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THE ROLE OF BORDER COMMUNITIES IN COUNTER TERRORISM IN AFRICA. A CASE STUDY OF KENYA

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DEDICATION

To my family for the support they accorded me during the entire duration of the research.

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ABBREVIATIONS AND ACRONYMS

A.T.P.U - Anti-Terrorism Police Unit

A.U - African Union

ACSRT - African Centre for the Study and research on Terrorism

AFRIPOL - African Union Police

AG - Attorney General

AMISOM - African Union Mission in Somalia

APSA - African Union Peace and Security Architecture

AQIM - Al-Qaida in the Islamic Maghreb

C.B.K - Central Bank of Kenya

CJTF - Combined Joint Taskforce (for the Horn of Africa)

CTED - Counter Terrorism Executive Directorate

DRC - Democratic Republic of Congo

E.A.C - East African Community

ECOWAS - Economic Community of West African States

ESAAML - Eastern and Southern Africa Anti-Money Laundering Group

F.R.C - Financial Reporting Centre

GWOT - Global War on Terrorism

I.G.A.D - Intergovernmental Authority on Development

I.R.A - Irish Republican Army

ICPAT - IGAD Capacity Building Programme against Terrorism

ISWAP - Islamic State West African Province

J.C.T.A.C - Joint Counterterrorism Analysis Centre

JOCC - Joint Operations and Coordination Centre

KDF   - Kenya Defence Forces

M.N.L.A - Movement for the Liberation of the AZAWAD

N.C.T.C - National Counterterrorism Centre

P.L.O - Palestinian Liberation Organization

PFLP - Popular Front for the Liberation of Palestine

PSC - Peace and Security Council

S.P.U - Special Prosecution Unit

UN - United Nations

UNCTC - United Nations Counterterrorism Committee

UNCTITF - United Nations Counterterrorism Implementation Taskforce

UNMIS - United Nations Multi-dimensional Integrated Stabilization Mission

UNODA - United Nations Office for Disarmament

UNODC - United Nations Office on Drugs and Crime

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ABSTRACT

This study aimed to evaluate the effectiveness of Border communities' participation in counter terrorism in Africa with Kenya as a case study. Little or no research had been done on the role of communities living along national borders with respect to terrorism and counter terrorism; hence the study aimed at addressing the existing knowledge gap in this area. The research adopted the liberal theory in explaining the responsibility of state and non-state actors in terrorism and counterterrorism. The study was guided on the basis that the strategies adopted by government in countering terrorism are inadequate and cannot effectively prevent terrorism without the involvement of border communities who are rarely involved in counterterrorism initiatives by security agencies. These basic assumptions were confirmed by the outcome of the study that indicated that counter terrorism measures were not very effective. The study used mixed method to gather and analyse the secondary data from library, journals, books and the primary data from field interviews with experts. Data was then analysed using both statistical and non-empirical methods.

From the research, it was deduced that counterterrorism measures initiated by the government are mostly community targeted rather than community focussed as such communities are alienated leading to suspicion and mistrust between security agencies and border communities. The study also established that effective implementation of counter terrorism measures was hampered by corruption among security agencies, lack of resources, marginalization and youth unemployment among others. The research further established that despite the involvement of border communities through initiatives such as nyumba kumi counter terrorism measures were not very effective.

The study therefore recommends to the academia the need to conduct a comparative study on counter terrorism between bordering countries. To the policy makers and in particular the National Counter Terrorism Centre, the study recommends a continuous sensitization of border communities including all border agencies on counter terrorism and adoption of counter terrorism measures that involve input of border communities as a way of creating partnership between the government and Communities.

CHAPTER ONE

1.1   Background

Evolution of terrorism in the new millennium portends threats to the peace and security globally. Nations, regions and the world at large are faced with unpredictable, ruthless and dynamic terrorist groups[1]. The events of 11th September, 2001 where terrorists targeted the Pentagon brought terrorism and World Trade Centre to the global arena consequently leading to a review of strategies for countering international terrorism.[2]

In the early 1960s to 1980s, terrorism was majorly confined within state borders and was mostly perpetrated by nationalists fighting for freedom from the colonial masters particularly in Africa. The freedom fighters who were seen as terrorists by the colonialists had a large support base from their local people, their armed rebellion was seen as legitimate by their supporters[3]. In Europe, Asia and Middle East, nationalist movements such [Basque ETA] in Spain, PKK in Turkey, Irish republican army in Northern Ireland, and LTTE in Sri Lanka were some of the movements that were involved in terrorist attacks within national borders. [1]

Terrorism is derived from word *terrere* in Latin that stands for terrify. The word got its political meaning from the French Revolution following the creation of the regime of terror [1793 – 1794] by Maximilien Robespierre to consolidate the revolutionary state. The term has over the time evolved in meaning and refers to a multifaceted phenomenon though it has no universally accepted definition.[4]

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[1] F. Shany "Counter terrorism, From the Cold War to the War on Terror" Vol 1 [Combating Modern Terrorism 1968-2011] pp1.

[2] Dr. JakkieCillers (2003) "Terrorism and Africa, Journal of African Security Studies"

[3] Dipak K. Gupta, 'Understanding terrorism and political violence'

[4] LukaszKamienski "Counter terrorism, From the Cold War to the War on Terror," Vol 1 [Combating Modern Terrorism 1968-2011] pp1 [Terrorism: A Global Security Challenge]

Scholars, government agencies and different legal systems each define terrorism differently. Bruce Hoffman indicates terrorism to be "the intentional action to create fear through threat and violence to a nation to quest for political change"[5]

From the descriptions, several characteristics emerge; act of violence or threat, terrorism aims at mainly political, the act is designed to intimidate and frighten the population, create psychological effect [create anxiety], weapon of the weak, used by non-state actors against states, societies and individuals[6]

Africa has continued to witness a proliferation of global terrorism perpetrated by militant Islamic groups such as Al-Shabaab in [Somalia], in Nigeria there is Boko Haram in, Ansa Dine in Mali, Al-Qaeda in the Islamic Maghreb (AQIM), Ansar al Sharia in Tunisia, Ansar al Jihad in Egypt and the Islamic state that operates in Egypt, Libya and Tunisia. These groups portend insecurity and lack of peace, socioeconomic development, sovereignty and territorial integrity in Africa. The growth of terrorism in African has been supported by several factors that include political instability in some countries leading to weak internal security institution, lack of political inclusivity, extreme poverty, and underdevelopment of border communities, porous national borders, religious radicalism and the unchecked spread of small and light weapons.

On the 7th August, 1998 Tanzania and Kenya suffered twin attacks targeting American Embassies in Nairobi and Dar es Salaam. 224 people perished and 5000 were injured. The attacks were traced to Al Qaeda. Another attack took place in 2002 at the

[5] Hoffman, Bruce "Inside Terrorism - New York; Columbia University Press" [2006]
[6] LukaszKamienski "Counter terrorism, From the Cold War to the War on Terror, Vol 1 [Combating Modern Terrorism 1968-2011]" pp1 [Terrorism: A Global Security Challenge]

coastal city of Mombasa targeting an Israeli owned hotel and a passenger jet. 15 people at the hotel died.[7]

The expansion of counter terrorism operations has resulted into the function becoming a primary role of the military in many countries. However, the success of the military in eliminating terrorism is contentious [8] Securitization and militarization of counter terrorism efforts has not been fully effective in eliminating terrorism.

1.2   Problem Statement

Counter terrorism efforts by governments were for a long-time state centric and ignored none state actors. Despite efforts to counter terrorism, the problem has persisted and counter terrorism has remained problematic. However, the 21st century has seen a shift in counter terrorism measure adopted by governments that now incorporate some none state actors such as communities, International organizations, Intergovernmental organizations and non-governmental organisations.

Border Communities play a great role in cross border terrorism. In the African context, many border communities who are artificially divided by colonial borders most often belong to the same ethnicity, language and religion on both sides. The Kenya Somalia border covering the North Eastern Region, Mali-Algeria border, the Nigeria-Chad-Cameroon border, the red cliff line between India and Pakistan are all examples of these types of borders. Being on national fringes, border communities are often marginalized and under developed. The feeling of marginalization tends to make them sympathetic to

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[7] ibid

[8] "Counter terrorism from the cold war to the war on terror "(vol.1 combating modern terrorism 1968-2011) Frank Shanty pp294

the cause of terrorists who may engage them to provide logistic support, guidance and other such help as may be necessary.

Terrorism being a persistent problem in Africa, governments together with non-state actors have taken initiatives aimed at combating it. Despites these efforts, countering terrorism continues to present challenges. Looking forward therefore, the involvement of border Communities in countering terrorism may be an effective strategy which if correctly implemented, will deny the terrorists of a crucial support base. The key question therefore remains "how to effectively integrate the border community into national counter terrorism strategy"

1.3 Research question

i.   What are the existing counter terrorism strategies in Africa?

ii.   What are the existing counter terrorism strategies in Kenya and how effective have they been?

iii. What is the role of border communities in counter terrorism and how can it be enhanced?

1.4 The objectives of the study

1.4.1 Broad objective

To assess effectiveness of Border Communities' Participation in Counter Terrorism Strategies in Africa.

1.4.2 Objectives

i.   To examine and analyze the strategies employed in countering terrorism in Africa.

ii.   To examine and analyze the existing counter terrorism strategies and their

effectiveness in Kenya

iii.   To assess the role of Border communities in countering terrorism and how it

can be enhanced

1.5   Literature Review

The chapter analyses secondary data sourced from library, journals, books etc on

terrorism, border communities and counter-terrorism in Africa and Kenya and seeks to

examine existing knowledge gaps and outcomes of previous researches conducted on

terrorism

1.5.1   Terrorism origin

Terrorism is controversial subject that does not have a universally accepted definition.

However, terrorism is coined to mean frighten from Latin word *terrere*. Terrorism got its

political meaning from the French Revolution following creation of the regime of terror

(1793 – 1794) by Maximilien Robespierre to consolidate the revolutionary state. The

term has over the time evolved in meaning and refers to a multifaceted phenomenon.

Bruce Hoffman in his works "inside terrorism has "the intend to create and use fear and

violence for a political transformation"[9]

Walter Laquer in his book "history of terrorism" identifies six features of contemporary

terrorism as; new unexpected act, which is dangerous and affects the human beings. It

indulges with the peace and justice. The way to reduce the action is by reducing

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[9] Hoffman, Bruce "Inside Terrorism - New York; Columbia University Press" [2006]

grievance, stress and frustration in it. Since terrorists are known to be fanatical believers who conditioned themselves to poverty and are inspired by their own ideological[10].

According to the UN Secretary General's report (2004), terrorism is termed to be any action that intend to result to mass killing and human harming with an aim of intimidating the citizens or the government.

Seumas Miller (2009 pp36) defines terrorism as a strategy used by both the government and private sector to cause fear and violence to targeted groups to achieve a political goal. Violence may be through holding hostages, kidnapping, assassinations, torture, and use of chemicals and nuclear.

From the definitions, several characteristics emerge that depict terrorism as an occurrence associated with violent behavior aimed at achieving a political end, the act is always geared towards intimidation and scaring the population to create psychological effect, it is a weapon of the weak, used by non-state actors against states, societies and individuals. The assertion by Laquer that terrorists are poor is too generalized and not entirely true. Some of the terrorist come from rich families and are well educated, Osama Bin Laden was a wealthy contractor and his deputy Al Zawahiri was a medical doctor.

1.5.2   Drivers/Causes of terrorism

Several factors have been identified as drivers of terrorism, these include; poverty, inequalities, lack of participation in governance by citizens through political marginalization, religious polarization. According to Laquer, national oppression and social inequalities are frequently indicated as root causes of terrorism.[11]

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[10] Walter Laquer," History of terrorism "pp5
[11]Laquer, "The new terrorism "pp36

Martha Crenshaw in her book 'comparative politics" notes that P.N Grabosky has identified cities as one of the drivers of terrorism in that the cities provide opportunities such multitude of targets, mobility, good communication network, anonymity and audience other than recruiting grounds for the politicized and volatile inhabitants who may be extremely powerful in engineering civil strife .

Other drives are the absence of effective of security measures. Lack of adequate preparation by security systems such as police or intelligence service or the inability of government, facilitates the spread of terrorism.

Crenshaw categorizes drivers of terrorism as direct causes or situational factors that encourage resistance such as grievances among the marginalized groups. However, dissatisfaction may not always cause terrorism. Poverty or economic deprivation have also been identifying to cause disaffection leading to terrorism however, it has been noted that in some countries such as Japan and Italy, terrorism was choice of the privileged. According to Crenshaw, the 21st century terrorists are young, knowledgeable from well to do family they are always well informed politically however they are always disappointed with their inability to change political the governance system.[12] Many youths in Northern Nigeria with university or have easily been recruited by Boko Haram because of disillusionment with the government that they see as an enemy.

Use of unexpected or unusual force by government to quell protest for reforms has also been identified as precipitating that precedes terrorism on certain occasions

Due to complexity in defining terrorism, identification of its causes is also challenging. ToreBjorgo notes that, terrorism is a product of a long process of radicalization that prepares individuals for extreme action. He categorizes the drivers in structural,

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[12] Martha Crenshaw "comparative politics" vol.13 no.4

facilitator or accelerator and motivational and identifies the following drivers;

demographic imbalance, globalization, rapid modernization, as structural cause.

Globalization that is responsible for advancement in news media, transportation, arms

race and weak state control has been identified as accelerating terrorism. Grievances

experienced by terrorists at individual levels act as trigger that enables one to be involved

in terrorism[13]

1.5.3   Terrorism in Africa

Africa has continued to witness a proliferation of global terrorism perpetrated mainly by

Islamic militant such as the Somalia Alshabaab, the Nigerian Boko Haram and Ansaru,

the Al Qaeda in the Islamic Maghreb (AQIM) and Al-Murabitounin Algeria, Ansar al

Sharia in Tunisia, Ansar al Jihad in Egypt, Ansa Dine and the Movement for Unity and

Jihad in West Africa in Mali. The Islamic state based in Egypt, Libya and Tunisia. These

groups portend a threat to security and sovereignty of states and socio-economic

development of regions where they operate from.[14]

The growth of terrorist networks in Africa has been influenced by several factors that

include weak internal security situations in some of the countries such as Mali, Libya,

and Somalia where governments are weak. Political exclusion in governance, extreme

poverty and inequality especially among the border communities that is characterized by

under development, long porous borders that facilitate smuggling and trafficking in

human beings and contraband goods, light weapons and small arms. The Boko Haram,

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[13] Tore Bjorgo" Root causes of terrorism; myths, reality and ways forward".
[14]Ufiem Maurice Ogbonnaya, "Terrorism, Agenda 2063 and the challenges of development in Africa, South African Journal OF International Affairs"

Ansar Dine in Mali and the AQM use the borders to illegally pass weapons, illicit drugs, and traffic human beings to fund their terrorist activities.[15]

Africa had terrorist attacks, on 7 September, 1998; Al Qaeda carried out a twin attack targeting Kenya and Tanzania. The attack claimed the lives of 224 victims and injured over five thousand people. In 2002, hotel in Kikambala at coastal Kenya owned by Israel, and an Israeli jetliner flying out of Moi International airport Mombasa were attacked. Fifteen people lost their lives in the hotel attack whereas the missile targeting the jetliner missed.[16]

In Nigeria, the Boko Haram which started armed insurgency in 2003by attacking police stations and government buildings has continued to wage deadly terrorist attacks in Nigeria, and across the border in Chad and Cameroon.[17] The terrorist organization has adopted suicide bombing mainly conducted by women and children, kidnapping and attacks on places of worship and security personnel as it strategies. The group has been operating in Northern Nigeria states of Borno, Kano and Yobes and draws it membership from the disaffected radicalized youths afflicted by poverty and unemployment brought about by years of marginalization of the population in northern states of Nigeria.[18] In 2009 between 26th to 30th July, Boko Haram carried several attacks in the four states of Bauchi, Borno, Yobe and Kano targeting security installations, government offices and churches. Several police stations including a Police college and state police headquarters

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[15] Ibid

[16] Ibid

[17] Niyonkuru Fulgence, "War on terrorism in Africa: a challenge for Regional Integration and Cooperation Organizations in Eastern and Western Africa, Journal of Political Science and Public Affairs"

[18] Freedom C. Onuoha "the Islamist challenge; Nigeria's Boko Haram crisis explained; Journal of African Security Review"

were attacked, several policemen, soldiers and Bokoharam adherents numbering about forty were killed during the attacks.[19]

In August 2011, Boko Haram carried an attack in the capital Abuja targeting the UN house. In 2014, the group abducted 200 school girls in Chibok. Some of the school girls have since been rescued following military intervention. Estimates from Nigeria police watch indicate that by April, 2016, about 25,000 people died from the Boko Haram's action terrorism activities with 1.6 million being internally displaced and 17,735 being rendered refugees.

The Sahel region has also seen a resurgence of the Al-Qaida with a branch of Al Qaeda operating Mauritania, Mali, Morocco and Niger. Northern Mali has been a base for the Al Qaeda in the Maghreb (AQIM), Ansar Dine, Movement for the Liberation of the Azawad (MNLA) and MUJAO. The political instability in Mali brought about by the weak central government was responsible for strengthening of the terrorist's organizations. In addition, the ill-equipped Malian army was unable suppress the attacks from these groups that threatened the security and territorial integrity of Mali. The engagement of these groups in kidnappings of western nationals, cross border drug trafficking and smuggling of both human being and weapons necessitated the globalization of the war against terrorism in Mali.

