Islamic Maghreb. It is an extremism and terrorist organization that operates predominantly in North Africa, especially in the Sahel. Ansar al-Din is an Islamist terrorist group active in Mali where it advocates for the Islamic law (Sharia) and craves an Islamic state in the northern part of the country. Ansar al-Sharia is an umbrella name to define different Islamic terrorist groups in various countries, such as Yemen, Libya, and Tunisia. Lastly, MUJAO stands for Movement for Oneness and Jihad in West Africa and operates from Mali and the Sahel area overall. It is linked to al-Qaeda. For further information, see "Mapping Armed Groups in Mali and The Sahel", *European Council on Foreign Relations*, available at: https://ecfr.eu/special/sahel_mapping/european_union/, [accessed 6 September 2023] and Jonathan Guiffard, "Operation Barkhane: Success? Failure? Mixed Bag?", *Institut Montaigne*, March 2023, available at: <https://www.institutmontaigne.org/en/expressions/operation-barkhane-success-failure-mixed-bag/>, [accessed 25 August 2023].

²⁵³ UN Security Council, Report of the Secretary-General, S/2023/36, 16 January 2023, p. 2, available at: https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/S_2023_36.pdf, [accessed 28 August 2023].

²⁵⁴ Conway Waddington, "Understanding Operation Barkhane", *African Defence Review*, August 2014, available at: <https://www.africandefence.net/operation-barkhane-under-the-hood/>, [accessed 14 September 2023].

question of this dissertation, it will examine the case study of Mali and the unit of analysis of Barkhane through the lens of peacekeeping theory and based on conceptual categories.

6.2 Host-State Consent in Operation Barkhane

Host-state consent in Operation Barkhane refers to the permission and authorisation granted by the host-state of Mali for the French counterterrorism campaigns in its territory. A fundamental principle in international operations, host-state consent played a significant role in the case of Operation Barkhane as well. As the following paragraphs will explain, it was initially obtained through the Malian former President's request, which had as a solid basis the 2014 *Traité de Coopération en Matière de Défense (TCMD)*.²⁵⁵ However, it was not reaffirmed when Serval was transformed into Barkhane. Additionally, the two coups d'état and the difficulties encountered with the Malian population shift in support made it hard for the host-state consent to remain stable during the entire deployment of French troops.

6.2.1 Host-State Consent: A Prerequisite for French Counterterrorism Operations? A Critical Perspective

Host-state consent should ideally have been a fundamental and essential component of Operation Barkhane, as the discussion on the counterterrorism domain has proved.

However, balancing sovereignty with foreign interventions is a delicate process.

In the case of Mali, respecting the sovereignty of the West African country as a host-state and constantly engaging with it to maintain a solid relationship should have remained vital from the French side while addressing security threats in Mali. Instead, as the years passed, changes in the relational dynamics between the two countries became gradually more evident.

²⁵⁵ *TRAITÉ DE COOPÉRATION*, op. cit.

6.2.2 Planning French Counterterrorism Operations: Building Host-State Consent in Mali

Planning French counterterrorism operations in Mali, and especially planning Barkhane, involved a multifaceted approach that included building and maintaining host-state consent as a fundamental component. The next paragraphs will outline the process that describes how host-state consent was established and whether it was maintained during the deployment of Operation Barkhane.

6.2.2.1 SOFA, SOMA, TCMD, and their Relevance in French Counterterrorism Operations

Specific details about the Status of Forces Agreement (SOFA) and the Status of Mission Agreement (SOMA) between Mali (the host-state) and France (the intervening country) regarding Operation Barkhane are not publicly accessible. This is because these agreements usually contain sensitive and classified information. Nonetheless, during international operations, it is common for intervening countries, such as France, to establish at least a SOMA with the host-state.

Based on what a SOMA usually outlines,²⁵⁶ it can be hypothesised that the one for Operation Barkhane would have addressed the operation's legal status and the rights of French troops to remain and operate in the Malian territory.

