

UNIVERSITY OF NAIROBI

**A CRITICAL ANALYSIS OF THE EFFECTS OF POROUS
BORDERS ON KENYA'S NATIONAL SECURITY.**



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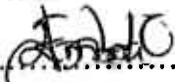
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STUDENT'S DECLARATION

I, the undersigned, declare that this is my work and that it has not been submitted to any other college, institution or university other than the University of Nairobi for academic credit.

Sign:  Date: 23RD NOVEMBER 2009 .
Name: SAMUEL MOGUSU OMAR

This project has been approved for examination with my approval as the appointed supervisor.

Sign:  Date: 23RD NOVEMBER 2009
Name: MS. EMMA OKECH

ABSTRACT

The study was done mainly to find out the effects of the various movements and activities that take place along Kenya's national borders. The key focus was on the consequences of these activities on Kenya's national security. This was done mainly through analysis of secondary data though primary data from relevant officials was also sought. The effects were found to be numerous and far reaching. They include illegal immigration, terrorism advancement, smuggling, ethnic conflicts and the proliferation of the trade in small arms and light weapons. Recommendations from the study include increase in the number of control points, recruitment of more border control officers, better terms of service for the officers, the provision of relevant tools and technology that will facilitate border management and increased intelligence sharing among relevant agencies.

DEDICATION

I dedicate this paper to my children. I hope that it gives them the motivation that they can achieve anything they conceive.

ACKNOWLEDGEMENT

I would like to thank God the almighty for seeing me through to this day.

Second, my appreciation goes to University of Nairobi for availing the opportunity to pursue this course.

This project would not have taken shape as it did without guidance from my supervisor. I thank him for his patience.

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1.0 CHAPTER 1: BACKGROUND INTO KENYA'S BORDERS AND SECURITY

1.1 Introduction

The nature of Kenya's borders is such that they are porous and undefined which poses a threat to the security of this country. Security, being partly a product of clear and marked borders, can only be guaranteed when and where the borders are clearly marked and agreed on between neighboring states. The Elemi triangle, for example, which encompasses the border areas of Kenya and Sudan, has three different border lines depending on which map you look at. ¹Apart from this, Kenya's borders are wide and expansive.

Government places consideration on security, trade volume and human flow along the 3500km international borderline.² The Northern region which forms the longest part of Kenya's international border is a particularly marginalized area in Kenya. The people have been marginalized from mainstream development from pre-independence. This has played a part in most of the border areas in the arid-North lacking adequate official government presence and control.

The following two processes take place at borders. Firstly, the process consists of border protection which mainly involves protection of national borders against all hostile, border violation and conventional attacks or threat. The second process which consists of border control on the other hand is primarily concerned with those aspects which deal with general application of legal and regulatory measures that apply to efficient control of

¹ <http://www.encarta.msn.com/Map.aspx> 9/07/2009

² Munano Aidah Arch. Report on *Development and implementation of Border Control Points in Kenya*. Presented to the Inter-Ministerial Task force By , Chairperson of the Technical Working Group p.16

people and goods across national borders. Border control and protection in Kenya is done mainly by officials from Kenya Police, Kenya Revenue Authority-Customs Division and Department of Immigration among others. Kenya has numerous gazetted entry and exit points. Though they are still far and wide apart especially on the Northern frontier.³

Since the emergence of the nation-state system after the Treaty of Westphalia in 1648, the main unit of political organization in the international world system has been the nation-state. From the traditional approach of national security, the most obvious component was the protection of national boundaries from encroachment by other states.⁴ Today, security goes beyond physical security to psychological and even economic concerns. Questions about what contributes or detracts from national security are viewed in terms of national interests which often reflect policy preferences. These interests may be military, political or economic. Problems of security are now becoming more global in that they transcend the national boundaries⁵. The nation-state can not operate in solitude as events in neighboring countries have ramifications on its own security

1.2 Problem Statement

1884-1885 the Berlin Conference settled disputes arising from their imperial interests. This demarcation of borders was thus done purely for European interests and the domination of African people. While they may appear solid and rigid on the map, African borders are indeed very porous, unmarked on the ground and are a major cause of