AQIM has been involved in several terrorism attacks in Mali and the neighboring Burkina Faso and Ivory Coast. In November, 2015 the group was linked to attacks on hotels and restaurants popular with Western nationals in Mali. In January2016 they

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[19] Ibid

attacked Burkina Faso and in March the same year they attacked Ivory Coast. In these attacks, several western citizens lost their lives.[20]

1.5.4   Terrorism in Kenya

Kenya is not new to terrorism. The country has witnessed several attacks dating back to 1980 at which time; Norfolk hotel then belonging to an Israeli Jew was attacked by suspected PLO terrorists. A major attack occurred on 7th August, 1998 when Al Qaeda had a twin attack in Nairobi and Dar es Salaam targeting American Embassy. During the attack, 224 people perished and 5000 were injured. A concurrent attack aimed on the Israeli owned hotel and Jetliner on takeoff from Moi International Airport was carried out by the Al-Qaeda affiliated terrorists at coastal Kenya on 28th November, 2002. Fifteen people died in the hotel attack whereas the missile targeting the jetliner missed the target. In September, 2013, the Somalia based Alshabaab terrorists group carried out an attack in Nairobi at the Westgate mall, which claimed 67 deaths while more than 200 were wounded. The group also carried out attacks in Lamu in June 2014 and on 22nd November in Mandera where 28 passengers were killed.[21]Another deadly attack was carried out by Al Shabab terrorists on 2nd April 2015, at Garissa University College in Garissa town. During the attack, 148 university students were killed and 80 were injured. According to data released during the launch of the National Strategy to Counter Violent Extremism, about 900 deaths and 6000 injured from terrorism since the 1998 US Embassy attack in Nairobi[22]

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[20]Congressional Research Service report: Terrorism and violent extremism in Africa (14th July,2016)

[21] Christopher Chumbaetal: "Effectiveness of Border surveillance strategies in the management of Transnational terrorism in Kenya and Somalia; International Journal of Political Science"

[22]UNDP article "Support to the prevention of violent extremism in Kenya"

These attacks have demonstrated Kenya's significance in global terrorism. Kenya role in Global war on terrorism made a target for Al Qaeda and affiliates[23]. Several reasons have been put forth as to why Kenya continues to be a target of terrorism. These include; unstable neighbors such as Somalia. The disintegration of the Siad Barre administration in 1991led to lawlessness in Somalia and created avenues for growth of radical ideologies, large flow of refugees from Somalia to Kenya's Dadaab refugees' camp was witnessed. Some the refugees turned out to be terrorists and have been involved in planning attacks in Kenya. The porosity of the Kenyan border with Somalia and the existence of religious extremist in Somalia is of major concern and signify a risk to Kenya's national security. The Porous border has enabled smuggling of weapons and arms apart from incursion into Kenya by terrorists who were responsible for the attacks in North Eastern and Coast as was the case of Fazul Abdulla Mohamed who sneaked severally into Kenya to coordinated and oversee terror attacks before been killed by security force in Somali in 2011 in a gun battle[24]. Islamic fundamentalism mostly originating from Somalia has been responsible for indoctrination of young Muslims from the Coastal towns, North Eastern region and parts of Nairobi (Pumwani majengo) into violent extremism. Some of radical Imams such as Makaburi and Aboud Rogho who have since been killed declared support for Alshabaab.[25]The radical Islamic preachers take advantage of youth unemployment, poverty to lure the youth into extremism. The intervention by KDF in Somalia under African Union Mission (AUM), has contributed to Alshaab attacks in Kenya. The terrorist group has carried out several

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[23] Samuel L. Aronson: "Kenya and the Global war on terror; Neglecting history and geopolitics in approaches to counterterrorism – African Journal of Criminology and Justice Studiesvol.7" (November,2013)

[24] Ibid
[25] Ibid

deadly attacks as a reprisal for Kenya's involvement in Somalia. The attacks have targeted both civilian and security personnel.

In adequate counter terrorism legislation has been cited as contributing to minimal success in the suppression of terrorism. The lack of a comprehensive legislation has contributed to perceived violations of the human rights of communities in Coastal and North Eastern regions. Security agencies been cited for torturing and detaining suspects in attempt to get confessions[26]

To address the challenges of terrorism, the government has taken several Counterterrorism measures. Aftermath of 7, September 2001, the government embraced Global war on the Terror (GWOT) having been victim to several terror attacks. Developing institutional capacity has been the key plank in counter terrorism measures. Capacity building and equipping law enforcement and security agencies; Immigration, Customs, Police, and Military has been undertaken with support from western allies such as the USA, UK and Israel. Anti-terrorism training has been introduced in police curriculum. The government also established the National Counter Terrorism Centre (NCTC) for long-term strategy on counter terrorism, coordinate regional counterterrorism, intelligent and, establish Anti-terrorism police unit (ATPU), Tourism Police unit (TPU) established to protect tourists. Also, to monitor arms movement along the border to avoid trafficking and smuggling of illegal goods though coastal Kenya coast, the government established the Maritime interdiction unit. Task force with government was formed to deal with counterterrorism. The Special Prosecution Unit (SPU) was setup at AGs office to for terrorist offences. Other legal frameworks undertaken included the enactment of various laws aimed at criminalizing the funding of

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[26] Ibid

terrorist groups such as the Proceed of crime and anti-money laundering Act, the witness protection Act of 2006. Other measures included project such as 'win the hearts and minds' mostly in North Eastern and Coastal region Muslims whose purpose was to prevent extremism among the disillusioned populations.[27]

1.5.5 Borders and Border Communities

Technology and Globalization have impacted on the management of borders. Following the events of 9/11 in which terrorists attacked the US, border surveillance globally was intensified and monitoring of cross border movements of people and goods enhanced. Terrorists prefer lax borders to move freely, thus strict border surveillance acts as deterrence to their activities. According to Rosenblum and others, appreciating border challenges starts with identifying key threats.[28]Border related threats emanate from the border movement of goods and services. Even though many countries secure border activities, the dynamic transnational nature of terrorism requires effective border management strategies to deal with.   According to B. S Narayan, border security policy making and planning are hampered by the multiplicity of border security challenges and the difficulties arising from border management undertakings. Since the events of 9/11, border management has become an important component of counterterrorism. Promotion of cooperation on migration controls has therefore been identified as one of counter terrorism strategy.[29]

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[27] Edward Mogire& Kennedy Mkutu Agade (2011), "Counter-terrorism in Kenya, Journal of Contemporary African Studies "

[28] Rosenblum*et al "Border* Security: Understanding threats at the US Borders (Congressional Research Service -2013 pp1-30)"

[29] Christopher Chumba et al, "Effectiveness of border surveillance strategies in the management of Transnational terrorism in Kenya and Somalia – International Journal of Political Science" IJPS vol.2 Issue 2, 2016

Africa has continued to witness an escalation of cross borders terrorism driven by the growth of Islamic fundamentalism. The challenge of combating cross border terrorism is linked to well-organized criminal undertakings flourishing at the borders. This is further compounded by the dependence of the border communities on these illegal activities. The activities are known to facilitate terrorism. Criminal elements within border towns have been known to procure forged identification or travel documents to facilitate smuggling or trafficking of illegal immigrants some of whom are terrorists. Borders must therefore be made secure and safe to manage the illegal activities that facilitate and promote terrorism. Proactive policies that include community participation should be adopted. Participation of border communities in the management of borders is necessary in preventing cross border crimes that include terrorism. However, in most cases, communities are rarely involved. According to Lamptey, local border communities usually have a deeper understanding of the border environment including unlawful groups, their hideouts and other matters of insecurity but rarely do authorities engage them. However, Border communities may be useful in providing state actors with information on threats to border security that can be used in preventing attacks. Criminal networks tend to thrive from vacuum created by the absence of community participation in border issues.

The escalation of cross border terrorism in Africa not only threatens humanity, sovereignty of states and socio-economic development of African nations but also a threat to international peace and security. Border communities who ought to be gate keepers are always victims of both the state security apparatus during security operations and terrorist groups' recruiters.

Militarization of borders and counter terrorism operations has not fully succeeded in subduing terrorism but has further alienated the border communities. The lack of trust between security agencies and communities is always brought about due to excessive force used by security operatives on communities during counterterrorism operations. Community members are always brutalized when operations are conducted to flush out terrorism suspects. High handedness by the government during these operations in which extra judicial killing of suspected terrorists sometimes occur, alienate communities making them resentful towards the government and sympathetic to the cause of terrorists. Cases of radical Islamic preachers disappearing and others found dead at the Kenyan coastal town of Mombasa has made some community members resentful towards the government.

Border Communities are marginalized in terms of development. Most border communities in Africa are located in remote areas where economic opportunities are few and illiteracy is high. These regions have also witnessed years of prolonged conflicts. Community members are therefore susceptible to engaging in illicit trade, trafficking humans, contraband goods and smuggling of small arms and light weapons. These are known sources of terrorism financing. Cross border trade in illegal immigration and narcotics arms trafficking and have gravely impacted on security of countries within West Africa, North Africa and the Horn of Africa and signify a big challenge to the management of borders

High unemployment rate among the youth some of whom have completed universities and colleges make them vulnerable to extremism and radicalization. A huge number of African youths remain unemployed. Hopelessness and frustrations of being unemployed have made the disenchanted youth to consider the state as an enemy as such they have

become easy target for terrorist recruiters. Due to terrorism been dynamic, it is proving to being difficult to suppress militarily as it is not waged conventionally.

To earn the trust of Community, border management authorities must involve them so as to gradually reduce their reliance on the criminal networks for survival.

Community led counterterrorism is slowly gaining traction in the West. According to Aziz Z Hug, community based counterterrorism looks at the probability of private persons being connected to potential recruits to terrorism depending on their social networks, thus it may be difficult to know the rate of recruiting methods [30]

1.6 Justification of the study

1.6.1 Academic Justification

The study is justified on the basis of the knowledge gap identified in the area of research on counter terrorism and in particular the role of Border communities in combating terrorism which if embraced as a strategy will contribute to knowledge and suggest further areas of research.

1.6.2 Policy Justification

From the knowledge generated in the research, the study will make policy recommendation to government security agencies and Border Management agencies and therefore contribute to improving policy making and practice, especially in respect to counter terrorism strategies that involve Border communities.

1.7 Hypotheses

    i.   Strategies adopted by government in Counter terrorism are not adequate

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[30] Aziz Z. Hug, "Community led counterterrorism, Studies in Conflict and Terrorism"

ii.   Counter terrorism strategies adopted by government cannot effectively supress terrorism unless border community are involved

iii.   Government strategies in countering terrorism rarely involve border communities

1.8   Theoretical Framework

1.8.1   Realism Theory

According to realism the state is the key actor in international relations. The world is anarchical as such governments continually engage in efforts that are aimed ensuring the survival of the state. States selfishly pursue their national interests with national security as the most fundamental. Realists view the state as the ultimate authority and consider any challenge to state authority as illegitimate. Terrorists according to realists are illegitimate none state actors who defy the authority. States have monopoly over legitimate use of force. According to realists, the use of military to fight terrorism should continue until terrorist networks are crushed completely[31]

Realist approach in addressing terrorism militarily has been criticized for being a failure. Military intervention has resulted in the emergence of many dangerous terrorist groups post 9/11[32]. Further, in the present era of the globalized world it is not correct to maintain that states are the only, or even the main players on the globe.

1.8.2   Liberal Theory

The study therefore adopts liberalism theory to explain 21century terrorism.

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[31] Dr. Mustafa Y. Ali, "The globalization of terrorism "
[32] IBID

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The liberalism theory supposes that nations coexist within a stable and orderly international system and detest war as an unavoidable outcome of international relations. According to liberalism, non-state actors are also crucial actors in international relations and must be considered along other state actors, whereas the state is sovereign, other actors such as NGOs multi nationals, transnational and terrorist groups are also important parties. To liberalists, terrorists are criminals whose actions threaten the stability of international relations[33]

Liberals consider the role of multiple sets of actors i.e. non-state actors, which perhaps make it a suitable theory to apply to the theme of counterterrorism. It also supposes that multilateralism rather than unilateralism facilitates state's security. International institutions mitigate the so-called security dilemma thus diminish uncertainty and raise levels of incentives for cooperation.

1.9   Methodology

1.9.1   Research Design

The research used a mixed method to gather and analyse data. The research also adopted case study as a strategy.

The research used secondary data from the library. Primary data was sourced from the field through interviews.

1.9.2   Data collection Methods

Primary data

The research collected primary data through interviews with expert's / key informants who included members of Border Managements Committees, Immigration officials, The

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[33] Ibid

security officers, local administrators, non-state actors such as Humanitarian organizations and selected members of the border communities in North Eastern Garissa, Mandera, and Lamu. Data was collected through questionnaire as this was an easy process to administer

Secondary data

Secondary data was collected from existing literature through analysis of books, journals, policy documents from government and academic papers

1.9.3   Analysis of Data

Data was analyzed through qualitative and quantitative analysis methods. The use of both methods was to enable exhaustive explanation and provision of data to test the hypothesis.

1.10   Chapter outline

The Research is structured into six chapters. The chapters cover; introduction, the role and effect of terrorism and antiterrorism strategies in Africa, terrorism and effectiveness of counterterrorism strategies in Kenya, role of border communities and its impact in countering terrorism, data analysis and presentation and finally summary, conclusion and recommendations.

Chapter 1: Introduction

This chapter covers introduction and will contain the following;

Background of the study, Problem statement, Research question, Objectives, Specific objectives Literature review, Justification, Theoretical framework, Hypothesis, Methodology, Research design and chapter outline

Chapter 2: The role and impact of terrorism and counter terrorism Strategies in Africa

Chapter two examines terrorism in Africa and Counter strategies. Africa has been noted to be a hub of terrorist organizations operating from West Africa, the Sahel and the Horn Africa. Conflicts, Poverty weak states and poor governance have been noted to influence terrorism in Africa. The chapter therefore examines the drivers and CT strategies employed by governments and regional bodies

Chapter 3: Terrorism and the efficacy of Counter terrorism strategies in Kenya

Kenya being a frequent target of terrorism, the chapter examines terrorism within the country, the drivers and antiterrorism strategies adopted by the government

Chapter 4: Role of Border Communities and impact in countering terrorism in Kenya

The chapter examines the role and impact of Border Communities in the fight against terrorism and how their participation in national counter terrorism strategy can be enhanced to strengthen counter terrorism.

Chapter 5: Presentation of findings and Analysis of data

Chapter five covers presentation of data and analysis

Chapter 6: Summary, Conclusion and Recommendations

Chapter six covers Summary, conclusions and Recommendation of the Research.

CHAPTER TWO

THE ROLE AND IMPACT OF TERRORISM AND COUNTERTERRORISM STRATEGIES IN AFRICA

2.1   Introduction:

Africa is not new to terrorism, during the independence struggle, the liberation fighters were seen as terrorists by the colonial powers. The spread of terrorism particularly in North Africa is connected to the withdrawal of Soviet Union in Afghanistan in 1989, the combatants who were engaged in the Afghan war dispersed to countries like Algeria, Sudan and Egypt and engaged in the spread of radical fundamentalism with the assistance of Saudi Arabia and Osama bin Laden who provided funding. Between six hundred and one thousand Algerians who took part in the Afghan   war went back home. Their return provided impetus for terrorist movements that would later spring up.[34]

The Africa has witnessed an upsurge in international terrorism associated with the growth of militant Islamism. Groups like Boko Haram, the movement for unity and Jihad in West Africa (MUJAO), Al Qaeda in the Maghreb (IQIM), Al Shabaab, Ansar al Sharia, Ansar al Jihad among others have been responsible for terrorism incidences from West to East, central and North Africa.[35]Attacks by Alshabaab on the port town of Barawe in southern Somalia, suicide attack in the Nigerian town of Maiduguri by Boko Haram and an attack by the by the Al Qaeda affiliated group on a military camp in Mali, suggest an emerging terrorism in Africa. Sahel has also witnessed a resurgence of Al Qaeda in the Maghreb (AQIM) following the amalgamation of the several groups like Ansar Dine, Mokhtar Belmokhtar's al Mourabitoun and Macina Front to form Jama'atNusrat al-Islam

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[34] Dr. JakkieCilliers, "Terrorism and Africa; African Security Studies"
[35]Ufiem Maurice Ogbonnaya (2016) "Terrorism, Agenda 2063 and the challenges of development in Africa"

walMuslimeen or Group for the support of Islam and Muslims[36] In North Africa particularly in Libya ISIL affiliated groups have been controlling large areas following the collapse of the regime of former Libyan leader Muammar Gadhafi. In Tunisia the ISIL affiliated Islamic fundamentalists have also carried out attacks. In 2015 the group attacked the Bordo National Museum and sousse. In central Africa, many civilians have borne the brunt of insurgent groups especially in DRC and Central African Republic. On 13th May, 2017 the Anti Balaka militia group attacked civilians and United Nations Multidimensional Integrated Stabilization Mission in the town of Bangassou killing 108 people[37]

Following the defeat of ISIL in Syria and Iraq in 2017 and the collapse of its Libyan affiliate in 2016, the group has focused on expanding into the Sub Saharan Africa and is rerouting arms to fighters in Horn of Africa ,Sahel, and Maghreb .[38]The frequent political strife and instability in a number of countries, Africa has the highest number of provided terrorist.

2.2   Organization of African Unity's (OAU) Definition of Terrorism

OAU defines "terrorism" as "any activity that is unlawful and that threatens life, integrity and freedom. That may lead to death of person/s, damages of property, nature or cultural heritage.

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[36]RuchitaBeri, "Rise of Terrorism in Africa, Institute for Defence Studies and Analysis" (April, 12th, 2017) (http:/idsa. Idsa)
[37] Global Terrorism Index 2018 report
[38]American Foreign Policy Council, CIA world Fact book {updated May, 2018}

2.3   Terrorism in West Africa

Boko Haram has continued to attack Nigeria and across borders in Cameroon, Chad and Niger inflicting serious casualty on civilians through suicide bombing and kidnappings as witnessed when the group kidnapped 267 school girls in Chibok in 2014. Boko Haram which started as an insurgency in 2003 had since 2009 killed more than ten thousand people in Nigeria and displaced over five hundred thousand out of places of abode. The group recruits it members from youths who are unemployed and have no means for income. However, there are still members who are rich and highly educated.[39]According to the 2018 Global Terrorism Index, Nigeria was the third most affected country by terrorism perpetrated by Boko Haram which has been a deadliest terrorist groups despite a decrease in their attacks which was as a result of government's counter terrorism operations. In 2017, Boko Haram carried out several attacks targeting civilians and government installations. The attacks were conducted using female and children suicide bombers. On 25th July, 2017, the group attacked a convoy of frontier exploration service team in the town of Jibi. The attack led to the death 69 people.[40]

The emergence of other insurgence groups such as the Fulani extremist group has complicated the Nigerian government counter terrorism strategy. The group was responsible for a deadly attack on a market in Zaki Biam in Benue in which 73 people were killed on 20th March 2017.