Nevertheless, the Defence Cooperation Treaty (Traité de Coopération en Matière de Défense or TCMD), signed between Mali and France in 2014, is openly available, and therefore was consulted for the purpose of this dissertation. It represents the legal foundation behind the French counterterrorism intervention in Mali. Moreover, even if it is not a

²⁵⁶ Further information about SOMA can be found in this dissertation in Chapter 5, paragraph 5.4.1 entitled 'SOFA, SOMA, and their Relevance in Counterterrorism'.

traditional SOFA, the TCMD deals with aspects of cooperation between the two countries in the defence and security domains.²⁵⁷

6.2.3 Characteristics of Authorisation

In Chapter 5, the difficulties in discussing the authorisation of a counterterrorism operation and its components (e.g., the mandate) have been addressed. Therefore, this dissertation will now try to examine the importance of knowing and understanding the mandate for Operation Barkhane and the impact of its inaccessibility on this study, as well as on the analysis of any counterterrorism operations.

6.2.3.1 The Mandate for Serval and Barkhane

In looking for the mandates of both French counterterrorism operations, Serval and Barkhane, this study encountered a recurring issue related to the accessibility of these crucial documents. Since it is a common feature in counterterrorism, this thesis had to base its analysis on press releases, official statements, and secondary sources present in the literature.

The current academic knowledge tends to emphasise the differences in the mandate of the two operations. Serval's objectives were characterised by a higher degree of clarity, with straightforward purpose and goal. On the other hand, Barkhane had a broader scope which allowed France to strengthen its presence in the Sahel and changed the size of the operation itself. Nevertheless, according to the majority of scholars, the wider nature of Barkhane's mandate is part of the reason why the operation's outcome was perceived as such a failure.

To further elaborate on this and to highlight its relevance in the counterterrorism domain, this thesis will start its evaluation by drawing upon the viewpoint of Jonathan Guiffard, who believes that the problem in the case of Barkhane was not the clarity of the mandate but rather

²⁵⁷ For a deeper understanding of the TCMD between France and Mali, see *TRAITÉ DE COOPÉRATION*, op. cit.

its ambitious nature, based on “a flawed and optimistic assessment of the political dynamics in the Sahel”.²⁵⁸ However, this dissertation challenges this statement for various reasons. Firstly, the transformation from Serval to Barkhane was not well conducted. Secondly, the inaccessibility of the mandates of both operations constituted a further challenge. Moreover, this thesis argues that host-state consent, often overlooked by the experts, was the variable that France did not sufficiently consider.

6.2.3.2 The Renewal of the Mandate for Operation Barkhane

Operation Serval was absorbed into Operation Barkhane in August 2014.²⁵⁹

Scholars and analysts of the counterterrorism community employed different terminologies (transformation, transition, conversion, integration, amalgamation, continuation, etc.)²⁶⁰ to define the passage from the first French operation to the second one.

Among the consequential outcomes of this transition, it is particularly worth noting the renewal or adaptation of the mandate, which was adjusted to align itself with the broader purpose and evolving nature of the mission in the Sahel. Consequently, Barkhane became a long-term operation, comparable to the “forever war”²⁶¹ of the American military forces in Afghanistan.²⁶²

Nonetheless, additional details concerning the renewal of the French mandate remain inaccessible.

²⁵⁸ Guiffard, “Operation Barkhane: Success? Failure? Mixed Bag?”, op. cit.

²⁵⁹ “Opération Serval (2013-2014) Dossier, Présentation de l’opération”, op. cit., and “Opération Barkhane”, *Site archives du ministère des Armées*, op. cit.