³Please refer to the appendix 1 for map of the border points of Kenya

⁴ Snow Donald *National Security: Defense Policy for a New International Order* 3rd ed. (New York, Pen Publishers, 1995)p.23

⁵ Ibid. p.23

conflicts. In partitioning Africa, the Europeans ignored ethnic and cultural dispensation which over 220 years earlier, were major considerations in the partitioning of Europe. African governments, socio-economics and modes of societal organization were also ignored and eventually removed to make way for European dominance.⁶

Kenya has been a relatively stable country in the region that encompasses the Horn of Africa and even Great Lakes Region (GLR). Neighboring countries with whom it shares its borders have had tumultuous political histories. Somalia went into a civil war following the ousting of dictator Siad Barre in 1991. The country went into a war where warring clans engaged in vicious battle. In Ethiopia, with the end of the Cold War so did the demise of the dictatorial Derg regime come about. This had been an era of political suppression. The country further faced violence from the efforts by Oromo dissidents. Sudan has also had its fair share of conflict. For more than two decades the southern Sudanese engaged the North in battle for autonomy. Uganda on the other hand with the numerous regime changes has had a history of war and economic turmoil.

Kenya's position in this region is central. She is dominant economically, a source of many manufactured goods and also a major transit point for goods. Commercially, the business space is larger due to a more developed economy. As a result of this almost 'privileged' status, Kenya faces challenges with the influx of refugees, illegal immigrants (in search of a brighter future), cases of increased smuggling and terrorist activities. Over the years, Kenya's border security has been enhanced but there are still loopholes that

⁶ Kamenju Jan Col(Rtd) *Internal and External Security and National Borders* Presentation to the Constitution of Kenya Review Commission on 30th September 2001 p.22

need to be addressed in order to beef up security and monitoring around the borders. This study intends to analyze the effects of Kenya's porous borders on its national security.

1.3 Objectives of the study

1. To find out the extent and nature of Kenya's national borders.
2. To identify the activities and transactions that prevail as a result of the porosity of Kenya's borders.
3. Critically analyze the effects of activities across Kenya's national borders on its national security.
4. To discuss the possible recommendations to enhance border security and surveillance.

1.4 Justification of the study

Practical Justification

The study intends to analyze the effects of porous borders on national security. When borders are porous, we experience proliferation of small arms and light weapons, influx of refugees, rise in ethnic conflicts among border communities, increase in terrorism threats, illegal immigration and smuggling.

Academic justification

A comprehensive look at available literature revealed that there are indeed many gaps that are yet to be explained in this area of study. The paper delves into the origin and development of the concept of national security over time. This was a crucial area left out by Snow. Borders have been proposed as a manner of enhancing national security; a link

which was missing within the literature particularly provided by the National Intelligence Service. The immigration reports had not effectively characterized the various border areas but the paper will indicate which areas are more porous and to what extent. The various effects of porous borders on national security will be aggregated as the various scholars had focused on individual effects. On small arms, the question of why the demand from small arms is there in Kenya will be well answered as Kamenju, Mwachifo and Wairagu had failed to answer that question. Inequality as a common cause of this rise in illicit arms demand has been introduced in this paper. The complexity of common cultures across borders had not been well explained by Kagiri but it has been explained as a characteristic of Kenya's borders. The effects of border porosity have been explained as small arms and light weapons, illegal immigration, refugees, ethnic conflicts and smuggling. On the refugee issue, both sides of the coin from the benefits by Muggah and disadvantages by Sora have been brought together to give a more objective outlook into the issue. Smuggling at the borders was attributed to corruption by government officials by local dailies. They however failed to acknowledge some challenges that they face on site. The paper will indicate the genesis of some of these vices that make border security hard to maintain. Overall, possible strategies were missing on how to combat the problems associated with border porosity. However, the paper will give practical recommendations. The time frame within which border security needs to be improved was missing in all the referred to government reports. The paper outlines the urgency of the matter.

1.5 Hypotheses

1. Conflict in neighboring states leads to insecurity on national borders.
2. Socio-political underdevelopment leads to porous borders.
3. Lack of systematic coordination among security stakeholders at the borders results in increased border porosity.