Internal tension led to split of Boko Haram in 2016 and another group referred to as the Islamic State West African Province (ISWAP) emerged, together with Boko Haram, the

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[39] Freedom C. Onuoha (2010) "The Islamist challenge: Nigeria's Boko Haram crisis explained, African Security Review "
[40] Global Terrorism Index report 2018

group declared allegiance to ISIL. ISWAP has participated on a number of attacks on aid workers.[41]

2.4   Terrorism in Maghreb and the Sahel

There are indications that terrorists from the Middle East are relocating to the North Africa (Maghreb) which covers Libya, Algeria, Morocco and Tunisia. The migration of the Islamic State into Africa and the Al Qaeda in the Islamic Maghreb has resulted into concentration of radical Islamist extremists in the Sahel. The Global Terrorism Index report of 2018, indicates that as of March, 2018, more than 90,000 terrorists were estimated to be operating the Sahel particularly Libya and Algeria.[42] Libya has continued to suffer deadly attacks from different factions. On 18th May, 2017, 141 people were killed when assailants from the Misrata Brigades attacked the Brak- al-Shati Airbase. This was the 6th most dangerous attack according to the Global Terrorism Index report 2018.The collapse in 2011 of the Muamar Gaddafi government and the instability that followed created a breeding ground for expansion of ISIL. Several armed factions that emerged following the down fall dispersed to Southern Algeria, eastern Mauritania, northern Mali, southwestern Niger and northern region of Burkina Faso.[43]The Ansar al Sheria another affiliate of the ISIS has been responsible for most of the attacks in Tunisia and is considered a key facilitator of ISIS fighters to West Asia. Tunisia is also considered as a recruitment base for ISIS fighters, the youths are mostly recruited from Eastern and Southern Africa to fight in Libya and Syria.[44]

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[41] ibid
[42] ibid
[43]Boeke S, AlQaeda "in the Islamic Maghreb, terrorism, insurgency or organized crime? Small wars and insurgencies" (5th August, 2016)
[44]RuchitaBeri, "Rise of Terrorism in Africa, Institute for Defence Studies and Analysis" (April, 12th, 2017) (http:/idsa. Idsa)

The growth of Jihadist movement in the Sahel was as a result of prevailing local insecurity and political instability linked to the uprising in the Greater Maghreb. In addition, the porous borders of states within the region offered an avenue for transnational armed groups like the Tuaregs through groups such as Azawad, to take advantage of the deep-seated resentment of the government by the local population to fill in the political void. The groups portrayed themselves as liberators of the local people, who had been marginalized and neglected by successive governments. The continued marginalization especially in key economic sectors compelled the people to venture into illegal economic activities such smuggling in contrabands, drugs and weapons. These activities facilitated the growth of Islamist extremists in the region.[45]In 2017 a number of countries in the region that included Mali and Burkina Faso experience an upsurge in terrorist activities. The terrorist group JamaatNusra al –Islam walMuslimin (JNIM) was responsible for most of the death of 141 people. The group was formed following the merger of AQIM, Fulani Macina liberation Front, Ansar al Dine and Mubrabitoum. It was also responsible for the deaths of 57 people in Mali and 27 in Burkina Faso in 2017 The decision by the Al-Qaida in the Maghreb, Boko Haram and Al Shabaab to declare their affiliation to ISIS is an indication of the intension of the Islamic State to spread its terrorism network across the continent and fulfilling its vision of creating a coordinating base in North and West Africa.[46]

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[45]GiusppeDentice, "Terrorism in the Sahel Region; an evolving threat on Europe's doorstep" (19th February, 2018)
[46]Ufiem Maurice Ogbonnaya (2016) "Terrorism, Agenda 2063 and the challenges of development in Africa"

2.5   Terrorism in Eastern Africa and the Horn

The East African region has been prone to terrorism due to prevailing political instability and insecurity in the Horn of Africa and the growth of violent extremism resulting from radicalization. Several countries in the Horn of Africa such as Somalia continue to experience conflicts, have weak governance system and state institutions have collapsed. Their borders are also porous and poorly manned thus allowing unregulated movements of people, contrabands and illegal weapons[47]. These conditions allow terrorism to thrive and has enabled the Al Shabaab terrorist group to operate in Somalia, conduct recruitment and to carry out cross border attacks. According to Dr. Mustafa Y. Ali, the epicenter of violent extremism in the Horn of Africa has been Somalia however between 2010 and 2017, the epicenter diffused beyond the Somalia borders and now extends to Kenya and Uganda which have become targets of Al Shabaab because of involvement in Somalia[48]

In the recent years, the Al Shabaab have attacks in Nairobi and Northeastern parts. In September 2013 they attacked Westgate shopping Mall in Nairobi in which 67 souls died and more than 200 injured. In April, 2015 they attacked Garissa University killing 148 university students and wounding 80. Most recently, the Al Shabaab operatives who included Kenyan citizens carried out an attack on 15th January, 2019 at the Dusit D2 Hotel Complex in Nairobi's Westland killing 21 people.

 The 2016 United States State Department's report on Global Terrorism trends indicate that the Al Shabaab suffered setbacks in 2015 but had proven resilient and had become increasingly aggressive in its attack on AMISOM troops and on efforts to delegitimize

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[47]Patrick Kimunguyi, "Terrorism and Counter-terrorism in East Africa"
[48] Dr. Mustafa Y. Ali (2017) "The Globalization of terrorism; from Sicariis, assassins to ISIS)"

the Somali federal government.[49] On 8th June, 2017, the group detonated an explosive laden vehicle near the Somalia National Army base in the town of Af-urur in Bari killing 77 people. The deadliest 2017 terrorist attack globally was carried out by Al Shabaab in Somalia on 14th October, 2017 in Mogadishu outside the Safari Hotel when the group detonated an explosive laden track. 588 people lost their lives in the attack.[50]

2.6   Counter Terrorism in Africa

2.6.1 Introduction
No single entity or agency can successfully undertake counter terrorism. It a process that requires cooperation from all stakeholders in private, government and international organizations.

The events of 11th September, 2001 catapulted Africa to strategic relevance in the war against terrorism internationally. Countries within the Horn of Africa, the Sahel and the Maghreb emerged as important frontline states in international terrorism. The post 9/11 witnessed a distinct focus on counter terrorism by the government of United States.Many American troops were deployed in Africa following the establishment of the Combined Joint Task Force- Horn of Africa (CJTF-HOA) in 2002. Further USD $100 million fund for counter terrorism was announced by president George Bush for East Africa and Horn of Africa in 2003. In the Sahel region, the European Command (EUCOM) facilitated capacity building and military assistance. The programme later morphed into an enhanced Tran Sahara counter terrorism initiative that incorporated both the Sahel and North Africa.[51]

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[49]American Foreign Policy Council report, source CIA world fact book {updated May, 2018}
[50] Global Terrorism Index Report 2018
[51] Princeton N. Lyman, "The war on terrorism in Africa (from Africa in the world politics by John Harbeson)"

The Global war on terrorism (GWOT) was initiated at the time the African Union was changing to Organization of African Unity (OAU). To Prevent and cub terrorism presented 1st challenge of promoting security and moral values as constitutive Act. The Act conferred the leadership role of countering terrorism on the AU vide Article 4(0) that urges for "*respect for sanctity of human life, condemnation and rejection of impunity and political assassinations and acts terrorism and subversive activities"* Terrorism has therefore been identified by AU security architecture; Peace and Security Council (PSC) as common threat to African security[52]

2.6.2 Initial Counter Terrorism Initiatives by the predecessor of African Union OAU

Since counter terrorism in Africa 1992 following the 28th Ordinary session of the OAU in Senegal which resolution AHG/Res. 213 (XXXVIII) on encouraging cooperation among African countries. In adopting the resolution, the OAU pledged to fight the scourge of extremism and terrorism. At the 30th Ordinary Session that took place on in June, 1994, in Tunisia, the OAU further adopted resolution AHG/Del.2 (XXX) on the Declaration of the Code of Conduct for Inter-African Relations, that was against any type of extremism and terrorism under whatever means. All terrorist acts are termed as criminal. The declaration further expressed its resolve to enhance cooperation in order to combat these acts.[53]

The Code of conduct established standards and a continental agenda for prevention and combating of terrorism. Apart from condemning terrorism, it also criminalized the act in

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[52] Martin Ewi and KwesiAning, "Assessing the role of African Union in preventing and combating terrorism in Africa, African Security Review" 15.3 Institute of Security Studies
[53] The African Union Counter Terrorism Framework

the continent. The code made it an offence to organize, instigate, facilitate, finance, encourage or tolerate terrorism.

2.6.3 Legal Framework

The event of 7th August, 1998 in Al Qaeda terrorist bombed Kenya and Tanzania. Counterterrorism became a central plank of APSA.[54] Terrorism in Africa is not only domestic but international too and that African security was interlinked with global security. It was with this in mind that the African leadership reexamined the existing frameworks and opted for more robust, proactive and obligatory legal instrument for countering terrorism. This let to adoption of; [55]

i) Organization of African Unity (OAU) 1999 Convention on the Prevention and Combating of Terrorism

Convention was adopted at 35th Ordinary Session which took place in Algiers Algeria 12th between and 14th July, 1999. The convention concluded that terrorism ought to be criminalized. There is need of cooperation with the state to fight terrorism. It further provides legal framework on extradition and extra territorial investigations and mutual legal assistance. To date, the convention has been ratified by forty Member States.[56]

ii) 2002 African Union Plan of Action on the Prevention and Combating of Terrorism

Adopted on September, 2002 to fight terrorism in Algeria. The adoption was an expression of commitment and obligation by African countries to the 1999 OAU

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[54] Jolyon Ford, "African counterterrorism legal frameworks a decade after2001 monograph" 177, March,2011

[55] Martin Ewi and Kwesi Aning, "Assessing the role of African Union in preventing and combating terrorism in Africa, African Security Review 15.3 Institute of Security Studies"

[56] The African Union Counter Terrorism Framework (http://www.africa union.org/root/AU/AUC/Departments/PSC/Counter_Terrorism.htm)

Agreement together with other United Nations anti-terrorism legal instruments that were endorsed by the African Union. It aimed at providing strong principles and procedures for the continent and nations response against terrorism through adoption of international and continental best practices for countering terrorism in line with UN resolution 1373 on Counterterrorism. The Plan of Action incorporates comprehensive action especially by the police to control the border activities.[57]

iii) African Centre for the Study and Research on Terrorism (ACSRT)

In fulfillment of African Union plan adopted in 2002, the African Union Commission inaugurated (ACSRT) held in Algiers between 13th and 14th October, 2004. The Centre conceived as an autonomous research Centre was established in Algiers as a technical component of the Union to deal with issues concerning terrorism. It aids in collection, collation and analysis of terrorism activities and terrorist groups. It is required to initiate programmes that encourages cooperation on counterterrorism.[58]

iv) Dakar Declaration against Terrorism

The Dakar Declaration took place in Dakar Senegal on 17th October, 2001 in which twenty-eight (28) Head of States took part. The leaders noted with concern the development of terrorism in Africa and which constituted a violation of Human rights, they further expressed their distress on the gravity of terrorists'. The declaration called for banning of terrorism acts in all its manifestations and urged for the encouraging interstate cooperation and coordination in combating terrorism. It condemned all acts of terrorism in Africa and internationally. The declaration appealed to Member States to ratify the OAU Convention on the prevention of terrorism and any other United Nations

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[57] ibid
[58] The African Union Counter Terrorism Framework

instruments on terrorism. It called for the application of all efforts that include sub regional, regional and global initiatives in addition to diplomatic and financial efforts to be employed in fight against terrorism. It further requested for reconvening of a follow-up Extra Ordinary Summit to discuss progress made in counter terrorism.[59]

v) Addition Protocol to 1999 Convention on the Prevention and Combating of Terrorism

The additional protocol was initiated at the 3rd Ordinary Session of AU in Ethiopia on July, 2004. The recommendation for its adoption had earlier been made at the Heads of State and Governments meeting in Dakar Senegal in October, 2001. The protocol acknowledged the rising challenge of terrorism and linkages to other organized transnational crimes including trafficking in narcotics, money laundering, illegitimate weapons. The protocol became a force on 26th December, 2003 operationalized Article 3(d). The protocol related to Peace and Security Council (PSC) of the African Union on fighting terrorism through coordination and harmonization of continental. The last signature on the protocol was appended on 7/3/2017.[60]

vi) Appointment of African Union Special Representative for Counter Terrorism

Pursuant to the decision Assembly/AU/Dec.311(xv) of African Union Assembly adopted in Kampala Uganda on fighting terrorism by mobilizing efforts to achieve the goal. Chairperson of the Commission of African Union on 7th October, 2010 appointed the Special Representative in charge of Counter Terrorism Cooperation who was also mandated to be the Director of ACSRT. The Special Representative has since his

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[59] Regional Treaties, "Agreements, Declarations and related, Dakar Declaration Against Terrorism"
[60] The African Union Counter Terrorism Framework (http://www.africa union.org/root/AU/AUC/Departments/PSC/Counter_Terrorism.htm)

appointment undertaken a series of consultative meetings with Member States, International Counter Terrorism Institutions and development partners to mobilize support and to seek for cooperation and coordination in countering terrorism.[61]

vii) The 2004 Protocol to the OAU Convention on the Prevention and Combating of Terrorism

Despite Algiers convention forming basis of Africa's counterterrorism initiatives, certain inherent weaknesses were noted. These included the inability of the convention to deliver efficient mechanism and ways to cut out terrorism source of income. In addition, the provisions on human rights protection were considered inadequate and risks in acquisition of weapons and explosive by terrorist groups was also not sufficiently addressed.[62]

viii) Prohibition of payment of ransom to terrorist groups

At the 13th Ordinary Session of the AU held in Sirte, Libya from 1st to 3rd July, 2009the meeting adopted the Assembly decision AU/Dec. 256(XIII) which was meant to address the problem of ransom payment to terrorist groups. This was in realization to the growing demand for ransom by terrorists in exchange for hostages they had kidnapped. It further called for the UN to adopt resolution condemning the payment of ransom as a way of consolidating existing legal provisions relating to resolution 1267 (1999) of 15/10/1999 and 1373 (2001). It is worth noting that as a result of the campaigns by the AU, the UN adopted resolution 2133(2014) which reaffirmed earlier Security Council decision urging

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[61] "Report of the Chairperson of the Commission on Terrorism and Violent Extremism in Africa (Peace and Security Council 44th meeting at the level of Heads of State and Governments", Nairobi Kenya 2/09/2014)
[62] ibid

Member States to fight the financing of terrorism and refrain from according support to entities or persons engaged in terrorism.[63]

ix) African Counter Terrorism Model Law

The African Model Law on Counter Terrorism was developed to assist Member Countries in combating terrorism in line with the Assembly decision; Assembly/AU/Dec. 311(XV) that was adopted by the 15th Ordinary Session held in Kampala Uganda from 25th to 27th July, 2010 and which emphasized the need for renewed efforts and increased mobilization to combat terrorism. The Assembly in its decision; Assembly/AU/Dec.369(XVII) adopted at the 17th Ordinary Session in Malabo, Equatorial Guinea from 30th June to 1st July, 2011, welcomed the elaboration of the Model Law which would serve in strengthening or updating national laws of member States [64]

x) Establishment of the Peace and Security Council Sub-Committee on Counter Terrorism

The Sub-Committee on Counter terrorism was established in accordance with Article 8(5) of the Council's protocol through a communiqué PSC/PR/COMM. (CCXLVIX). The Committee is made up of five members of the Council representing different Regions of the continent. The sub Committee is responsible for preparation, publication and regular review of the particulars of terrorists and their organizations, as per the 2002 Plan of Action on Prevention and Combating of Terrorism

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[63] "Report of the Chairperson of the Commission on Terrorism and Violent Extremism in Africa (Peace and Security Council 44th meeting at the level of Heads of State and Governments", Nairobi Kenya 2/09/2014)
[64] ibid

2.6.4 Other AU led initiatives:

Establishment of a Fusion and Liaison Unit in Mogadishu

The African Union through AMISOM and with the support of ACSRT established a fusion and liaison Unit in Mogadishu Somalia. The unit is meant to enhance the capacity of Somalia security agencies in collection of information, intelligence and analysis to facilitate timely and secure dissemination of information. The Unit has since progressed to a Joint Operations and Coordination Centre (JOCC) incorporating the Somali Army, National Police, and the National Intelligence Agency and other stake holders. The Centre has so far assisted AMISOM and the Somalia government to conduct informed counter insurgency operations.[65]

Establishment of AFRIPOL

The AFRIPOL was created as a result of the African Conference of Heads Police, held in Algiers from 10th to 11th February, 2014. The decision to establish AFRIPOL was endorsed at the 25th Ordinary Session in Malabo that took place from 20th to 24th June, 2014 following the adoption of decision EX.CL/Dec.820 {XXV}. AFRPOL seeks to promote police coordination at strategic, operational and tactical level in appreciation of the challenges confronting African countries such as transnational organized crimes and terrorism.[66]AFRIPOL aims to harmonize police methods, strengthen police capacities and enable exchange and extension of best practices including training in areas of prevention and investigative techniques. It is envisaged that AFRRIPOL will facilitate better networking and faster flows of information. Areas to be prioritized include terrorism, organized crimes, and cybercrime, small and light weapons, human and drug trafficking

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[65] ibid
[66] "Report of the Chairperson of the Commission on Terrorism and Violent Extremism in Africa (Peace and Security Council 44th meeting at the level of Heads of State and Governments", Nairobi Kenya 2/09/2014)

among others. The organization held its first general Assembly in Algiers in May, 2017 with Member States agreeing on the adoption of a three-year work plan.