²⁶⁰ To have a deeper understanding of the terminologies employed by scholars, see Guiffard, “Operation Barkhane: Success? Failure? Mixed Bag?”, op. cit., and Christophe Châtelot, “How France was driven out of the Sahel”, *Le Monde*, September 2023, available at: https://www.lemonde.fr/en/france/article/2023/09/05/how-france-was-driven-out-of-the-sahel_6124522_7.html, [accessed 5 September 2023].

²⁶¹ It is an expression usually used in reference to Afghanistan. See Ware, “The Enduring Importance of Tactical Counterterrorism”, op. cit.

²⁶² Ware, “The Enduring Importance of Tactical Counterterrorism”, op. cit.

6.2.4 Levels of Host-State Consent in Operation Barkhane

Counterterrorism literature does not deal with the levels of host-state consent. However, in the case of Operation Barkhane, a division can be made based on two main criteria.

The first distinction is between the political level and the popular one. There is, in fact, a host-state consent deriving from the host-government, which may differ depending on the transitional junta in power, and a host-population consent, which is generally defined by the current literature as popular support.

Differently, the second division regards the regional or international dimension. According to this perspective, there is the general but fundamental consent of the host-state, Mali, given by the 2013 official request; a regional consent (represented by the region of the Sahel); and an international authorisation through the 2012 United Nations Security Council (UNSC) Resolution 2085.²⁶³

Hence, it can be noted that the case study of this thesis showed the precarious nature of host-state consent and the difficulty in handling such diverse levels.

6.2.5 The Maintenance of Host-State Consent during Operation Barkhane

In light of the scarce information available in counterterrorism theory, this thesis will base its analysis once again on the recommendations developed in peacekeeping and on the importance of the currently well-known entanglement between peacekeeping and counterterrorism. In particular, this dissertation will show to what extent the methodology used for peacekeeping on establishing and maintaining host-state consent is applicable to counterterrorism. This research highlights the importance of having a well-structured methodology or step-by-step theoretical guideline in place to effectively maintain host-state consent once it is obtained. Moreover, this thesis argues that having secured host-state consent at the beginning of Barkhane was not sufficient and played a role in the operational outcome.

²⁶³ *United Nations Security Council Resolution 2085 (Mali) S/RES/2085*, 20 December 2012.

Although peacekeeping methodology is extremely useful for counterterrorism, there are several implications and challenges that operations like Barkhane need to face, whereas peacekeeping missions do not. Two main observations in this regard can be made.

Firstly, the level of incidents in counterterrorism, as shown by the case of Barkhane, is higher. For instance, France was blamed for an airstrike on a wedding that killed nineteen people.²⁶⁴

Secondly, the impact of the political environment is greater in counterterrorism than in peacekeeping. France made multiple political missteps, such as hindering negotiation efforts and prioritising short-term stability over accountable governance, and these errors cost to France the consent of the host-government.²⁶⁵

6.2.6 Challenges to Host-State Consent in France's Intervention Efforts. The Withdrawal or Revocation of Host-State Consent in Mali

This section will now elaborate further on what went wrong for France during its military intervention in Mali in terms of host-state consent (both official and popular).

Maintaining host-state consent during the deployment of Operation Barkhane forces in the West African country faced several challenges due to the complex security landscape, host-state internal politics, and the evolving nature of the counterterrorism operation, characterised by unclear objectives and targets.

Over time, the situation in Mali evolved, and there were frictions between the intervening country and the host-state about the presence and activities of Barkhane's troops. Host-state consent, which was supposed to remain a guiding principle, became one of the reasons of the breakdown of the Paris-Bamako relationship.

²⁶⁴ Paul Lorget, "French air strike killed 19 civilians at Mali wedding party, U.N. says", Reuters, available at: <https://www.reuters.com/article/us-mali-security-france/french-air-strike-killed-19-civilians-at-mali-wedding-party-u-n-says-idUSKBN2BM1TN>, [accessed 3 September 2023].

²⁶⁵ Nathaniel Powell, "Why France Failed in Mali", *War on the Rocks*, February 2022, available at: <https://warontherocks.com/2022/02/why-france-failed-in-mali/>, [accessed 14 September 2023].