1.6 Operationalization of key terms

National security

National security has traditionally emphasized security of the nation- state as its primary concern⁷ .Hence, the use of the word ‘national’ in the term ‘national security’. Anything that enhances the security of the nation-state is considered beneficial and anything that detracts from its security is considered harmful. The concept further derives from the meaning of the word security which is the state or feeling of being free from fear, care or even danger. In summary, a sense of safety.

Border

One of the tenets of a nation-state is territory. Territory in terms of land, sea and air. Borders are defined as demarcations that define geographic boundaries of political entities or legal jurisdictions such as governments, states or sub-national administrative units.⁸ Kenya’s borders are therefore the frontiers that mark off the state. These territorial boundaries have border control points (bcps) which may be manned(having relevant government officials overseeing movement in and out of the state) or unmanned (where they are free from any official supervision).

⁷ Kamenju Jan Col(Rtd) *Internal and External Security and National Borders* Presentation to the Constitution of Kenya Review Commission on 30th September 2001 p. 22

⁸ [http:// www.wordnetweb.princeton.edu/perl/webwn](http://www.wordnetweb.princeton.edu/perl/webwn)

Porosity of borders

The question of porosity of the borders refers to the ease with which persons and goods can pass without due supervision and control by relevant authorities. Most of the unmanned entry points are locally referred to as *panya* routes and a laissez faire environment exists. Contrary to expectations, some of the manned borders have an element of porosity due to the challenges in conducting operations. These challenges may range from corrupt practices, low wages to lack of equipment to facilitate patrols.

Smuggle

The act of taking someone or something illegally from one country to another.⁹

Terrorism

This is the deliberate and systematic murder, maiming and menacing of the innocent to inspire fear for political ends.¹⁰

Refugees

According to Article 1A(2) of the 1951 Convention on the Rights and Duties of Refugees, a refugee is a person owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. ¹¹

⁹ Longman Dictionary of Contemporary English, *The Living Dictionary*. (London, Pearson Education Limited, 2003) p.300

¹⁰ Harmon Christopher C., *Terrorism Today* (London, Frank Cass, 2000) p.1

¹¹ Brownlie Ian, *Principles of Public International Law* 4th ed. (Oxford, Clarendon Press, 1990) p.338

Failed State

According to Robert I. Rotberg failed states are a natural progression from weak states if the driving factors are not curtailed. ¹²The *etat sans gouvernement* finally emerges when the state institutions and law and order have totally collapsed under the pressure and amidst the confusion of erupting violence, yet which subsist as a ghostly presence on the world map.

1.7 Literature Review

This section will provide a comprehensive scholarly look at key themes in the discussion of border security as provided by various authorities. The concept of national security will be explained from its origin to how it is exhibited and protected. Since the study has Kenya as its key area of focus, an investigation into the extent and unique characteristics of Kenya's borders will then follow. The challenges to Kenya's national security will be analyzed. Several key effects of porous borders will then be looked at comprehensively. They include the problem of proliferation of small arms and light weapons, ethnic conflict, refugees, illegal immigration and smuggling.

ELEMENTS OF NATIONAL SECURITY

National security has its genesis closely linked with the development of states. States emerged as political sub-units in the international system and national interests determined course they would pursue. Due to the rivalries among states, the concept of national security emerged as the states sought to protect their sovereignty and interests.

¹² Rotberg Robert I, *Failed States, Collapsed States, Weak States; Causes and Indicators* in Art R.J & Jervis R eds. *International Politics. Enduring Concepts and Contemporary Issues* 7th ed. (New York, Parson Educational Inc.,2005)p.88

Particularly physical encroachment was prevented through manning of state borders.¹³