Facilitation in the Implementation of the United Nations Security Council resolution 1540

The AU Commission has taken several measures in its efforts to facilitate implementation of the UN Security Council resolution 1540 which requires countries to desist from extending any form of help to non-State actors, including terrorist groups, who may try to develop, procure, produce, posses, transport, transfer or utilize weapons of mass destructions and their means for terrorist purposes. The resolution calls on countries to adopt and enforce relevant effective legal instrument in this respect. The implementation of the resolution is in line with the African Union Counter Terrorism framework. To this end, the AU Commission in conjunction with South Africa the Committee chair for implementation of the resolution 1540 and with assistance UNODA held an implementation workshop in Pretoria in November, 2012 where the AU nonproliferation and counterterrorism instruments were underscored.[67]

According to Martin Ewi and KwesiAning, the African Union in the post 9/11 era acted mostly as a facilitator to empower Member States and Regional Economic Communities to meet their obligation under the continental and international counterterrorism instruments. The AU role is that of a clearing house for norms and standards besides the critical function of coordinating and harmonizing activities of Member states and

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[67] "Report of the Chairperson of the Commission on Terrorism and Violent Extremism in Africa (Peace and Security Council 44th meeting at the level of Heads of State and Governments", Nairobi Kenya 2/09/2014)

Regional Economic Communities through promotion of interstate cooperation in counter terrorism.[68]

2.6.5 Sub Regional Organizations' Counter Terrorism Legal frameworks

Sub regional organizations also play a critical role in counter terrorism through institutional frameworks. These organizations started as economic blocs but over the years they have taken up security matters and play major roles toward addressing issues of peace and security.

i.   Intergovernmental Authority on Development (IGAD)

IGAD, an organization in the Horn of Africa, has been at the forefront of Counter terrorism initiatives. It has been proactive in dealing with terrorism matters. Through the ICPAT, an antiterrorism capacity building Programme, IGAD has from June, 2003, when it facilitated a meeting on Prevention and Combating of Terrorism in the Ethiopian capital city, been a pace setter among the sub regional organizations on counter terrorism initiatives. In 2006 through ICPAT, it launched the four-year programme on capacity building and confidence building in the IGAD region. The initiative has five target areas which include; enhancing the judicial measures, promoting increased inter agency coordination on counter terrorism within the Member States, improving border controls, capacity building, information sharing and sharing best practices and promoting strategic cooperation[69]

In 2010, IGAD established the IGAD Peace and Security Strategy (IPSS) as a way of actualizing the global counter terrorism strategy spearheaded by the United Nations. The strategy was made up of four pillars which included; counter terrorism that covered

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[6868] Martin Ewi and KwesiAning, "Assessing the role of African Union in preventing and combating terrorism in Africa, African Security Review 15.3 Institute of Security Studies"
[69] Patrick Kimunguyi, Counter terrorism in East Africa

issues of transnational organized crimes, maritime security, empowering institutions and capacity building. IGAD Security Sector Programme (ISSP) was established to deal with piracy and crimes of similar nature on the coastal waters of the region, capacity building in areas of interrogation skills targeting intelligence organizations to equip them with skills to detect and dismantle terrorist activities, Imposition of travel and financial bans aimed at individuals and groups suspected of financing terror.[70]

The Economic Community of West African States (ECOWAS)

ECOWAS was founded on 28 May 1975 in Lagos, Nigeria. The Community has a membership of sixteen States. It was established to promote the development of West African region through economic, social and economic cultural cooperation. However due to increasing instability and insecurity in the region, ECOWAS Member States of established the ECOMOG to deal with security issues as a stand by intervention force. ECOMOG has since been instrumental in combating Boko Haram.

In its efforts to combat terrorism, ECOWAS adopted the Political Declaration and Common Position against Terrorism, the declaration provides for a regional Counter Terrorism Strategy and implementation Plan to help member states fight terrorism. The strategy also provides for a seamless execution of regional, continental and international instruments in combating terrorism.[71] It has three major objectives which includes prevention of terrorism through identification deterrence of terror groups, timely and effective response to acts of terrorism so to minimize escalation including funding,

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[70]Fulgence N. (2015) "War on Terrorism in Africa: A challenge for Regional Integration and Cooperation Organizations in Eastern and Western Africa", Journal of Political Sciences and Public Affairs
[71] Walter Gam Nkwi, "Terrorism in West Africa, a 21st century appraisal, Austral: Brazilian Journal of Strategy and International relations" (July-December, 2015)

recruitment, and training apart from undertaking reconstruction of damaged infrastructure to win hearts and build trust and confidence among the affected population.[72]

Despites the ECOWAS initiative in combating terrorism, the organization has not been very active in developing own strategies as a frontline regional economic community compared to other regional organization such as IGAD instead it has mostly relied on the AU conventions and treaties on terrorism.[73]

ii.   Trans-Sahara Counter Terrorism Initiative (TSCTI)

This is a United States of America led counter terrorism initiative covering the Sahel. It covers the countries of Mali, Mauritania, Niger, Senegal, Ghana, Nigeria and Chad. It also includes Algeria, Morocco and Tunisia. The initiative aims at bolstering counterterrorism capacities of the member countries, enhance institutional cooperation among the military and security forces in the region in addition to promoting good governance. [74]

iii.   Arab League Convention the Suppression of Terrorism

The convention was adopted in Cairo Egypt by the Council of Arab Ministers of Interior and Justice of League of Arab States on 22nd April, 1998. It came into force on 7th May, 1999.The convention has been a key legal instrument in enabling cooperation among the Arab member states which include North African countries such as Egypt, Libya, Morocco, Algeria, Tunisia, Mauritania and Sudan to which the Arab League is a forum for coordination, communication, and consensus on counter terrorism measures[75]

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[72]Fulgence N. (2015) "War on Terrorism in Africa: A challenge for Regional Integration and Cooperation Organizations in Eastern and Western Africa", Journal of Political Sciences and Public Affairs
[73]Olawale Ismail (2013) "Radicalisation and violent extremism in West Africa: implications for African and international security", Conflict, Security and Development
[74] Patrick Kimunguyi, Counter terrorism in East Africa
[75] Jolyon Ford(2011), "African Counterterrorism Legal Frameworks, a decade after 2001, Institute for Security Studies", Pretoria South Africa

Conclusion

The findings of this chapter indicate that terrorism has continued to proliferate in Africa.

The attacks have been perpetrated by Islamists such as the Boko Haram, Al-Shabaab,

AQIM, MUJAO, Ansar al Sharia among others. These attacks have been attributed to

instability in Sahel, Maghreb and the Horn of Africa. This is despite counter terrorism

initiatives by the African Union, the sub regional organizations such as EAC, ECOWAS,

IGAD, Arab League Convention and the Trans Sahara Counter Terrorism Initiative.

Some of the Sub regional organizations such ECOWAS have not been very active in

developing own strategies as frontline regions compared to IGAD, but have relied on the

African Union Convention and Treaties on terrorism. Further the measures adopted by

most of the states have tended to be militaristic and have not been very effective in

combating terrorism.   The Global Terrorism Index for 2018ranked Nigeria as the third

most affected country in terms of terrorism incidences.

The resilience of terrorist organizations and the continuing atrocities and destabilization

of a number of African states by terrorist activities are dangerous pointers to the serious

threat Africa is confronted with. Despite measures and initiatives adopted by the African

Union, regional organizations and states the threat of terrorism still exists and the

continent continues to be vulnerable. To effectively prevent and combat the menace of

terrorism, African states must be firmly committed and enhance cooperation as terrorism

is transnational in nature

CHAPTER THREE

TERRORISM AND THE EFFECTIVENES OF COUNTER TERRORISM STRATEGIES IN KENYA

3.1   Introduction

3.2   Terrorism in Kenya

Terrorism incidences in Kenya dates back to the early 1970s when a passenger bus belonging to the Overseas Touring Company (OTC) was targeted in a bomb attack that resulted into 27 fatalities and 10 injuries. [76] The terror attack was carried out by local group calling itself Masikini Liberation Front (MLF)

Other incidences included an attempt by the Palestinian organization PFLP which targeted an Israeli passenger aircraft that had stopped in Nairobi on the 28th January 1976. This plan was however foiled by the Kenya security agencies on intelligence availed by the Israelis leading to the arrest of the plotters.[77]

The other incident of transnational terrorism in Kenya occurred on 31st December, 1980 when the same Popular Front for the Liberation of Palestine attacked the then Jewish owned Norfolk Hotel in Nairobi. The attack led to the loss of 15 lives and 87 injuries. The attack was in retaliation for Kenya's support to the Israelis during the hostage rescue mission at the Entebbe Airport in Uganda.[78]

The 7th August, 1998 Al Qaeda attack on the United States Embassy in Nairobi in which more than 200 hundred people lost their lives including 12 American citizens and over 5000 injured compelled the government to start initiating a more resolute counter

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[76] E. Mogire and K. M. Agade (2011) "Counter terrorism in Kenya", Journal of Contemporary African Studies
[77] Ibid
[78] Ibid

terrorism strategy. The terror incident made the Kenya and United States government appreciate the threat posed by international terrorists. Joint investigations by the Kenya and USA unearthed that the attacks were planned by foreign terrorists with assistance from locals. The planning had taken over five years and involved Al Qaeda leader Osama Bin Laden, a Jordanian, a former Egyptian policeman and Fazul Abdulla Mohamed from Comoros.[79]

Another major terrorist attack occurred on the 28th November, 2002 when Al Qaeda affiliated terrorists carried out a twin attack targeting an Israeli owned Paradise hotel in Kikambala at the coast in which 13 lives were lost and 80 people injured and an Israeli EL AL passenger aircraft on take-off from Moi International Airport Mombasa. The attack on the jetliner was unsuccessful as the shoulder launch missile missed target. The two attacks were said to have been coordinated by Fazul Mohamed[80]

After the terror attacks in 2003 at Kenyan Coast, there were other minor attacks in June, 2007 in which a bomb blast killed two people and injured thirty-five at a bus stop in Nairobi. In December, 2010, another attack at a bus stop resulted in the killing of three people and injuring of thirty-nine. These terror attacks were associated with the Al Shabaab.

On 21st September, 2013, Al Shabaab carried out a major attack on Westgate, an upmarket shopping mall in Nairobi. During the siege, 67 people died among them foreign nationals. 200 were also wounded in the attack. The Al Shabaab claimed that the attack was in retaliation to the intervention in Somalia by the Kenyan forces. In June, 2014

[79] Samuel L. Aronson (2013) "Kenya and the Global War on Terror; Neglecting History and Geopolitics in Approaches to Counterterrorism", African Journal of Criminology and Justice Studies vol.7
[80] E. Mogire and K. M. Agade (2011) "Counter terrorism in Kenya", Journal of Contemporary African Studies

between 15th and 17th the group carried further carried attacks in Mpeketoni and Mporomooko within Lamu County, in which over sixty people were killed. On the 22nd of November, 2014, Al Shabaab attacked a passenger bus in Mandera killing twenty-eight people. On 14th, December, still within Mandera County 36 quarry workers were killed by the Al Shabaab at a quarry in Koromey[81]

On 2nd April, 2015, Al Shabaab carried out another deadly attack at the Garissa University College in Garissa town. This was the second worst terrorist attack in Kenya after the 1998 US Embassy bombing. During the attack, 148 students and teachers were killed while over 80 were injured.[82]According to the Kenyan government, the Garissa University attack was masterminded by Mohamed Kuno, a former Madrasa teacher in Garissa who was a high ranking Alshabaab official.[83] Some of the Alshabaab operatives who carried out the attack included a Nairobi University Law student.

In 2016 there were multiple terror incidences but at a lower scale. In May within Kwale County, a former member of the Alshabaab and three Community Policing members were killed by suspected Alshabaab members. In June, five police officers were killed in an ambush as they escorted a passenger bus in Mandera County. In July, the Alshabaab again killed six passengers in a bus within Mandera. In September, the Police killed three women suspected terrorists who had attacked the Central Police Station in Mombasa. During the month of October, 2016, Alshabaab attacked a local hotel in Mandera town and killed 12 people. In the same month they also attacked a residential house and killed six people.

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[81] Christopher Chumba et al, "effectiveness of border surveillance strategies in the management of transnational terrorism in Kenya and Somalia"; International Journal of Political Science Vol. 2, issue 2 (2016)
[82] UNDP publication; Support to the Prevention of Violent Extremism in Kenya
[83] BBC News (3/4/2015)

In 2017, the Alshabaab attacks mainly targeted security personnel. Between May 16th and 25th, four attacks were reported in which about 30 people mostly security officers lost their lives. These included five policemen who died when a convoy of the Mandera Governor was ambushed. On 13th July, the Alshabaab ambushed a convoy ferrying the Principal Secretary of Public Works while on a visit to Lamu County. During the attack and in the subsequent rescue mission, six police officers lost their lives. The PS was rescued but later succumbed to her injuries while receiving treatment. Between 13th July and 6th September, 2017, Alshabaab attacked villages in Lamu and killed 13 civilians some of whom were beheaded. [84]

3.2   Kenya's vulnerability to Terrorism

Kenya has been a target of terrorism on many occasions dating back to the 70s and 80s when an OTC passenger bus and the then Jewish owned Norfolk hotel were targeted. Major attacks occurred in 1998 when the USA Embassy in Nairobi was bombed by Al Qaeda terrorists and in 2002 when suspected Al Qaeda operatives carried out a twin attack on an Israeli owned hotel and a jet liner at the Coast. More recent deadly attacks took place in September, 2013 when the Somalia based Al Shabaab attacked the Westgate shopping mall in Nairobi killing 67 and wounding over two hundred people and in April 2015 when they attacked the Garissa University College leading to the death of one hundred and forty-eight students and over eighty injuries. The group has continued to carry out attacks in North Eastern Region and Lamu County mostly targeting security personnel and residents.

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[84] "United States Department of State Publication, Bureau of Counterterrorism (2018)"; Country reports on terrorism 2017

According to UNDP, between 2011 and 2015, there were more than 200 terrorism related incidences connected to Al Shabaab. The National Strategy to counter violent extremism indicates that since 1998 and 2015, there have been more than 900 deaths and over 6000 injuries associated to terrorism.[85]

Some of the reasons why Kenya has been a target of terrorism include;

3.2.1 Unstable neighbors

The instability in the Horn of Africa especially in Somalia which has been ravaged by war since the collapse of the Siad Bare in 1991 has provided a safe haven for terrorists and radical ideologists who flourished due to lawlessness[86]Instability has transformed Somalia into a haven for Islamic extremists such as the Al Shabaab that has been able to cross into Kenya through the porous borders to launch attacks. They have also infiltrated the Dadaab refugee camp from where they planned some of the terrorist attacks and the Somali dominated neighborhood of Nairobi, North Eastern Region and parts of Coast region bordering Somalia[87]

3.2.2 Porous Borders

Kenya shares a long border with Somalia covering a distance of more than 700 kilometers the border region is a remote sparsely populated area, covering mostly the North Eastern Region and Lamu County in the Coast. The military has been stationed along some parts of the border to prevent incursion however the border is inadequately manned, with most areas lacking the presence of border and other security agencies, this

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[85]UNDP KENYA Publication, Support to the Prevention of Violent Extremism in Kenya
[86] Samuel L. Aronson (2013), "African Journal of Criminology and Justice Studies" Vol.7
[87]OtisoKefa M. (2009), "Kenya in the crosshairs of Global terrorism; fighting terrorism at the periphery, Kenya Studies Review"

is occasioned by fewer border control points. Due to porosity of the border, criminal

elements, the Al-Shabaab terrorists, and Islamic extremists easily cross the border into

Kenya to launch attacks and propagate violent extremism and criminal activities. The

inability of the government to properly police the Kenya/Somalia border is responsible

for the smuggling of weapons and terrorists into Kenya.[88]

3.2.3   Religious fundamentalism

Religious fundamentalism in the Muslim dominated areas of North Eastern and Coast

Region, has been used to propagate violent extremism. Despite the existence of a number

of Kenyan born radical Islamists, most of the radical Islam spread in Kenya originates

from Somalia and is spread through the unsecured border. The Al-Shabaab operations in

Kenya has received support from Al- Hijra, a radical Islamic fundamental group that was

formerly known as the Muslim Youth Centre that operated from Mombasa.[89] Following

the discovery of suspected Al-Shabaab operatives on the Kenyan-Somalia border, the

then head of ATPU in April, 2011 noted that a number of Kenyan youths were joining

the Al-Shabaab.[90] According to Kresse K. (2009), radical Islamism has been spread by

foreign nationals professing Wahhabism who recruit poverty stricken uneducated

youths.[91]

3.3.4   Presence of Western Interests

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[88] Ibid
[89] Ibid
[90] Edward Mogire and Kennedy M. Agade (2011) "Counter-terrorism in Kenya, Journal of Contemporary African Studies"
[91] Samuel L. Aranson, "Kenya and the Global war on Terror; Neglecting History and Geopolitics in Approaches to Counterterrorism", African Journal of Criminology and Justice Studies (2013) vol.7

Within the Eastern Africa region, Kenya attracts a comparatively large Western interests because of better infrastructural developments in the area of transport, Communication, Information technology [IT], financial system as well as an educated young population. Kenya has therefore become a region hub with most western countries having their investments and installations. A number of Multinational Corporations and international organizations have their regional head offices located in the country. The large presence of Western interests is an attraction for transnational terrorists such as the Somalia based Al-Shabaab and the Al Qaeda who have on several occasions targeted these interests in terror attacks.[92]

3.3.5 Kenya's geographic location

Kenya is situated in the unstable Horn of Africa. Its close proximity to the war-ravaged politically unstable Somalia, the Middle East and Indian Ocean islands such as Comoros, make it easier for terrorists and religious extremists to travel, spread violent extremism recruit youths and carry out attacks. The Middle East is considered as a hub for terrorism. A number of Al Qaeda operatives have been known to train in Yemen or use it as a transit for staging attacks in Kenya and the Horn.[93]

3.4 Counter terrorism Strategies

The deadly terrorist attack on the of the American embassy in Kenya's capital city on 7th August, 2008 catapulted Kenya as a frontline state in the global war against terrorism, Kenya thus became a member of the US led GWOT following the 11th

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[92]Otiso Kefa M. (2009), "Kenya in the crosshairs of Global terrorism; fighting terrorism at the periphery, Kenya Studies Review"

[93]Mumo Nzau, "Counterterrorism in the Greater Horn of Africa 2004 – 2010; Revisiting the Somalia question: Journal of language technology and entrepreneurship in Africavol.2" No,2 [2010]

September,2011United States terror attacks. Arising from the 1998 attack and subsequent terror incidences in Kenya, the government with the assistance of the United States, Britain and several European countries developed several counter terrorism measures.[94] Before Kenya intervened in Somalia, terrorism had claimed about 300 lives while between 2011 and 2016 over 800 lives had been lost while 1200 people suffered injuries from attacks perpetrated mostly by the Somalia based Al-Shabaab. The escalating terror attacks in Kenya convinced the government to prioritize counter terrorism policies and strategies. The strategies included legal framework, law enforcement and border security, countering terrorism financing, regional and international cooperation.