In 2022, the necessary conditions for the continuation of the operation were no longer met. The result was the withdrawal of French counterterrorism troops from Mali.²⁶⁶

Firstly, on 17 February 2022, the French President, in agreement with its African and European partners, decided to rearticulate Barkhane forces outside the Malian territory, an action that ended with the retrocession of the Gao base on 15 August 2022.²⁶⁷

Afterwards, on 9 November 2022, President Macron, during his speech, communicated his official decision to end Operation Barkhane, because the operation was not sufficiently well adapted to the region.

This represented an unprecedented turning point in the dynamics between France and Mali and has been explained in the literature in different ways. However, it is worth highlighting that the role of host-state consent in impacting operational withdrawal has yet to be assessed in the existing scholarly knowledge. The following sub-chapters will fill this gap by basing the analysis on the twofold levels of host-state consent notable in Mali.

6.2.6.1 Host-Government Consent

The relationship between the host-government, which in the case of Mali changed twice within two years, and an intervening country in the realm of counterterrorism is highly complicated.

In regard to the Malian scenario, some analysts have argued that France missed an opportunity.²⁶⁸ Firstly, instead of withdrawing, France continued its military intervention in Mali despite the ousting of the country's president by a coup d'état.²⁶⁹ Secondly, the window for a clean withdrawal ended with the arrival of the Russian mercenaries. As a consequence,

²⁶⁶ The end of Operation Barkhane was anticipated by a transition in Macron's strategy, announced by the French President in February 2021. This reconfigured the shape of Operation Barkhane and French military presence in the Sahel.

²⁶⁷

²⁶⁸ Wassim Nasr and Raphael Parens, "France's Missed Moments in Mali", *The Soufan Center. TSC Insights*, July 2023, p. 1.

²⁶⁹ Reuters Staff, "France says its military operation Barkhane will continue in Mali", *Reuters*, available at: <https://www.reuters.com/article/mali-security-france-idINKBN25G0XQ>, [accessed 2 September 2023].

the consent of the host-government shifted towards the Wagner Group.²⁷⁰ Thirdly, other events, such as the expulsion of the French ambassador in Bamako in February 2022 (after which thousands of Malian citizens celebrated in the streets) or the suspension of the French military cooperation with Malian troops “as a consequence of late May’s “coup within a coup”²⁷¹“ worsened the already delicate situation among the two countries.²⁷²

While it is important to assess what went wrong in terms of host-state consent in the Malian case study and identify potential solutions that France could have considered, it is not the primary objective of this thesis to demonstrate that France should have withdrawn earlier. According to the literature, it is likely that France was already aware of this possibility. Instead, this dissertation is to underscore the significance of adopting a methodology derived from peacekeeping theory in the realm of counterterrorism. France might not have been aware of this valuable theoretical framework due to the absence of relevant literature in the field of counterterrorism. Such an approach could be a game-changer for the future of counterterrorism operations and for the relationship between host-states and intervening countries.

6.2.6.2 Host-Population Consent

Among the Malian citizens, there are different opinions surrounding Operation Barkhane. In the analysis of the debate, two predominant perspectives have emerged.

On the one hand, there is a growing perception that the second counterterrorism operation in Mali represents a “French attempt to “recolonise” the Sahel [...] [creating] the impression

²⁷⁰ The Soufan Center believes that a withdrawal before Wagner’s arrival would have been more beneficial “when France could have more successfully exploited political opportunities and framed the narrative of the withdrawal as a choice and a success”, see Nasr and Parens, “France’s Missed Moments in Mali”, op. cit., p. 6.