Snow educates the reader on the ever complex concept of national security. He outlines the centrality of security of the nation-state. Further, he moves beyond the traditional approach of viewing national security from physical security to encompassing even economic security.¹⁴ However, he does not outline exactly how the concept of national security came about or how it has evolved over the years. A look in the internet reveals a more elaborate attempt capturing the genesis of the nation-state that would then lead to the development of the concept of national security. It is further revealed that national security is secured through the army (militaristically), diplomacy and economic cooption. The changing times have affected the concept of national security from the Cold War era where it was guaranteed by which side one was aligned to today's era where the state that is primarily responsible for its own national security is finding it harder due to globalization. However, the possible strategies that states can use to overcome these challenges have not been explained.¹⁵

NATURE OF KENYA'S BORDERS

Kamenju gives an elaborate explanation as to how the Kenyan borders were created with no consideration of the African peoples but with full regard of European imperial interests.¹⁶ Further, he explains the scramble for African territories. An elaborate

¹³ Snow Donald , *National Security: Defense Policy for a New International Order* 3rd ed. (New York, Pen Publishers, 1995) p.36

¹⁴ Ibid p.37

¹⁵ http://en.wikipedia.org/wiki/National_security 15/08/2009

¹⁶ Kamenju Jan Col(Rtd), *Internal and External Security and National Borders* Presentation to the Constitution of Kenya Review Commission on 30th September 2001 p.40

explanation of the nature and vast extent of Kenya's borders is given by the Department of Immigration Reports.¹⁷ However, they do not go further to outline the varying characteristics of the different border areas that is, in terms of insecurity and border control personnel.

Government reports from the Office of the President indicate that Kenya's borders are vast with large isolated areas.¹⁸ It further mentions the vulnerability of Kenya's borders due to unstable neighbors, refugee populations and lack of stability of its neighbors. This report further introduces the problem of proliferation of small arms and light weapons. It cites urban crime, cattle rustling and fuelling ethnic conflicts as some of the effects of these small arms. In explaining some of its efforts to curb the problem, the government through its reports is not elaborate but is rather vague on the various efforts undertaken to curb these problems.

CHALLENGES TO NATIONAL SECURITY

The National Intelligence Service (Kenya) demystified the notion of threat to security by clearly outlining what are the criteria for threats to security.¹⁹ However the service did not go a notch higher to relate their work to border control and management. With regard to border and national security, the threats that are considered are those mostly from without and they include terrorism, illegal immigration, smuggling, refugees, ethnic

¹⁷ Report on *Development and implementation of Border Control Points in Kenya*. Presented to the Inter-Ministerial Task force By Arch. Aidah Munano, Chairperson of the Technical Working Group.

¹⁸ Country Report to the 1st UN Review Conference on the status of implementation of the UN Program of Action to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in All its Aspects. Courtesy of Office of the President, Provincial Administration and Internal Security.

¹⁹ <http://www.nsis.go.ke/act.pdf> 21/09/2009

conflicts and proliferation of small arms and light weapons.

PROLIFERATION OF SMALL ARMS

Kamenju, Mwachifo and Wairagu take up the issue of small arms and light weapons and explains the dynamics of the illegal trade across the national borders.²⁰ The highly affected areas are indicated as the North Rift areas. They also include the very important look at the sources of these arms which appear to be the neighboring states. However, they don not explain why there is such a huge demand for these illegal arms in the country. Kagiri tables possible reasons as to what factors fuel the trade in small arms across Kenya's borders. They include inequality and culture of raiding among communities that share borders.²¹ UN reports t point to the increased crime levels and even security companies as a result of the small arms proliferation in the country.

ETHNIC CONFLICT

Kagiri has outlined the history of Kenya's neighboring countries and the origin of the instability in Kenya's neighboring countries. He captures the complexity of Kenya's borders having people's with similar lineages in the neighboring states. This makes it hard to control human flow across borders. The aspect of ethnic or clan oriented conflict is also possible due to the porous borders.²² The author failed to appreciate that these communities that live along the border actually practice some of these traits as part and parcel of their cultures.