According to Joseph Kivunzi and Mumo Nzau, Kenya's counter terrorism strategies adopts both soft and hard power approaches mainly aimed at preventing terror activities. Terror threats in Kenya are perceived to be externally perpetrated by terrorist groups such as the Somalia based Al-Shabaab and Al Qaeda who have carried out several attacks.[95] The latest Al-Shabaab attack was on 15th January, 2019 targeting the Dusit D2 complex in Nairobi's Westlands area in which twenty-one people were reported dead. Other attacks included the Garissa University carried out in 2015, the Westgate Mall attack, Mpeketoni in Lamu, the twin attack on Paradise hotel in Kikambala and the Israeli passenger jet while on takeoff at the Moi International airport Mombasa. The terrorists have also on a number of occasions targeted security personnel and civilians along the border areas of the North Eastern and Coast Region using the improvised explosive devices [IEDs].

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[94]Edward Mogire and Kennedy M. Agade (2011) "Counter-terrorism in Kenya, Journal of Contemporary African Studies"

[95]Joseph Kivunzi and Mumo Nzau, "An evaluation of the effectiveness and challenges of counter terrorism strategies in Kenya, International journal of social and developmental concerns vol.2 article 2/12" [March, 2018]

Kenya's president Uhuru Muigai Kenyatta in his address to the African Union Peace Security Council meeting in Addis Ababa Ethiopia on 28th January, 2018, underscored the importance of protecting and empowering communities through peace building reconciliation and reconstruction process that include that include the people exposed to terrorism and the larger societies. The president noted that Kenya had instituted several measures to counter terrorism and violence extremism that include among others; the establishment of NCTC, a multiagency mechanism responsible for ensuring that counterterrorism policies are implemented. The development of rehabilitation programmes and initiatives to enhance de-radicalization process through grant of amnesty to all returnees from Somalia who wish to join the society and abandon Al Shabaab. Kenya had also joined regional forces from Uganda, Ethiopia, Burundi and Djibouti to stabilize Somalia through the AMISOM umbrella to defeat the Al Shabaab.[96]

3.4.1 Establishment of the National Counter Terrorism Centre [NCTC]

The NCTC is a multiagency instrument established to strengthen coordination in counterterrorism. The organization was created in 2004 through a cabinet decision in response to the development of a national counterterrorism strategy in 2003. In 2014, through the Security Amendment Act 2014, NCTC became legally established and mandated to coordinate national counterterrorism initiatives, conduct sensitization of Kenyans on countering terrorism, initiate measures to counter radicalization and foster de-radicalization and also facilitate training on terrorism prevention among others.[97]

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[96]Presidential Strategic Communication Unit [PSCU], Capital news, 28th January, 2018

[97]National Counter Terrorism Centre website http/www.counterterrorrism.go.ke/about us

3.4.2   Establishment of the Anti-Terrorism Police Unit [ATPU]

The ATPU come into being in 2003 to investigate all terrorism related matters. This was in response to several terrorism attacks that had taken place and which included the 1998 United States Embassy bombing in Nairobi, the twin attacks on an Israeli owned hotel in Kikambala and the Israeli passenger jet in Mombasa while on takeoff in 2002. The unit which falls under the Criminal investigations Department of the Kenya Police, was tasked to interdict terrorists' activities, investigate terrorism related cases, develop profiles for terror suspects and maintain an updated databank, review and monitor security of vital institutions and soft target among other roles.[98]

3.4.3   Special Prosecution Unit/Counter Terrorism Division

The unit was created and domiciled in the office of the AG to handle terrorism related cases. It is currently under the office of the Director of Public Prosecutions [DPP] and handles prosecution matters with respect to terrorism. It also advices the government on prosecution of terrorism cases in addition to liaising with the police on prosecution of terrorism suspect.

3.4.4   Joint Counter Terrorism Analysis Centre [JCTAC]

In its counter terrorism strategy, the government has adopted a multi-agency approach that encompasses a joint counter terrorism analysis Centre which has representation from the National Intelligence Service, the Kenya police, Military, Kenya Wildlife Service, the Kenya Forest Service among other government agencies. JCTAC is an analytical body that deals with actionable counter terrorism intelligence on specific threats connected to

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[98]Criminal Investigations Department website http/www.cid.go.ke/about us

particular terror group. It has command centres and tactical units. The cooperation of various agencies enhances investigative and prosecutorial functions and ensures that prosecution of terror suspects is based on credible evidence that can sustain conviction.[99]

3.4.5   Eastern and Southern African Anti Money Laundering Group [ESAAMLG]

As part of countering terrorism financing, the government of Kenya joined ESAAMLG as a financial task force responsible for setting standards and promotion of suitable anti-money laundering measures.

To tackle the challenge of terrorism financing, the government also implemented the United Nations Security Council resolutions on money laundering and terrorism financing.

3.4.6   The Financial Reporting Centre [FRC]/Financial Intelligence Unit

The Financial Reporting Centre was created through the Proceeds of Crime and Anti Money Laundering Act 2009 to assist in the identification of the proceeds of crime and combat money laundering. The Centre has also been mandated by the Prevention of Terrorism Act 2012 to fight terrorism financing. It continues to build capacity to monitor the financial system[100]

3.4.7   Central Bank of Kenya Guidance Note on Conducting Money Laundering and Terrorism Financing Risk Assessment

As part of combating terrorism financing and money laundering, the Central Bank of Kenya developed a guidance note for conducting money laundering and terrorism

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[99] Joseph Kivunzi and MumoNzau, "An evaluation of the effectiveness and challenges of counter terrorism strategies in Kenya, International journal of social and developmental concerns" vol.2 article 2/12 [March, 2018]
[100] Financial Reporting Centre webpage www.fcr.go.ke

financing risk assessment in 2017. The guidance note was issued to banking institutions in 2018. The note requires banks to appoint a money laundering reporting officer who will be the central point of contact with the Central Bank. In addition, banks will be required to provide the CBK with reports of the results of their money laundering and terrorism financing risk assessment.

3.4.8   National Strategy to Counter Violence Extremism

The National Strategy to Counter Violent Extremism was developed in 2016 by the National Counter Terrorism Centre to coordinate activities and guide Counties plan of action. The strategy was launched to step up efforts to counter violence extremism through de-radicalization rehabilitation and integration of youths some of whom had returned from Somalia.[101]

The strategy is being implemented at the national level by the Ministry of Interior and Coordination of National government and at the Counties by the County Commissioners and Governors in partnership with local civil society organizations. Civil societies such as the HakiAfrika is involved in the process of de-radicalization. The Strategy is anchored on eight pillars that include; legal and policy, faith based and ideological, media and online, training and capacity building, education, security, art and culture. The pillars are mutually reinforcing and meant to build strong, cohesive and resilient communities against violent extremism and eliminating the recruitment pool for extremists.

3.4.9   Legal frameworks

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[101]Oscar GakuoMwangi, "the conversation, academic vigour, Journalistic flair" [published 7/8/2018

Kenya has enacted several counter terrorism laws that criminalises terrorism, the financing of terrorist groups and the pursuit of terror suspects. The laws are meant to protect the country from being a haven of terrorists.[102]. Some of the laws include;

3.4.9.1 Security Laws Amendment Act 2014.

The act became effective on 22nd December, 2014. It was one of the efforts by the government to enhance the ability of the country on issues of national security. The Act strengthened the counter terrorism legal instruments by amending twenty Acts. The amendments led to the creation of agencies that deal with terrorism such as the Anti-terrorism police unit, the Bomb Disposal unit, the Cyber forensic investigation unit. Through the amendments the role of National Intelligence Service and the Kenya Defense Forces in counter terrorism operations were strengthened. Border management was also strengthened through the enhancement of terrorism screening watch lists and biometric screening of all passengers at the ports of entry.[103]

3.4.9.2 Prevention of Terrorism Act 2012

The Act provides for measures on detection and prevention of terrorist activities

3.4.9.3 Witness Protection Act 2006

The Act was enacted in 2006 and revised in 2012. It is meant to protect witnesses who testify in corruption and criminal cases including terrorism

3.4.9.4 Prevention of terrorism regulations 2013

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[102] Edward Mogire and Kennedy M. Agade (2011) "Counter-terrorism in Kenya, Journal of Contemporary African Studies"

[103]Oscar GakuoMwangi, the conversation, academic vigour, Journalistic flair [published 7/8/2018

3.4.9.5 Proceeds from crime and anti-money laundering Act 2013,

The Act was first published in 2004 as the crime and money laundering prevention Bill and later in 2006 as the Anti-Money Laundering Bill, 2006. It criminalises the funding of terrorists and provides a frame work for identifying, tracing, seizing, and confiscating the proceeds of crime including terrorism. It stipulates obligation for reporting financial institutions and designated financial business and profession.   The Act has since been amended in 2015 and 2017.The proceeds of crime and Anti-Money laundering (amendment regulations) of 2018 applies to all preventive measures that are connected to money laundering activities including measure to combat terrorism financing.[104]

The Act also creates various organs responsible for combating money laundering such as the Money Laundering Advisory Board, the Financial Reporting Centre, the Asset Recovery Agency and the Criminal Asset Recovery Fund.

3.4.9.6 Prevention of organized crime Act 2010

 The Act provides for the prevention and punishment of organized crime, recovery of proceeds of organized criminal groups and activities related to organized crimes.

3.5. Diplomatic Initiatives

Arising from continuous threats of terrorism and its impact on national security and economy, the government has undertaken a number of initiatives both bilateral and multilateral. These include forging partnership with nations that have also been impacted by terrorism. Towards this end, the government has taken part in several discussions facilitated by regional and International organizations such as the East African

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[104]Proceeds of Crime and Anti-Money Laundering (amendment regulations) 2018

Community [EAC], Intergovernmental Authority on Development [IGAD], the African Union [AU], the Commonwealth, European Union and the United Nations. Diplomatic engagements on counter terrorism have been for the major part conducted with the governments of [105]United States [USA], United Kingdom [UK] and the European Union

The government has also hosted a number of international conferences on counter terrorism. On 10th July, 2019, Kenya hosted the African Regional High-level Conference on Counter terrorism and Prevention of Violent Extremism. During the conference, the Unites Nations, Secretary General, Antonio Guteres, noted the escalation of terrorism in the Sahel and West Africa and the use of sexual violence by terrorists to spread and assert control over people. The importance of women in counterterrorism and the need to engage youth, men and leaders in the fight against exclusion, inequality, abuse and marginalization, conditions that promote violent radicalization were underscored.

Conclusion

From the foregoing, the country has continued to suffer from acts of terrorism which escalated following Kenya intervention in Somalia. A number of reasons have been suggested as to the country's vulnerability to terrorism attacks and these include instability in the region, porous and poorly manned borders, religious fundamentalism, geographical location i.e. proximity to the Arabian Peninsula which exports radical ideologies responsible for Islamist fundamentalism and presence of Western interest that are targets for terrorism.

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[105]John Davis, "Africa and the war on terrorism-Kenya and the global war on terrorism: searching for a new role in a new war "[Raymond Muhula]

A number of strategies and initiatives that include both soft and hard power have been adopted however more emphasis has been concentrated on hard power that involves the military and other security agencies. This has had some success however it is short term and tend to alienate communities who are very vital in denying the terrorists support and operating space. The counter terrorism measure adopted have tended to lean on short term security and law enforcement goals and excluded long-term measures that may be critical in dealing with the underlying causes of terrorism

The government needs to embrace holistic and long-term measures that will address the root causes of terrorism. Communities and non-state actors such as civil societies need to be brought on board in order for the counter terrorism efforts to be effective. Resources must also be committed towards combating terrorism

CHAPTER FOUR

ROLE OF BORDER COMMUNITIES AND IMPACT IN COUNTERING TERRORISM IN KENYA

4.1   Introduction

The terrorist attacks witnessed in the United States on 11th September, 2001 marked a globally shift in border surveillance as it led intensified monitoring of cross border movements of people and goods. Border management therefore became an important component of counterterrorism.

Terrorists prefer lax borders where they move freely but with the need to of security for the border activities. According to Rosenblum and others, Border related threats stem from the movement of people and goods across borders. Even though securing cross border activities has been enhanced in a many country, the dynamic transnational nature of terrorism requires effective border management strategies[106]. Border management is a joint undertaking that involves several government agencies and the border communities[107] According to Susan Ginsberg, border monitoring is challenging and cannot be handled by government alone local community must also be involved since people living in border communities can be of help in identifying potential trouble and responding to intelligence alerts.[108]

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[106]Rosenblum*et al,* Border Security: "Understanding threats at the US Borders" (Congressional Research Service -2013 pp1-30)
[107]Wafula Okumu (June, 2011), "Border management and security in Africa"
[108] Susan Ginsberg (Feb, 2006) "Countering terrorist mobility: Shaping an operational strategy"

4.2 Definition of Border

According to Wafula Okumu, border mean a boundary separating different geographical regions.[109]Borders denote the physical manifestation of a country's sovereignty. It is the cardinal responsibility of every nation to manage its internal affairs. This implies that states have control over movement of people, goods and services in and out, whether legal and illegal. Promotion of cooperation on migration controls has therefore been identified as one of counter terrorism strategy.[110]

4.3 Border Communities and Terrorism

Border communities comprises a mix of people living together and where there are movement of people, goods and services along the international boundary. In most cases, border communities share common languages, ethnic relations and family connections. These communities most often rely on trade that flows across the international boundary and the informal networks they develop over a period of time. If well utilised, border communities can be valuable assets to security agencies since they have vested interests in maintaining safe and secure communities. Their cooperation with security officials therefore secures their security.[111]

Africa has continued to witness an escalation of cross borders terrorism driven by the growth of Islamic fundamentalism. The increase in terrorism in the continent is not only a major threat to human security, sovereignty of states and socio-economic development of African nations but also a danger to global peace and security.

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[109]Wafula Okumu (June, 2011)," Border management and security in Africa"

[110] Christopher Chumba et al, "Effectiveness of border surveillance strategies in the management of Transnational terrorism in Kenya and Somalia"– International Journal of Political Science IJPS vol.2 Issue 2, 2016

[111] Daniel M. Gerstein et al, "Managing International Borders: Balancing security with the licit flow of people and goods" (RAND Corporation, 2018)

In the Sahel region, poor border management threatens international security and heralds a disaster for border communities. The region has witnessed an increase in the number of non-state actors, terrorist groups and organized criminal groups engaged in illegal trafficking of weapons, drugs and human beings in border areas in ways that suggest that the government has no control.[112]

The inability of states to control their borders has facilitated the development of illegal activities and led to the growth of violent transnational extremist Islamist groups such as Boko Haram and Al Qaeda in the Islamic Maghreb along the Sahel-Sahara border area thus threatening the stability and peace in the region. In order to address the underlying causes and build the resilient of the border communities in the Sahel region their vulnerability to terrorist groups must be understood.[113]

The challenge of combating cross border terrorism is linked to the well-organized criminal enterprise flourishing at the borders. This is further compounded by the dependence of the border communities on these illegal activities. The activities are known to facilitate terrorism. Criminal elements within border towns have been known to procure forged identification or travel documents to facilitate smuggling or trafficking of illegal immigrants some of whom are terrorists. Borders must therefore be made secure and safe to manage the illegal activities that facilitate and promote terrorism. Proactive policies that include community participation should be adopted.

Participation of border communities in the management of borders is necessary in preventing cross border crimes such as terrorism. However, in most cases, communities are rarely involved. Border communities who ought to be gate keepers are always victims

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[112] UNDP report, "Border management and Border Communities in the Sahel" (Burkina Faso, Chad, Mauritania, Mali and Niger)

[113] Ibid p2

of both the state security apparatus during security operations and terrorist groups'

recruiters.

The lack of involvement of border communities in border management provides

opportunity to criminal networks and terrorists to engage them with some even getting

married local women to benefit from social protection normally connected with being

part of the community.[114]To earn the trust of Community, border management authorities

must involve them so as to gradually reduce their reliance on the criminal networks for

survival.

According to Lamptey, local border communities usually have inside knowledge of the

border environment, the criminal syndicates, their meeting places and other security

issues but rarely do authorities engage them. Border communities may be useful in

providing state actors with information on threats to border security that can be used in

preventing attacks. Criminal networks tend to thrive from vacuum created by the absence

of community participation in border issues. Border agencies have therefore to actively

involve the border communities to win trust and gradually reduce their dependency on

the non-state actors. This will deny terrorists safe havens within borders.

4.4   Militarization of borders

Militarization of borders and counter terrorism operations has not fully succeeded in

subduing terrorism but has further alienated the border communities. There is no trust

between community and security agencies due to excessive force used by security

operatives on communities during counterterrorism operations. Community members are

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[114]Afua A. Lamptey, "Rethinking Border Management Strategies in West Africa: Experience from the Sahel, Kofi Annan International Peace Keeping Training Centre Policy Brief" 12/2013

always brutalized when operations are conducted to flush out terrorism suspects. High handedness by the government during these operations in which extra judicial killing of suspected terrorists sometimes occur, alienate communities making them resentful towards the government and sympathetic to the cause of terrorists. Cases of radical Islamic preachers disappearing and others found dead at the Kenyan coastal town of Mombasa has made some community members resentful towards the government.