²⁷¹ French President Emmanuel Macron described the move of Malian army Colonel Goita, who took power in 2021, as a “coup within a coup”, highlighting the controversial political stability in Mali, affected by coups d’état and new juntas in power. For further information, see Tangi Salaün, John Irish, “France ends West African Barkhane military operation”, *Reuters*, June 2021, available at: <https://www.reuters.com/world/africa/france-announce-troop-reduction-sahel-operations-sources-2021-06-10/>, [accessed 4 September 2023].

²⁷² Andrew Lebovich, “After Barkhane: What France’s military drawdown means for the Sahel”, *European Council on Foreign Relations*, July 2021, available at: <https://ecfr.eu/article/after-barkhane-what-frances-military-drawdown-means-for-the-sahel/>, [accessed 5 September 2023].

that France wants to run the show”.²⁷³ The rising tide of Malians supporting this represented a growing challenge for Barkhane’s troops and the security of the operation. On the other hand, the belief that France committed several operational mistakes over the years and that its presence in the West African country is, therefore, no longer productive has gained ground.

Due to the multiple challenges that Mali faced following the political and security crisis, the Bureau of the Friedrich Ebert Stiftung (FES)²⁷⁴ in Bamako introduced the “Mali-Mètre”²⁷⁵ initiative in 2012, a useful tool for socio-political analysis and decision-makers. This dissertation bases its discussion and reasoning on their findings.

According to the survey conducted in March 2023, more than 80% of participants believed that the Malian security situation improved after the arrival of Moscow mercenaries.²⁷⁶ Moreover, in relation to the sentiment of the host-population about Operation Barkhane and its end, the Mali-Mètre 2023 report²⁷⁷ showed that 80% of respondents think that the withdrawal of Barkhane would not have a negative impact on Mali. Additionally, of notable significance to further explain the reception among the local population is that 48% of Malians emphasised the reduction in insecurity, while 13.6% highlighted the increased autonomy of the Malian army.²⁷⁸

Notwithstanding, within the community of analysts, some have argued that French engagement tools failed to adapt to the Malian traditions and habits, contributing to creating a sense of rejection and alienation among the local population.²⁷⁹

²⁷³ Benjamin Fox, “French forces face military trap in Sahel region”, *Euractiv*, available at: <https://www.euractiv.com/section/defence-and-security/news/french-forces-face-military-trap-in-sahel-region/>, [accessed 28 August 2023].

²⁷⁴ “Mali”, *Friedrich-Ebert-Stiftung*, available at: <https://www.fes.de/en/africa-department/mali>, op. cit.

²⁷⁵ Since 2012, the Mali office of the Friedrich-Ebert-Stiftung has been conducting an opinion survey in the country, called “Mali-Mètre”, in order to provide decision makers with a tool for a better understanding of the political perceptions, aspirations, and opinions of the Malian citizens. Launched as a response to the 2012 multidimensional crises, the annual survey focuses on the political and socio-economic development, issues of security policy, conflict mediation and reconciliation as well as on questions of governance. However, it should be stressed that Mali-Mètre is a mapping of the perceptions of the Malian population at a given time; the results cannot therefore be considered absolute truths. For further information, see “Challenges for Peace in Mali”, *Friedrich-Ebert-Stiftung*, June 2019, available at: <https://ny.fes.de/article/challenges-for-peace-in-mali>, [accessed 5 September 2023] and “Mali-Mètre 2023. Friedrich-Ebert-Stiftung. “Que pensent les Maliens(ne)s?””, *Friedrich-Ebert-Stiftung*, 2023.

²⁷⁶ *Ibid.*

²⁷⁷ *Ibid.*, p. 6.

²⁷⁸ *Ibid.*

²⁷⁹ Isabelle Lasserre, “France In Africa: Facing Jihad And Russia”, *Hoover Institution*, June 2023, available at: <https://www.hoover.org/research/france-africa-facing-jihad-and-russia>, [accessed 5 September 2023].

6.2.7 A Reevaluation of Operation Barkhane

After conducting a critical assessment of Operation Barkhane employing the host-state consent theory drawn from peacekeeping principles, several insights regarding the outcomes of Barkhane can be drawn.

During the nearly a decade from the beginning of Operation Serval to the termination of Barkhane (2013-2022), French forces first diminished and then contained jihadist terrorist attacks in Mali. Their efforts resulted in the neutralisation of a large number of leaders of AQIM, JNIM, and MUJAO. Although these actions did not completely defeat the threat of terrorism in the Sahel, they still have to be acknowledged as important victories, according to the definition of counterterrorism adopted for this thesis. Moreover, following the official French narrative, “France has prevented the collapse of Mali, contributed to the reconstruction of the Malian armed forces and promoted the development and stabilization of the country”.²⁸⁰ Additionally, it can be noted that the French system “responded to the needs expressed by its local partners in order to fight terrorism together”.²⁸¹

Moreover, those “small successes”²⁸² had long-term consequences on the Sahel security situation, as pointed out by Guiffard. Among the most beneficial, since 2018, no large-scale attack in the capital has happened, and there has been a decrease in kidnapping activities in the area as well.

6.3 Answering the Research Question

This thesis critically assessed the role of host-state consent in the context of counterterrorism. More specifically, this dissertation answered the question of in which ways host-state consent has impacted the outcome of Counterterrorism Operation Barkhane in Mali.

²⁸⁰ “Opération Barkhane”, *Department Armies*, available at: <https://www.defense.gouv.fr/operations/bande-sahelo-saharienne/operation-barkhane>, [accessed 14 September 2023].

²⁸¹ *Ibid.*

²⁸² De Wijk, “Contributions from the Military Counterinsurgency Literature”, *op. cit.*, p. 122.

Due to the complexity of the case study and especially the difficulty in measuring the impact of host-state consent on counterterrorism operations, the answer to the research question will be divided into different pathways.

First of all, host-state consent can impact a counterterrorism operation in a two-fold way because it acts on two intertwined levels (political and societal). According to the case study, on the one hand, Mali influenced its public opinion through media campaigns, the spread of master narratives against the French intervention, and the emphasis on operational incidents such as the previously mentioned airstrikes. On the other hand, the host-population can easily be mobilised by these tools and may perceive the delay in the termination of French intervention as the confirmation of the transitional authorities' narrative.

These are the primary ways host-state consent has impacted French counterterrorism Operation Barkhane.

Indeed, the consequences stemming from these considerations are varied. The absence or neglect of host-state consent can cause the premature withdrawal of foreign troops, break the dynamics between the countries in question, ruin their diplomatic relationship, and cause a shift in the security efforts towards other providers. The case of the Wagner Group in Mali is therefore interpreted in this study, as mentioned in the Difficulties and Limitations section, as a consequence of the French insufficient attention towards the Malian host-state.

After addressing the research question and the theoretical gap in counterterrorism theory, this thesis concludes that host-state consent is a fundamental prerequisite for counterterrorism operations.

6.4 Relevance of The Case Study

This study is of particular importance because it addressed a significant knowledge gap in the realm of counterterrorism.

The theoretical framework employed in this thesis offers valuable insights to representatives of both counterterrorism theory and practice.

In fact, for researchers, analysts, and scholars it represents an important guideline to follow when looking at counterterrorism operations and a significant aspect to consider for future academic investigations.

Secondly, this study is of great importance to counterterrorism strategists. This is because it provides an alternative approach to tackle the failures in counterterrorism, one that deeply looks at the underlying reasons for such failures. Moreover, it questions the extent of engagement pursued by the intervening country with the host-state. Consequently, the insights gained from this study can enhance the effectiveness of the next counterterrorism operations.

Thirdly, this research is expected to also benefit policymakers in formulating new frameworks for counterterrorism operations in order to overcome the challenges posed by the absence or withdrawal of host-state consent.