4.5   Marginalization of Border Communities

Border Communities are marginalized in terms of development. Most border communities in Africa are located in remote areas where economic opportunities are few and illiteracy is high. This therefore makes them susceptible to engaging in illicit trade such as smuggling and trafficking in human beings, contraband goods and smuggling of small arms and light weapons. These are known sources of terrorism financing. Cross border trade in narcotics arms trafficking and illegal immigration have gravely impacted on the security of countries within West Africa, North Africa and the Horn of Africa and signify a big challenge to the management of borders.

4.6   Mistrust between the government and border communities.

The lack of trust is always brought about due to excessive force used by security operatives on communities during counterterrorism operations. Community members are always brutalized when operations are conducted to flush out terrorism suspects. High handedness by the government during these operations in which extra judicial killing of terrorism suspects sometimes occur, alienate communities making them resentful towards the government and sympathetic to the cause of terrorists. Cases of radical Islamic preachers disappearing and others found dead at the Kenyan coastal town of Mombasa has made some community members resentful towards the government.

4.7 Youth unemployment in Border Community and the vulnerability to terrorism

High unemployment rate among the youth some of whom have completed universities and colleges make them vulnerable to extremism and radicalization. A huge number of African youths remain unemployed. Hopelessness and frustrations of being unemployed have made the disenchanted youth to consider the state as an enemy as such they have become easy target for terrorist recruiters.

4.8 Border Security and the African Union Strategy on Border Management

According to the African Union, borders are critical instruments in the integration of African countries and Peoples. The Union therefore seeks to convert borders from barriers to bridges.

African Union strategy on enhancing border management seeks to ensure there is security. Prevalence of insecurity within territorial borders prevents the flourishing of legitimate trade and denies local communities including government economic benefits. The strategy is based on the assumption that African borders are not well secured to prevent crimes or promote cross border trade which would be beneficial to member states. The strategy is anchored on the following pillars; cooperation and coordination, capacity building and Community engagement. The strategy aims to involve Border communities actively in the management of borders and is geared towards prevention and elimination of cross border crimes that include terrorism, trafficking in weapons, drugs and human and illegal migration among others.

The strategy is guided by AU constitutive Act, the OAU resolution Con/Res 1069 XLIV on Peace and Security in Africa of 1986, the MOU on Security, Stability, Development and Cooperation in Africa (CSSDCA) of 2002 and the Assembly decision;

Assembly/AU/Dec.145 (VIII) of the 8th Ordinary Session of the Heads of States and Governments of 2007.

4.9 Border Security

According to the African Union, border security is the primary role of States which must ensure that citizens are protected in line with concept of State sovereignty and protection of Human security. The African Union and the Regional Economic Communities have therefore taken measures through programmes, policies and strategies that are aimed at enhancing border security.

The IGAD through ICPAT has undertaken several measures towards improvement of borders in the Horn of Africa which include monitoring of borders and other entry points through the desk top research field studies. It has also promoted IGAD wide discussions on regional border security in liaison with international institutions such as International Organization for Migration (IOM), Interpol and Border agencies.[115]

The ECOWAS has also continued to review the Counter terrorism strategy and implementation plan in response to the escalating terrorism threats in the region. States with the ECOWAS region are being retooled to undertake robust and timely response to address terrorism when it occurs, disrupt terrorist planning networks and bring their leaders, followers, supporters and sympathisers to justice in addition to cutting terrorist funding and access to equipment, training and meeting ground as well as creating hostile environment for terrorist in the region[116]

4.9.1 Sources of Border Insecurity

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[115]African Union Border Program May, 2012: "African Union strategy for enhancing border management in Africa"
[116] ibid

Border insecurity may be as a result of engagement in illicit activities which are attractive to criminals due to their portability and adoptability. This has made the weapons a choice for terrorists. Because of the porosity and permeability of African borders, drug trafficking is rampant especially in the Sahel Region. The routes used are the same as those used for trafficking of Humans and smuggling of contraband. Proceeds from these illicit trades are used for financing of terrorism. Organized crimes and in particular terrorism have been a major challenge for African countries in the Eastern African and the Horn, West Africa and the Sahel and the North Africa. The common denominator is the ease with which borders are used in facilitating transnational terrorist activities that include transport of radical elements and ingredients for making bombs. Corruption thrives in place of crisis and borders are ideal places for corrupt activities. This is associated with the tough economic and social circumstances that encourage border agents to compromise security in exchange of illegal benefits. Border officials susceptible to corrupt practices facilitate the proliferation of smugglers, traffickers and terrorists who are always ready to commit their acts once they are overcome barriers. Efforts must therefore be taken to mitigate corruption so as to prevent insecurity at borders

4.9.2 Regional Economic Community Frameworks on Border Security

i. The 2006 Nanyuki (Kenya) Memorandum of Understanding on Regional Counterterrorism Strategy

ii. EAC project on curbing proliferation of small arms and light weapons initiated in collaboration with the GTZ from 2006 to 2009.

iii. The Nairobi Protocol for prevention, control and reduction of small arms and light weapons in the Great Lakes and the Horn of Africa of 2004

iv. The IGAD initiative on disarmament of pastoralists communities of 2007

v.   The ECOWAS declaration of a moratorium on importation, exportation and manufacture of light weapons in West Africa of 1998

vi.   ECOWAS protocol relating to the mechanism for conflict prevention, management, resolution, peace keeping and security of 1999

vii.   ECOWAS free movement of persons, residence and establishment of 1979

viii.   ECOWAS Convention of small arms and light weapons, their ammunitions and other related materials of 2006

ix.   The SADC Protocol on control of firearms, ammunitions and other related materials

4.9.3 AU Regulatory Frameworks on Border Security

The African Union regulatory framework on border security include the;

i.   Bamako declaration on African common position on illicit proliferation, circulation and trafficking of small arms and light weapons of 2006

ii.   Ouagadougou Plan of Action on combating trafficking in human and in particular women and children

iii.   AU Plan of Action on preventing and combating terrorism of 1999 and 2004

iv.   Declaration on African Union Border programmes and its implementation modalities as adopted at the Ministerial conferences of 2007 and 2010

Article 13 (III) of the AU Border programme and implementation modalities of 2010 adopted in Addis Ababa Ethiopia in March, 2010on border cooperation, identifies the strengthening of cross border cooperation in the area of prevention and combating of

terrorism including other cross border crimes such as drug trafficking, piracy and other illicit maritime activities.[117]

4.9.4 Community led Counterterrorism

Community led counterterrorism is slowly gaining more acceptance in the United States, Britain and Western countries. According to Aziz Z Hug, community led focus on only private individual in social network for terrorism, can take measures to reduce the expected success rate of recruiting methods [118]

According to Professor Basia Spalek the role of community in counterterrorism particularly in preventing radicalization is key. He notes that Community is a source of information and intelligence which is vital in combating terrorism. Communities are also suited to take measures that can prevent youths from being radicalized into violent extremism. This may be achieved through self-policing. Despite the government taking lead in preventing radicalization, communities have also a duty to contribute in the reduction of the underlying factors that lead to radicalization such as the feeling of marginalization, poverty, youth unemployment and poor education standards[119]

4.9.5 Border Communities Involvement in Management of Border as way of Countering Terrorism

Border communities are important stakeholders in the management of borders. Their engagement in combating terrorism and other criminal activities has marked a shift in counter terrorism strategies. Border communities encompass people living on both sides of the international border, civil society organizations, local administration and the local

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[117]African Union Border Program May, 2012: "African Union strategy for enhancing border management in Africa"

[118] Aziz Z. Hug "Community led counterterrorism, Studies in Conflict and Terrorism"

[119]Chumba Christopher, "PHD Thesis; security-based diplomacy influencing transnational terrorism management between Kenya and Somali "[August, 2016]

populations who in one way or another pay critical role in the management of borders. Lack of community involvement may be a recipe for insecurity.

According to the African Union strategy on borders, Border communities include a broad category of people, institutions and organizations, private, public, government or otherwise including civil society organizations that have deliberate interest in what goes on along or across the borders of two countries[120]

According to the Global Counterterrorism Forum (GCTF), terrorist have continued to smuggle weapons through the border. They have also successfully achieved to continue attacking people using explosives and chemicals. These groups target weak border infrastructure that are porous and unsecured borders.[121]

The Global Counterterrorism Forum in its report on good practices recommends the engagement and empowering of border communities in border security and management. It notes that engagement with communities living in remote border zones and nomads roaming the uninhabited border areas may help in generating intelligence on unusual occurrence along borders. The border communities have deep knowledge on the area, characteristics of the terrain, possible criminal networks and terrorist groups operating the area, their hideouts and meeting places and would therefore be an important source of intelligence.[122]

Creation of awareness among the border communities on how common border crimes such as black-market smuggling of goods can provide a source of funds to organized criminal groups and terrorist organizations may help in denying the terrorists their

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[120]Aziz Z. Hug, "Community led counterterrorism, Studies in Conflict and Terrorism"
[121]"Global Counterterrorism Forum, Good practices in the area of border security and management in the context of counter terrorism and stemming the flow of foreign terrorist fighters"
[122] ibid

sources of funds for operations. Further security agencies can engage the border

communities by creating a rapport to help in building resilient in those communities

against criminal influence. Building trust represents opportunities for partnership. The

feeling of marginalization among border communities may create a potential for

exploitation by terrorist organizations or criminals and can lead to radicalization and

violent extremism. To prevent these developments, Governments should pursue social

and economic policies to help integrate the border communities.[123]

Corporation and communication between neighboring border officials and the relevant

law enforcement agencies are critical in the prevention of transnational threats and

combating terrorism.

Border Communities ought to be involved through a representation such as elders,

elected leaders, administrative, and even youths. The engagement aims at involving the

communities at the border and using the, to protect the border and not accusing them of

being part of the problem.[124]

4.9.6 Kenyan Border Communities and their role in Counterterrorism

The Kenyan border communities that the research project focuses on, are those

communities within the North Eastern and Coast Regions bordering Somalia and who are

prone to terrorism. These communities inhabit the Counties Garissa, Wajir, Mandera and

Lamu and have been victims of the Somalia based Al-Shabaab terrorist group. The border

communities along the Kenya Somalia border inhabiting the two regions are

predominantly Muslims and are of Somali and Bajuni/ Swahili ethnic extraction. The

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[123] "Global Counterterrorism Forum, Good practices in the area of border security and management in the context of counter terrorism and stemming the flow of foreign terrorist fighters"
[124] African Union Border governance strategy

County of Lamu like the other Counties in the North Eastern Region is a highly

securitized border area. The spillover of the conflict in Somalia has affected security in

these four counties. The intervention by the Kenya Defense Forces in 2011 through the

operation *Linda Nchi,* triggered an escalation of the Al-Shabaab attacks in Kenya. The

group has been able to establish support networks among the local Muslim population the

border region.[125] The inhabitants of these counties share ethnic cultural and economic

links with communities in Somalia. The proximity of these counties to Somalia has

therefore made them haven for Al-Shabaab and Al-Qaida operatives and this has been a

concern for the government.[126] One of the masterminds of the 1998 US Embassy

bombing in Nairobi Mr. Oddeh an Al Qaeda operative at one time lived and married in

Witu a town within Lamu while planning the Embassy attack. Similarly, Al-Shabaab

fighters operate in the Boni forest within Lamu.

4.9.7 Perception of marginalization among the Border Communities

The Muslim communities in North Eastern and Coast Region share a feeling of

marginalization that emanates from historical injustices of post-colonial dispensation. In

Lamu this has been exacerbated by pressure on land from government schemes to settle

upcountry communities. In the recent past, the development of a port and the opening up

of the region generated opposition from a section of the local community who were

concerned of the potential cultural, socioeconomic and environmental impact of the

project on the area. The development has been seen as a national government plan to

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[125] North Eastern Kenya, "a prospective analysis (December, 2015) Humanitarian and Development Programme"
[126] Stabilization operations, security and development: States of fragility

transform the area with commercial agricultural scheme and an expansion of the settlement for population from outside the region[127]

4.9.8 Alienation of local communities through wrong counter terrorism strategies by security agencies

Extra judicial killing and disappearance of suspected terrorists have led to the feeling of alienation by the Muslim community along the Coast and North Eastern. According to a report by the ISS East Africa, more than 21 prominent clerics and people suspected of to be linked to radicalization at the Coast have been killed in suspicious circumstance. Coastal border communities perceive government security agents as responsible for the deaths and that Muslims are targeted in the counterterrorism approach. This perception undermines the fight against terrorism as certain section of the Muslim community members perceive that they are up against an invisible government hand and as such, they need to stand up for their right to exist against a force meant to eliminate them. Those that have been assassinated are seen as martyrs. Their sympathizers therefore become target for easy recruitment by agents of terrorist groups such as Al-Shabaab[128]

4.9.9 CJTF – HOA Operations in North Eastern Kenya

The CJTF –HOA was introduced by America October, 2002 as part of the USA military global initiative to the 9/11 terrorist attack in the United States. Though based in Djibouti, its operational areas covered wide areas of Eastern Africa from Djibouti to Mauritius. The original mission of the Task force was to interdict and neutralize Islamist fighters fleeing the US led invasion of Afghanistan who might seek safe haven in Yemen and

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[127] "Stabilization operations, security and development: States of fragility"
[128] Andrew Atta-Asamoah, "East Africa report, responses to insecurity in Kenya; too much, too little, too late (April 2015 issue) Institute of Security Studies"

Somalia. However due to non-influx of fighters from Afghanistan, the mission changed to that of countering terrorism and violent extremism. The CJTF-HOA adopted a combination of soft and hard approaches to security which involved use of military, government and non-governmental organizations (NGOs) non state actors focusing on population, security capacity and humanitarian assistance to deter population from being lured to violent extremism.

Their strategy of winning minds and souls was targeted at communities in North Eastern Kenya and Lamu at the coast the two regions that are prone to violent extremism. This strategy was however perceived by locals as a source of insecurity[129]

4.9.10 Initiatives by Leaders in North Eastern

North Eastern Region has suffered a number of Al-Shabaab attacks with the worst being the Garissa University attack in April 2015 in which 148 people mostly students lost their lives. According to the governor of Mandera, the county had been exposed to about 119 attacks due to the porous nature of the border with the Somalia. The governor noted that Al-Shabaab had succeeded in turning locals against non-locals

Leaders from this region that is prone to terrorism have at long last understood the negative impact of terrorism on their region. Terrorism attacks have been responsible for the closure of schools, abandonment of hospitals by medical personnel and the stalling of development projects. Frequent attacks by Al-Shabaab have been the cause of insecurity which has affected the region for more than seven years. The leaders have vowed to fight the terror group but their dilemma is how to effectively do it.

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[129] Mark Bradbury and Michael Kleinman, "Stabilization operations, security and development; States of fragility "

During a two-day meeting to discuss terrorism in North Eastern that was held in Mandera

for the first time and attended by security agencies, local leaders, politicians, elders and

villagers from the Counties of Mandera, Garissa, Wajir, Marsabit and Isiolo, participants

suggested several measures to combat terrorism.[130]These included;

- the involvement of border community in counter terrorism through community

  engagement

- Enhanced cooperation between security agencies and local citizens to enable

  them provide vital information or intelligence to police.

- Sensitization of locals by leaders on the dangers of violent extremism

- Grant of amnesty and rehabilitation of returnee youths who had joined the Al-

  Shabaab

The meeting was held amid revelations that the Al-Shabaab was abducting youths in the

North Eastern Counties of Mandera, Wajir and Garissa then taking them to Somalia for

radicalization before sending them back to carry out attacks in the border counties.[131]

Conclusion

Transnational terrorism has persisted in Africa and also in Kenya. Countering terrorism

has been a challenge despite measures adopted by the Continental body and the country.

The militaristic approach preferred by African governments including Kenya has partially

succeeded. The hard power approach has alienated communities from volunteering

information for fear of reprisal from both security agencies and terrorist groups. The

perception of marginalization of border communities make them susceptible to

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[130]http://citizen.co.ke/northeastern countries grapple with alshabaab attacks
[131] Standard newspaper:" house seeks to amend laws as leaders meet over terrorism" (22/10/2018)

recruitment by terrorist agents as they do not have a sense of belong or allegiance to the country. Some of the approaches by the security agencies such as extra judicial killings are counterproductive and have alienated communities making them easy targets for recruitment by terror groups such as al-Shabaab.

The escalating incidences of terrorism therefore call for a shift in the approach towards countering terrorism. Looking forward, Borders communities if properly engaged may be critical in combating terrorism by denying them safe haven, providing intelligence to security agencies, preventing violent extremism.

CHAPTER FIVE

PRESENTATION OF FINDINGS AND ANALYSIS OF DATA

5.1   Introduction

This chapter presents the data of the study and analyses the study results. The study set out to meet three objectives, namely: to examine and analyze the strategies employed in countering terrorism in Africa; to examine and analyze the existing counter terrorism strategies and their effectiveness in Kenya; and to assess the role of border communities in countering terrorism and how it can be enhanced.

Data was collected following interviews with experts from various government Departments and agencies such as the Department of Immigration, The Kenya National Defence Forces (KDF), The National Police Service (NPS), The National Counter Terrorism Centre (NCTC), The Anti-Terrorism Police Unit (ATPU), The National Intelligence Service (NIS) and Ministry of Foreign Affairs. Other respondents were drawn from International humanitarian organizations such as the United Nations High Commission for Refugees (UNHCR) and the International Organization for Migration (IOM)

The research targeted government officials serving in North Eastern Region Counties of Garissa, Wajir, Mandera and Lamu county of Coast region and those at the headquarters in Nairobi to whom questionnaires were administered. The criteria for selecting North Eastern Region and Lamu County in the Coast region was because the two regions are prone to terrorism due to their proximity to Somalia and have suffered several terror attacks associated with the Somalia based Al-Shabaab.

The data is presented using tables and figures.

5.2 Background Information

This section presents findings from questions posed to respondents to capture respondents' background information.