In a bigger picture, this case study is particularly important when considering the current instability of the Sahel region, which is usually referred to as “the greatest area of concern for terrorism in the world”.²⁸³ In fact, given the recent developments in Burkina Faso, Mali, and Niger, the relevance and urgency of research on host-state consent have become more needed than ever. Moreover, as the Royal United Services Institute argued, “the Sahel will define the next decade of counterterrorism operations”²⁸⁴ as well as the future agenda in counterterrorism studies.

²⁸³ Jack Duffield, “The Sahel Will Define the Next Decade of Counterterrorism Operations”, *Royal United Services Institute*, September 2023, available at: <https://www.rusi.org/explore-our-research/publications/commentary/sahel-will-define-next-decade-counterterrorism-operations>, [accessed 14 September 2023]. The Sahel is a fertile recruiting pool for the youth and a safe haven for terrorist groups to plan and launch international attacks.

²⁸⁴ *Ibid.*

6.5 Concluding Remarks

Chapter 6 represents a critical analysis of French counterterrorism operation Barkhane based on the theoretical framework derived from previous discussions on peacekeeping (Chapter 4) and its application to counterterrorism (Chapter 5). The evaluation has been conducted by acknowledging the importance of the entanglement between the two domains in order to provide future counterterrorism operations with a clearer direction and stronger conceptual foundation.

Moreover, this section of the thesis has also questioned Barkhane's perceived 'failure', providing alternative perspectives on the matter. France was not winning in Mali, but neither was it losing. Instead, it represented an interesting case study that challenged simplistic considerations provided by the old school of thought in the counterterrorism realm.

To conclude this chapter, it is worth highlighting that neglecting the significance of securing and re-affirming host-state consent during the entire operation should not be viewed as an option. On the contrary, it is a key requirement in every counterterrorism operation.

The next section will draw more general conclusions, summarising the findings and contributing to a broader understanding of the complexities of counterterrorism operations. Moreover, indications for possible ways forward will be provided.

7. CONCLUSION

7.1 Concluding Remarks of the Dissertation

To conclude, this research has undertaken a qualitative analysis of the remarkable role of host-state consent in the realm of counterterrorism operations. Moreover, it has specifically shown in which ways host-state consent impacted the outcome of French Counterterrorism Operation Barkhane in the Malian scenario, addressing the central research question at the core of this dissertation.

Beginning with an Abstract and an Introduction (Chapter 1) that provided an overview of this thesis' aim and a Methodology (Chapter 2), clarifying the language of the sources employed and pointing out the significant difficulties and limitations encountered due to the primary sources' accessibility, this dissertation has provided a review of the existing literature (Chapter 3). First of all, the literature on the role of host-state consent in peacekeeping doctrine has been discussed, highlighting the differences between peacekeeping and peace enforcement (for the latter host-state consent is not considered a fundamental principle). Secondly, current studies and schools of thought on terrorism and counterterrorism have been presented. In this regard, the issue revolving around the notion of terrorism has been addressed, specifying that among the international community of scholars, there is no universally accepted definition of it. Subsequently, the Literature Review delved into the concept of success and failure, addressed from both peacekeeping and counterterrorism angles. In the latter domain, the example of the United States counterterrorism campaigns in

Afghanistan was used. Furthermore, this section highlighted the entanglement or interconnectedness between peacekeeping and counterterrorism, with host-state consent being a shared feature but only legally necessary in peacekeeping.

Chapter 4 represented the theoretical foundation for the entire dissertation, as it delineated the theory of host-state consent based on peacekeeping doctrine. This conceptual structure, well-described by Diehl in his work, was divided into sub-paragraphs according to the different features of host-state consent (mandate, political context, host-population, withdrawal or rejection of host-state, challenges and solutions, etc.).

This scheme was then applied in Chapter 5 to the broader field of counterterrorism and, subsequently, in Chapter 6 to the specific case of Operation Barkhane in Mali – the unit of analysis of this dissertation. The purpose was to demonstrate the existence of a link between host-state consent and the effectiveness of a counterterrorism operation.