5.2.1 Organizations section

A total of 30 respondents participated in the study. Different organizations were represented as captured in Table 4.1 below. A majority of the respondents, 30% were drawn from the Department of Immigration; 13.3 % from National Police Service; 13.3% from Kenya Defence Forces (KDF); 6.7% from National Counter Terrorism Centre (NCTC), National Intelligence Service (NIS); and United Nations High Commission for Refugees (UNHCR). The remaining units had a 3.3% representation. Immigration seems to have held a large piece of the participants and it would indicate that immigration is considered a key player in management of borders and border communities.

Table 4.1: Departmental section

Name of organization	Frequency	Valid Percent
Immigration Department	9	30.0
National Police Service (NPS)	4	13.3
KDF	4	13.3
NCTC	2	6.7
National Intelligence Service	2	6.7
UNHCR	2	6.7
BMS	1	3.3
Anti-Terrorism Police unit	1	3.3
MFA	1	3.3
Ministry of Trade	1	3.3
Ministry of State for Defense	1	3.3
Ministry of Interior	1	3.3
IOM	1	3.3
Total	30	100.0

(Source: Author, 2019)

5.2.2 Current position

Participants held different positions in their organizations. The study returned findings showing the different positions that respondents held. The findings are presented in Table 4.2 below. The positions cut across all cadres and this would show the need to encompass an all inclusive approach where the file and rank are included just as policy makers find it easy to advance and execute policies that help the community fight terrorism.

Table 4.2: Current position

Position	Frequency	Percent
Colonel (Col.)	5	16.7
Senior Immigration Officer	3	10.0
Inspector of Police	2	6.7
Chief Immigration Officer	2	6.7
Immigration Officer I	2	6.7
Protection Associate	2	6.7
Sub-County Commander	1	3.3
Superintendent of Police	1	3.3
Senior Assistant Director Immigration Services	1	3.3
Police Constable	1	3.3
Immigration Officer	1	3.3
Commissioner of Police (C.O) Bomb disposal unit	1	3.3
Head of Department	1	3.3
Foreign Service Officer	1	3.3
Clerk	1	3.3
Principal Intelligence Officer	1	3.3
Analyst	1	3.3
Administrative Secretary	1	3.3
Disengagement Officer	1	3.3
Program Officer	1	3.3
Total	30	100.0

(Source: Author, 2019)

5.2.3 Gender

Of the respondents in this study, 83 percent were male while 17 percent were female. A huge dominance of men is partly explained by the fact that strategies to fight terrorism are gender biased and initiatives have a focus on male members of the community. Further, a majority of respondents deployed in the targeted border regions are mostly male. However, both genders indicated the importance of community involvement in counterterrorism initiatives. The data is presented in Figure 4.1 below:

Figure 4.1 Representation by Gender
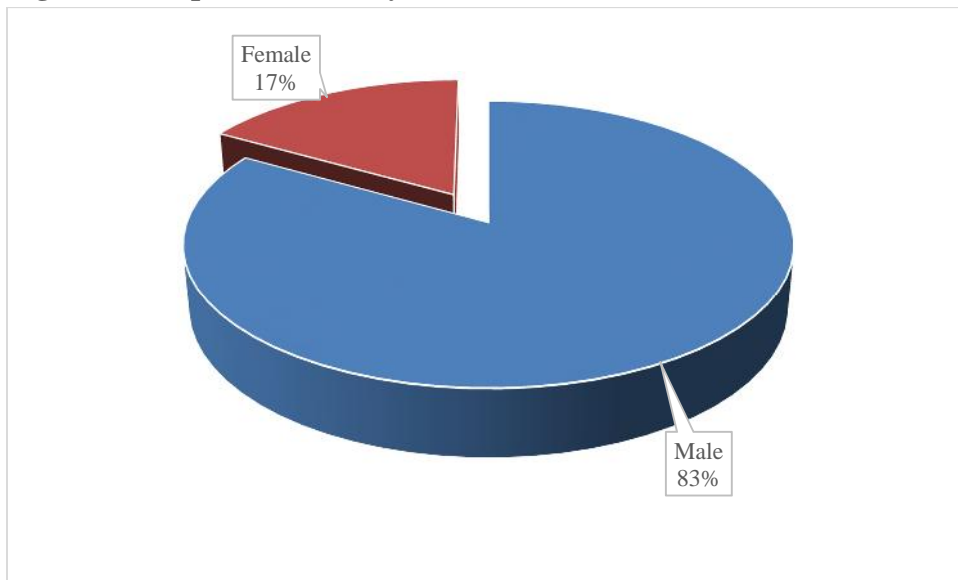
(Source: Author, 2019)

5.2.4 Years of experience

More than half, 63.3% of the respondents had experience of 11 years and over; 13.3% had 6-10 years experience while 23.3% had 1-5years experience. This data is presented in figure 4.2 below:

Fig. 4.2 Representation by Experience
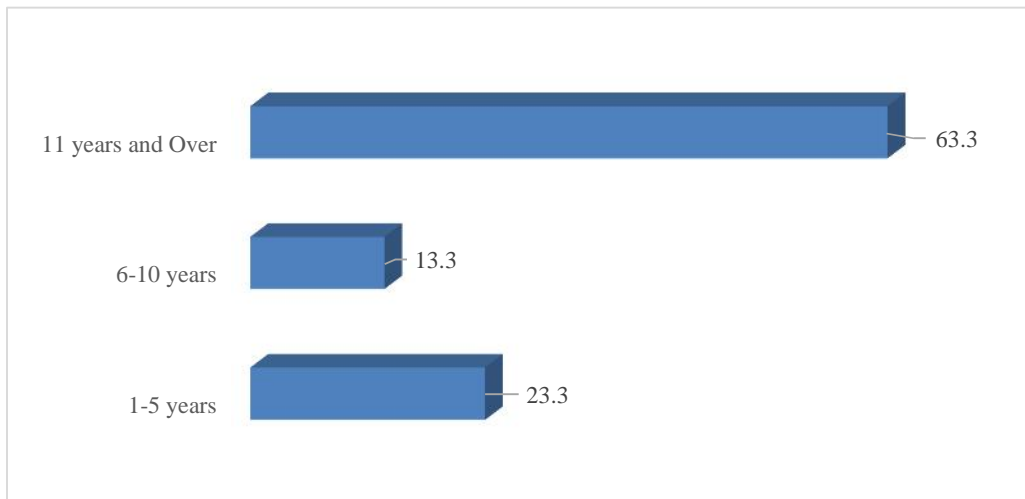
(Source: Author, 2019)

5.2.5 Levels of Education

The level of education is instrumental in harnessing the strategies agreed upon by the community and the government. The levels of education for the respondents were: respondents who either had high school qualifications or a PhD were3.3 %; 23.3% had master degree; 30% were diploma holders; while 40% had degree. The data is captured in table 4.3 below:

Table 4.3 Level of Education

	Frequency	Percent	Cumulative Percent
Secondary	1	3.3	3.3
Diploma	9	30.0	33.3
Degree	12	40.0	73.3
Masters	7	23.3	96.7
PHD	1	3.3	100.0
Total	30	100.0	

(Source: Author, 2019)

5.3 Causes of terror attacks in Kenya

5.3.1 Vulnerability to terrorism

Kenya has been attacked severally and respondents had different explanations as to why

Kenya was vulnerable to terror attacks. The data is captured in table 4.4 below. The top

10 reasons included: porous borders; unemployment among the youth; religious factors;

affiliations of state and non-state actors; corruption; proximity to Somalia; incursion of

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KDF into Somalia; unstable neighbors; poverty; marginalized communities; and poor

coordination among government agencies. The data is presented in Table 4.4 below:

Table 4.4 Level of Education

Reason	Frequency	Percentage
Porous Borders	15	16.7%
High level of youth unemployment	10	11.1%
Religion factors (Ideology, Extremism)	9	10.0%
Affiliation with state and non-state actors that target terrorist	9	10.0%
Corruption	7	7.8%
Proximity to Somalia	6	6.7%
KDF intervention in Somalia	6	6.7%
Unstable Neighboring Government /States	5	5.6%
Poverty factors	4	4.4%
Marginalized communities (Unbalanced distribution of resources)	4	4.4%
Lack of coordination among security agencies	2	2.2%
Lack of community engagement in security issues	2	2.2%
Inadequate intelligence gathering	2	2.2%
Lack of both soft and hard strategies	1	1.1%
Compromised communities living along the border	1	1.1%
Foreign policy	1	1.1%
Land political wrangles	1	1.1%
lack of patriotism	1	1.1%
Large Somali refugee population	1	1.1%
Presence of sleeper cells in the countries	1	1.1%
Loopholes in identity registration	1	1.1%
Few trained officers on evolving phenomenon of terrorist attack	1	1.1%
	90	100.0%

(Source: Author, 2019)

5.3.2 Causes of terror attacks

When focus was given on what causes terrorism, the respondents advanced the following

causes: religious fundamentalism (19.9%); marginalization (11.6%); poverty (11.6%);

youth unemployment (15.1%); porous borders (14.4%); instability in the region (14.4%);

and corruption (13%). It would appear that whereas rhetoric around terrorism has shied

away from religious sentiments, the perception of most respondents still coalesces around

religious fundamentalism. Other causes of international terrorism such as security

installations and affiliation with perceived enemies feature nowhere on the list. Finally,

the focus seems to be on border management where respondents expect to see

communities earning an income, proper manning of borders as well as reduced

corruption. The data is presented in figure 4.3 below;

Fig. 4. 3 Representation by Experience
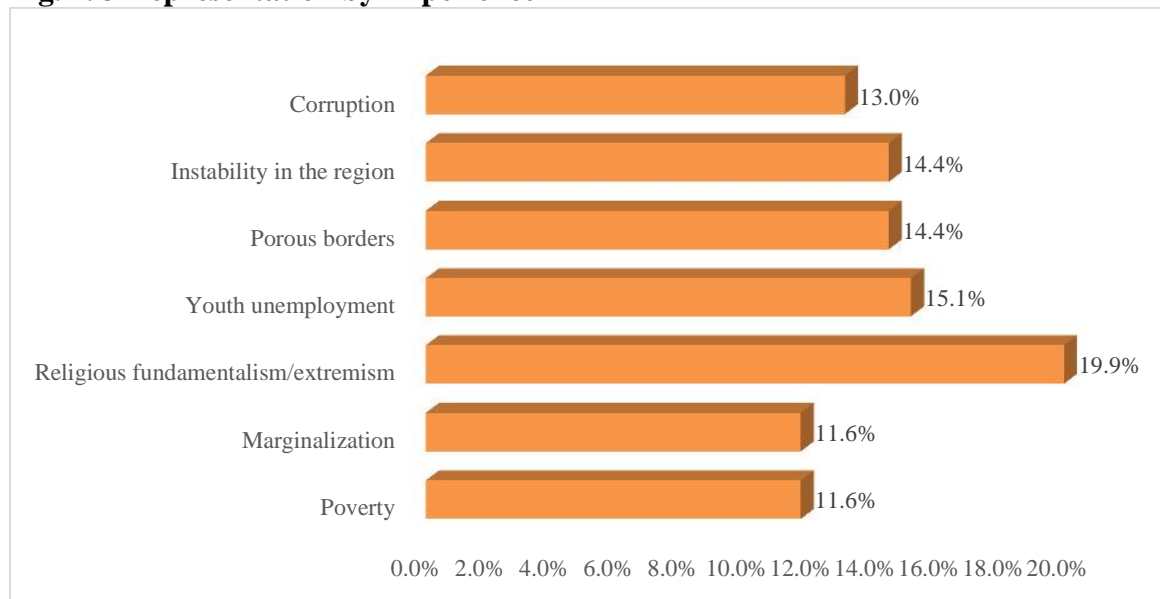
(Source: Author, 2019)

5.4 Counter terrorism mechanisms in Kenya

When asked about the counter terrorism measures that Kenya has taken into

consideration, the respondents identified many strategies top of which were: the

establishment of NCTC (9.6%); multiagency approach (8.5%); formation of ATPU

(8.5%); awareness and sensitization of the country(6.4%): Surveillance (6.4%); and

training and deployment of specialized units(6.4%). Table 4.5 below captures the data:

Table 4.5 Counter terrorism mechanism

Strategy	Frequency	Percent
Establishment of a focal point (NCTC)	9	9.6%
Adoption of multi-agency approach to address terrorism	8	8.5%
Establishment of anti-terrorism police unit	8	8.5%
Awareness & Sensitization across the country	6	6.4%
Training and deployment of specialized security units	6	6.4%
Increase surveillance along porous border	6	6.4%
De-radicalization program	5	5.3%
Creation of jobs to the youth	4	4.3%
Engaging the border communities	4	4.3%
Govt. Initiatives like *NyumbaKumi*	3	3.2%
Diplomacy (International cooperation against terrorism)	3	3.2%
Enhancing Counter Terrorism law i.e. security laws 2014	3	3.2%
Rehabilitation of returnees	3	3.2%
Closure of Daadab refugee camp	2	2.1%
Increase capacity building at law enforcement agencies	2	2.1%
Granting amnesty to returnees	2	2.1%
Monitoring and Disbanding terror cell	2	2.1%
Increase footprints along the common border	2	2.1%
Stabilization of Somalia	2	2.1%
Formulating policies that will address the menace	1	1.1%
Construction of a wall along the Kenya-Somali border	1	1.1%
Improvement of border management	1	1.1%
Vetting those living along the border	1	1.1%
Capturing terrorists and taking them to court	1	1.1%
Coercive action	1	1.1%
Hardware installation in government buildings	1	1.1%
Offering more vocational training	1	1.1%
Asset freeze of Al-Shabaab sympathizer and financiers	1	1.1%
Counter terrorist sanctions	1	1.1%
Enhance security	1	1.1%
Investigations	1	1.1%
	94	100.0%

(Source: Author, 2019)

From the data, it would follow that the not much effort has been put in place to utilize communities to fight terrorism. The government approach to Counter terrorism is Community targeted, as opposed to community focused which involves partnership between government and local communities and thus creates trust. The establishment of NCTC and the different police formations and a multi-agency approach are however good strategies. In addition to awareness and sensitization of the country, there is need to engage the community more. Of all the strategies cited, very few target the border communities. Asked whether the strategies fully address the root causes of terrorism, the respondents were of divided opinion 54% said yes while 46% said no. The data is captured in figure

Fig. 4. 3 Representation by Experience
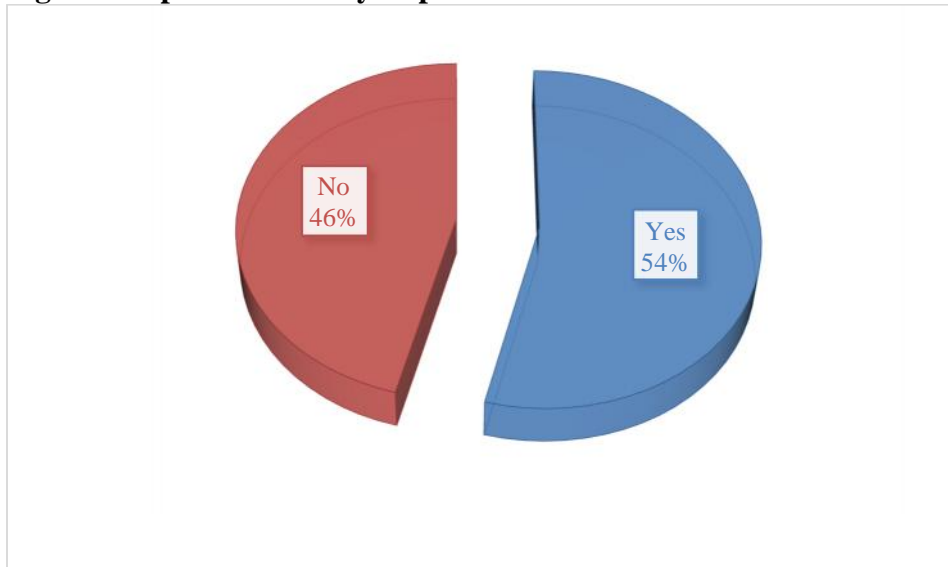
(Source: Author, 2019)

Further, respondents were asked to rate how effective the strategies have been in countering terrorism and the results are captured in table 4.6 below:

Table 4. 6 Representation by Experience

	Frequency	Valid Percent
Somehow they are effective	4	19.0
Very effective	4	19.0
Fairly effective	4	19.0
Effective	2	9.5
Not effective	7	33.5
Total	21	100.0

(Source: Author, 2019)

A majority of respondents, 66.5% felt that the strategies were wither somewhat effective, very effective, fairly effective or effective. One third, 33% felt that the strategies are not effective.