Chapter 6 offered a critical overview of Operation Barkhane. Starting with a brief historical analysis of the transformation of Operation Serval towards Operation Barkhane and an exploration of the latter's origins and features, it subsequently delved into the different theoretical categories of host-state consent. Moreover, in this chapter, an assessment of the host-population consent was done by looking at data on the popular support towards France gathered by the Friedrich Ebert Stiftung initiative. As shown by the data, the Malian population was mostly relieved when France withdrew from the country.

Furthermore, an emphasis was placed on the need for counterterrorism to make fundamental documents like operation mandates accessible to the public.

Lastly, Chapter 6 outlined the several ways in which host-state consent impacts the outcome of a counterterrorism operation, basing the discussion on Operation Barkhane.

The final argument of this thesis is that counterterrorism operations need to adopt the peacekeeping theoretical framework in order to maintain a stable relationship with the host-state and secure its consent throughout the operation.

7.2 Recommendations

This qualitative study, and in particular Chapter 6, shed light on the importance of host-state consent in counterterrorism operations.

Even though making operational recommendations is not the entire purpose of this thesis, several key ways to move forward can be suggested, focusing on the role of host-state consent in influencing the outcome of a counterterrorism operation.

First of all, instead of looking at Barkhane as a failure, the international community of scholars and analysts could question such widely spread beliefs and start recognising the individual successes²⁸⁵ of Barkhane.

In the second place, host-state consent should become a strict requirement for counterterrorism operations as it is for United Nations peacekeeping missions. There are two main reasons supporting this argument. On the one hand, host-state consent serves as a strategic asset for the counterterrorism domain to establish a robust network of political and military alliances in the foreign country where the operation is launched. On the other hand, as counterinsurgency theory has proved, there is a need to win the hearts and minds of the population in order to complete a military operation successfully and disrupt terrorist activities. Engaging at all levels within communities is a secret weapon in counterterrorism, which could be highly beneficial to create or enhance support for foreign forces. Importantly, as stated for both peacekeeping and counterterrorism realms, there is a need to strengthen the relationships with host-governments, built through, for example, joint training activities.

Thirdly, an accurate analysis of the geopolitical variables specific to each context would be beneficial. In Mali, France made the error of underestimating the importance of the two coups in 2020 and 2021. Therefore, future counterterrorism strategists will need to focus more on the relationship of the intervening countries with the host-governments. This could also allow

²⁸⁵ Small successes are what de Wijk considers important in counterterrorism, see *Id.*, “Contributions from the Military Counterinsurgency”, *op. cit.*, p. 122.

the impediment of the development of terrorist capability in the Sahel, but in general in every terrorism-prone area.

Fourthly, the issue of the potential failure of translating official agreements into practice needs to be addressed in order not to lose the strategic cooperation with the host-government and therefore avoid a significant loss of trust between the two countries involved.

Lastly, as this thesis argues, the time factor is significant. Therefore, the realm of counterterrorism should launch focused and short-term operations (e.g., hostage rescues and non-combatant evacuations)²⁸⁶ aimed at curbing specific threats and preventing terrorist organisations from reforming by “disrupting plots as they emerge”.²⁸⁷

These recommended strategies, including monitoring host-state consent during an operation and engaging with the local population, should be seen as instrumental to conflict prevention. In fact, securing and maintaining long-term positive relationships, promoting cooperation and addressing underlying grievances could contribute to fostering stability and peace in prone-conflict regions affected by the threat of terrorism.

In conclusion, more research should be devoted to analyzing the role of host-state consent and its impact on case studies like the Malian scenario, specifically in the Sahel.

²⁸⁶ Duffield, “The Sahel Will Define the Next Decade of Counterterrorism Operations”, op. cit.

²⁸⁷ Ibid.

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