5.4.1 Challenges

A number of challenges were identified as the government implemented the strategies. Respondents cited: corruption (16.7%); limited resources to fight terror (12.5%); lack of funds (11.1%); poor coordination among government agencies (5.6%). Other challenges cited include lack of capacity, fear of terrorists; resistance form border communities; the lack of trust among the communities and lack of political will. The data is presented in table 4.7 below:

Table 4. 7 Challenges in implementing strategies

Challenges	F	Percent
Corruption	12	16.7%
Limited resources	9	12.5%
Lack of funds	8	11.1%
Poor coordination among communities and security agencies	4	5.6%
Technologies	3	4.2%
lack of capacity	3	4.2%
Fear of terrorists	3	4.2%
Unstable government in Somalia	2	2.8%
Resistance by some border communities	2	2.8%
Porous Border	2	2.8%
Lack of Trust on security agencies by the public	2	2.8%
Different level of training amongst agencies involved	2	2.8%
Religious extremism does have economic compensation	2	2.8%
Demoralized security personnel	2	2.8%
Not involving all stakeholders	2	2.8%
High number of unemployed youths	1	1.4%
Lack of goodwill	1	1.4%
Unnecessary civil rights groups eg MUHURI, KNHRC	1	1.4%
Lack of awareness & Knowledge of those strategies by key actors	1	1.4%
Lack of intelligence reports	1	1.4%
Lack of technical know how	1	1.4%
Cross border migration between the communities	1	1.4%
It's cumbersome	1	1.4%
Lack of patriotism	1	1.4%
Legal implications	1	1.4%
Lack of political will	1	1.4%
Feeling that Islam is targeted in terrorism	1	1.4%
Inadequate staff	1	1.4%
Slow reaction from government	1	1.4%
	72	100.0%

(Source: Author, 2019)

5.5 Role of border communities in counter terrorism

In order to gain a better understanding of what border community is, the perspective of

the people is essential. When asked what they conceptualize as border community, four

conceptualizations stood out. Half of the respondents (50%) described border

communities as indigenous people or communities residing at or along the border. The

next categorization accounting for 10.7% of the respondents viewed such a community as those that occupy either side of an international boundary. A similar portion of respondents labelled border communities as those people living near the border and share same culture and language. From the four main conceptualizations it was realized that the border communities could be straddled along the border on both sides and share a language, culture and origin. Such communities could defy the expectations of an international border. The data is presented in table 4.8 below:

Table 4. 8 conceptualization of border communities

Proposition	Frequency	Valid Percent
Native /people/ communities residing at or along the border	14	50.0
Communities that occupy either side of an international boundary	3	10.7
Communities living near the border and share same culture and language	3	10.7
ethnic groups living near or straddling border points	2	7.1
Original occupants including those working in area along the border	2	7.1
It's a city/town close to the boundary between two countries, state, region	1	3.6
Whole population and actors sharing common border	1	3.6
Communities that are predominately found between two states	1	3.6
A border community comprises of people whose residence extend beyond the political borders	1	3.6
	28	100

(Source: Author, 2019)

5.5.1 Problems faced by border communities

Border communities face numerous problems as such the following problems were cited by the respondents, top among them are: marginalization (12.3%); cross border attacks (7.7%); movement of illegal and contraband goods (6.2%); terror attacks (6.2%); inter-

communal disagreements (6.2%); human trafficking and smuggling (4.6%); scarcity of resources (4.6%); and poor infrastructure (4.6%). Noting that the causes of terrorism and the problems faced by border communities are interlinked, it makes sense to engage such communities since these problems may act as fodder for promoting terrorism. The data is presented in table 4.9 below:

Table 4. 9 Problems faced by border communities

Problem	Percent
Marginalization, they are sometimes located in remote places	12.3%
Cross border attacks	7.7%
Movement of Illegal and contraband goods	6.2%
Terrorists attacks	6.2%
Inter-communal disagreements from both side of the border	6.2%
Human trafficking/smuggling	4.6%
Sharing of few resources	4.6%
Poor Infrastructure	4.6%
Enhanced security during application for identification and travel documents	4.6%
Others	43.0%
Total	100.0%

(Source: Author, 2019)

Asked whether border communities are involved in counter terrorism, a number felt that the government is taking initiatives to involve them. Less than one fifth, 17.2% returned a resounding no. The rest felt the involvement is rare (3.4%); it is active (58.6%); and to some extent (20.7%). The data is presented in figure 4. 4 below:

Fig. 4.4 Involvement of border communities in counter terrorism strategies
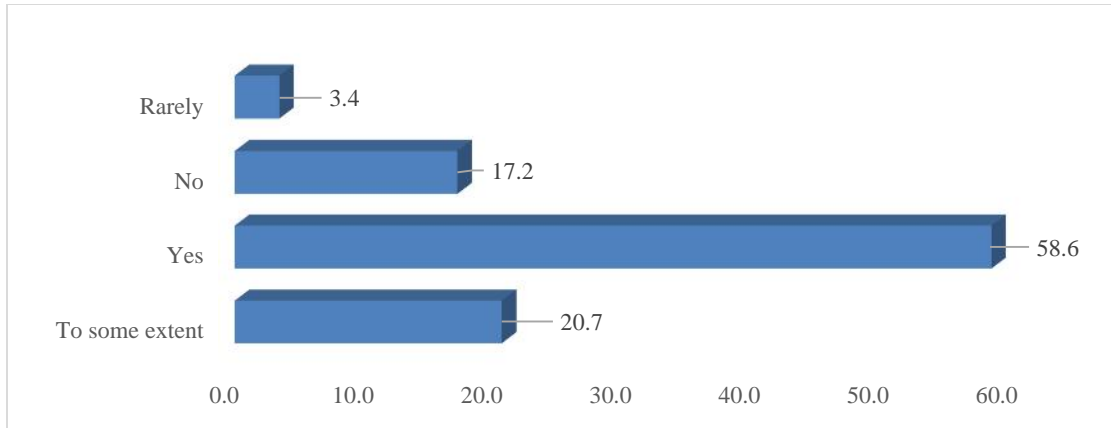
(Source: Author, 2019)

5.5.2 Types of involvement

When the respondents were asked how the communities have been variously involved in these CT strategies. The following were identified as ways through which the communities were involved; giving crucial information or intelligence about security in the region (43%); identifying bad groups (10%); community policing (6.7%); trainings facilitated by IOM and GIZ [sensitization] (6.7%) among other types of engagement as shown in table 4.10 below: the kind of engagement suggests that the communities are not fully in partnership with the government because they are seen as intelligence providers rather than partners in counter terrorism.

Table 4. 10 Type of community involvement in counter terrolism

Type of involvement	N	Percent
Giving very Crucial information about border activities/ terror suspects	13	43.3%
Identifying individuals or groups causing instability	3	10.0%
Through community policing (*Nyumbakumi* initiatives)	2	6.7%
Training with IOM and GIZ	2	6.7%
In conflicts resolutions	2	6.7%
Engagement with government agencies	1	3.3%
Public meetings	1	3.3%
Organizing forums to discourage extremism	1	3.3%
Sensitization *baraza* by administration officers	1	3.3%
Involvement of elders in local security	1	3.3%
Provide intelligence	1	3.3%
Border management	1	3.3%
Help in law enforcement	1	3.3%
	30	100.0%

(**Source: Author, 2019**)

5.5.3 Engagement of communities

Different engagement models were explored by respondents when asked how the government was engaging them to counter terrorism. Some of the popular models include: *nyumbakumi* initiatives (19.1%); sensitization done by authorities (17%); Barazas (14.9%); involvement by county officials (8.5%); use of community programs (6.4%); and community policing (6.4%). Other models include use of sports (2.1%); partnering with religious organizations (2.1%) among other models as captured in table 4.11 below.

Table 4.11: Community engagement models

Engagement models	Frequency	Percent
NyumbaKumi	9	19.1%
Sensitization by border authorities/operators	8	17.0%
Barazas	7	14.9%
Local administration (chief and sub chiefs)	4	8.5%
Community programs by government officials	3	6.4%
They are involved in community policing	3	6.4%
Presence of local police	2	4.3%
Introducing development project to create employment	2	4.3%
Engaging informers and relay intel to security agencies	2	4.3%
The border security committee	2	4.3%
Through churches	1	2.1%
Border control units	1	2.1%
Providing border community with basic needs and security	1	2.1%
Improve their infrastructure	1	2.1%
Sports	1	2.1%
	47	100.0%

(Source: Author, 2019)

5.5.4 Challenges in effecting community engagement models

A number of challenges were highlighted by the respondents that deter the engagement of border communities in strategies aimed at countering terrorism. Some of the challenges identified include: fear of being victimized (19.4%); suspicion or lack of trust (14.9%); poor communication (7.5%); presence of vulnerable groups (6.0%); lack of public awareness (4.5%); inaccessibility of border points (4.5%). The data is presented in table 4.12 below:

Table 4.12: Challenges in effecting community engagement models

Challenges	Frequency	Percent
Fear of being victimized by suspected terrorist	13	19.4%
Suspicion / lack of trust	10	14.9%
Poor communication to relevant authority	5	7.5%
High level of venerable groups	4	6.0%
Lack of public awareness	3	4.5%
Porosity and inaccessibility of certain border areas	3	4.5%
Presence of sympathizers	2	3.0%
Mechanism to remunerate them for their efforts	2	3.0%
Lack of resources	2	3.0%
Double agents [mole]	2	3.0%
Religion factors (Ideology, Extremism)	2	3.0%
Cannot move freely due to security measures	2	3.0%
Death	2	3.0%
They can decide not to cooperate because of community interest	2	3.0%
Convincing them that government is their friend	1	1.5%
Illegal movement of people, arms and ammunition	2	3.0%
Fighting	1	1.5%
lack of capacity on the government side	1	1.5%
Lack of proper equipment	1	1.5%
Lack of training	1	1.5%
Language barrier	1	1.5%
Distance from administrators	1	1.5%
Cross border movement of the community	1	1.5%
Lack of security	1	1.5%
Corruption	1	1.5%
Lack of funds	1	1.5%
	67	100.0%

(Source: Author, 2019)

5.5.5 Effectiveness of border community in counter terrorism strategies

When respondents were asked how effective the border community engagement

strategies have been in countering terrorism, the respondents felt that the government has

not been very effective in engaging the communities. Effective counter terrorism

strategies would allow government to receive crucial information that would be vital in

preventing and deterring attacks. Tasked to suggest what they considered as effective

strategies; the respondents came up with a number of strategies as captured in table 4.13

below. Top on their considerations were strategies such as: creation of Community

awareness through continuous sensitization (24.2%); involving communities in border

management (9.7%); Give incentives (8.1%); Clear communication (8.1%); Use

community to man porous borders (3.2%) among other strategies.

Table 4.13 Effective border community engagement strategies to counter terrorism

Effective strategies	N	Percent
Through continuous community awareness and sensitization on counter terrorism measures	15	24.2%
In-cooperating them in border management to create trust	6	9.7%
They must be enumerated or given incentives	5	8.1%
Improve/enhance proper channels of communications	5	8.1%
Improve infrastructure to help the locals	5	8.1%
Chief baraza / frequent meetings on security and communication	2	3.2%
Using them to man the porous border	2	3.2%
Provide enough resources	2	3.2%
Involve them in decision making	2	3.2%
Provide adequate security	2	3.2%
Create youth employment	2	3.2%
Establish effective nyumbakumi	2	3.2%
Include them in curriculum development in counter terrorism	1	1.6%
Understanding their dynamics	1	1.6%
NSA to be monitored and supported	1	1.6%
Encourage them to volunteer information	1	1.6%
creation of early warning systems	1	1.6%
Amnesty to terrorist from border communities	1	1.6%
Provide basic needs	1	1.6%
Punish heavily those found engaging in terrorism	1	1.6%
Tackling roots of terrorism	1	1.6%
Stop leaking information provided by individuals	1	1.6%
Provide/start projects	1	1.6%
De-radicalization programs	1	1.6%
	62	100.0%

5.6   Conclusion

This chapter discussed the various strategies employed by government in engaging border communities in countering terrorism. However, a number of challenges have been identified that discourage effective engagement between border communities and security agencies. These bottlenecks therefore have to be addressed in order to ensure that such strategies are effective.

The final chapter summarizes the study findings, makes concluding remarks and makes a number of recommendations.

CHAPTER SIX

CONCLUSION AND RECOMMENDATIONS

6.1 Summary

Although the demarcations of the various countries seem to cut across communities and even families that have a long history, this study established that the border communities have an essential role in national security. Government interactions and interventions with the border communities goes a long way in establishing lasting partnerships that then make the advancements of security equally manageable. In most cases border communities are natives of an area along the border and the operations of the border area are so essential in their lives.

6.2   Conclusion

Terrorism remains a threat to national security in Kenya. The threat of terror can easily be exacerbated given the problems that border communities face including marginalization, cross border attacks, illegal and contraband. It is imperative that the problems faced by border communities are attended to. The causes of terrorism are strikingly similar to the problems faced by border communities. Without intervention, the problems can turn into fodder for terrorist groups. The study established that whereas communities are involved in counterterrorism strategies, this involvement is not applied uniformly.

Engagement with communities by government is mostly when these communities provide information about terror suspects. This suggests that boarder communities are not fully involved in counter terrorism. There is a need therefore for the government to fully partner with border communities in developing counter terrorism initiatives as this will create a sense of trust.

The study was set within three hypotheses namely: Strategies adopted by government in Counter terrorism are not adequate; Counter terrorism strategies adopted by government cannot effectively suppress terrorism unless border communities are involved; and Government strategies in countering terrorism rarely involve border communities. The findings of the study have confirmed the hypotheses. Data analysis showed that there is need to involve the community more in counterterrorism. The data also spoke to the vast measures used to counterterrorism and one wonders how well such strategies would seat nationally with concerns on corruption, poor coordination, lack of technology, the lack of capacity and a better understanding of the role of border communities in Kenya. Clearly, the findings show the special position of border communities as partners in countering terrorism.

6.3   Recommendations

Based on the findings of this study, a number of recommendations have been made. Terrorism has defeating consequences and countering terrorism is an important element in securitizing a country. The following recommendations may help meet the ideals of partnering with the border community to counter terrorism.

6.3.1 Sensitize communities on counter terrorism

Domesticating the government strategies to the different communities including the communities at the border ought to be a continuous government venture. There is need to revamp the government partnerships through community policing. Community policing should be an avenue to share information to the extent that the public are sensitized on the effects of terrorism and how to counter it. The government should secure trust in among the community to ensure that information is received as and when

necessary – especially information that would counter any terroristic efforts.

6.3.2 Facilitate use of technological innovations to counter terrorism

Technological disruptions are important in the attainment of meaningful developments. There is every need to allow the communities to tap into the available technologies to communicate with government. Adaptation of toll-free numbers, installation of cameras, and use of drones for purposes of surveillance, interventions and interceptions are necessary. The use of social media would be a good avenue for the government to communicate to citizens in what may be less sensitive information.

6.3.3 Build the capacity of government officials

Government officials should be equipped to speak in one voice regarding the role of communities in countering terrorism. Such training will equip officials on the need to collaborate, on the place of community as partners in the war against terrorism and on strategies that enable the involvement of communities in countering terrorism.

6.4   Areas for further research

This study sought to establish the role of border communities in countering terrorism in Africa. In the study, the following parameters were examined: the counter terrorism strategies used in Africa; examined whether the counter terrorism strategies were effective in Kenya; and assessed the role of border communities in countering terrorism. There is room for comparative studies on how bordering countries are implementing their counterterrorism strategies.

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APPENDICES

APPENDIX I: COVER LETTER

Dear Respondent,

My name is **Tom Anyim,** a postgraduate student at the University of Nairobi, institute of diplomacy and international studies. I am undertaking a study titled: **the role of border communities in counter terrorism in Africa. A case study of Kenya.** Kindly spare a few minutes and fill out the questionnaire (Appendix II). Be assured that your information will be treated as confidential.

(Please tick or record responses appropriately).

February, 2019

APPENDIX II: QUESTIONNAIRE

SECTION A: DEMOGRAPHIC INFORMATION

1. Gender   Male [   ] Female [ ]

2. Please indicate your age _____

3. What is your level of education?

   Primary [   ]   secondary [   ]   Diploma [   ]   Degree   [   ] Masters   [   ]   PHD
   [   ]

4. Name of your organization_____

5. What is your current position? _____

6. How long have you served the organization?

   1-5 years [   ]   6-10 years [   ]   11 and Over [   ]

SECTION B: CAUSES OF TERRORISM

1. In your opinion what are the likely reasons for Kenya's vulnerability to terrorist

   attacks

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2. In your opinion, what are the causes of terrorism?

   a. Poverty

   b. Marginalization

   c. Religious fundamentalism/extremism

d. Youth unemployment

e. Porous borders

f. Instability in the region

g. Corruption

SECTION C: COUNTER TERRORISM MECHANISMS IN KENYA

1. What are some of the measures adopted by the government towards counter

   terrorism?

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2. Do the strategies address the root causes of terrorism? Explain

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3. How effective are these strategies? Explain

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4. What are some the challenges faced in the implementation of the strategies

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SECTION C: ROLE OF BORDER COMMUNITIES IN COUNTER TERRORISM

1. What is your understanding of border community?

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2. What sought of problems do border communities face?

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3. Are border communities involved in counter terrorism?

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4. In what ways are they involved? Explain

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5. What mechanisms exist to engage border communities

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6. How effective is the role of border community in countering terrorism?

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7. What are the challenges of border community engagement in counter terrorism?

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8. How can the border community be engaged effectively in counter terrorism?

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………………………………………

Thank you for taking the time to answer these questions. I would like to reiterate that all your answers will be kept confidential

APPENDIX III: RESEARCH PERMIT

THIS IS TO CERTIFY THAT:
MR. TOM ANYIM
of NATIONAL DEFENCE COLLEGE,
24381-502 NAIROBI,has been permitted
to conduct research in *All Counties*

on the topic: *ROLE OF BORDER*
COMMUNITIES IN COUNTER TERRORISM
IN AFRICA.

for the period ending:
17th January,2020

Permit No : NACOSTI/P/19/63123/27745
Date Of Issue : 17th January,2019
Fee Recieved :Ksh 1000

....
Applicant's
Signature

....
Director General
National Commission for Science,
Technology & Innovation

APPENDIX IV: RESEARCH AUTHORIZATION LETTER

NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

Telephone:+254-20-2213471,
2241349,3310571,2219420
Fax:+254-20-318245,318249
Email: dg@nacosti.go.ke
Website : www.nacosti.go.ke
When replying please quote

NACOSTI, Upper Kabete
Off Waiyaki Way
P.O. Box 30623-00100
NAIROBI-KENYA

Ref: No. **NACOSTI/P/19/63123/27745**

Date: **17ᵗʰ January, 2019**

Tom Anyim
National Defence College
P.O. Box 24381-00502
NAIROBI.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on *"Role of border communities in counter terrorism in Africa"* I am pleased to inform you that you have been authorized to undertake research in **all Counties** for the period ending **17ᵗʰ January, 2020.**

You are advised to report to **the County Commissioners and the County Directors of Education, all Counties** before embarking on the research project.

Kindly note that, as an applicant who has been licensed under the Science, Technology and Innovation Act, 2013 to conduct research in Kenya, you shall deposit **a copy** of the final research report to the Commission within **one year** of completion. The soft copy of the same should be submitted through the Online Research Information System.

GODFREY P. KALERWA MSc., MBA, MKIM
FOR: DIRECTOR-GENERAL/CEO

Copy to:

The County Commissioners
All Counties.

The County Directors of Education
All Counties.