²⁰Kamenju Jan,Mwachifo Singo,Wairagu Francis, *Terrorized Citizens: Profiling Small Arms and Insecurity in the North Rift Region of Kenya* (Security Research and Information Centre,2003)p.33

²¹Kagiri Wanyiri ,*Transborder Transactions Across Kenya's Borders and Their Effects* (Nairobi, United States University-Africa,2004)p.45

²² Ibid p.45

REFUGEES

A refugee is a person owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. According to Brownlie this is a concise definition that covers all possible facets of who a refugee is that has been borrowed from the UN Convention.²³

The presence of refugees in the country is attributed to the relative porosity of Kenya's borders. Sora goes on to explain their great value in the Kenya especially in terms of economic investment.²⁴ The author did not address the challenge that some of the refugees are actually charged with causing the government losses in taxes and the rich businessmen from the refugee community are suspected to be corrupting local government officers. However, Muggah cites that the fact that locals lack of basic amenities to be as a source of the conflict between the refugees and locals.²⁵ Roxanne Doty still on the issue of refugees states that refugees pose a security risk as they might use the host country to mount attacks on the incumbent regime that they may have

²³ Brownlie Ian, *Principles of Public International Law* 4th ed. (Oxford, Clarendon Press, 1990) p.338

²⁴ Sora Ibrahim H. Col., "Refugees in Kenya. An economic Menace?" *National Defense College Journal* 6th ed., (Nairobi, National Defense College, 2006) p.155

²⁵ Muggah, H.C.R, *After the Smoke Clears: Assessing the Social and Economic Effects of Small Arms Availability in the Small Arms Survey: Profiling The Problem* (Oxford, Oxford University, 2001) p.31

quarrels with.²⁶ These authors do not go into the necessary detail of how these refugees enter the country that is their means of entering or the level of collaboration that they get from local government officials.

SMUGGLING

Reports from Standard and Daily Nation infer to the presence to the practice of smuggling across the borders.²⁷ This is further explained to be as a result of inadequate facilities to manage the problem. At times the officials have been reported to engage in corrupt practices. The reasons as to why customs officer at the border are prone to corruption has not been outlined.

Illegal immigration that happens across Kenya's borders has been explained by Moses.²⁸ His proposal is that the inequity among states makes it a very logical activity that has to take place. The illegal immigrants will be in search of brighter futures and any country that will offer this opportunity will have to deal with their attempts to enter the country. He however does not go further to suggest how states can effectively manage this influx of illegal immigrants.

²⁶ Doty Roxanne Lynn, *Immigration and the Politics of Security* (New York, Parson Publishers,2000)p.54

²⁷ Sora Ibrahim H. Col., "Refugees in Kenya. An economic Menace?" *National Defense College Journal* 6th ed.,(Nairobi, National Defense College,2006)p.155

²⁸ Moses Jonathan W., *International Migration: Globalization's last frontier*__(London, Zed Books,2006)p.66

IMPROVING BORDER SECURITY

The critical analysis from the Ministry of Immigration report²⁹ captures a premeditative approach in trying to present remedial measures to the challenge of porous borders. Some of the suggestions include the addition of control points, better machinery for border patrol, closer links in sharing information between the different security agencies and the movement of the borders to actual international borders among others. There seems to be no set time frame for when these propositions are to be put in place.

1.8 Theoretical framework

Realism

This school of thought has Hans Morgenthau and E.H Carr as some of its key modern proponents. The realist perspective views states as the key actors in the international system. These states act in their national interests in a bid to maintain security and ensure survival.³⁰ This is primarily due to the fact that there is no absolute higher authority that imposes law and order among states. The international system is anarchical and mainly depends on the willingness of states to cooperate. Power is a key characteristic that determines the relations in international politics. This can be linked to the importance of having clear and well manned borders. A border that is well controlled by relevant authorities becomes a point which can be used to safeguard its national interests, prime of which is maintaining national security. Threats from neighboring states are imminent in the form of illegal immigrants, cattle raiders, terrorists, smugglers and even influx of refugees. In explaining the challenge of border security, the question of states having to

²⁹ Arch. Aidah Munano , Report on *Development and implementation of Border Control Points in Kenya*. Presented to the Inter-Ministerial Task force, by Technical Working Group.

³⁰ http://en.wikipedia.org/wiki/Political_realism 21/08/2009

protect themselves in order to survive stems from the fact that the international system is anarchical and there is no supreme overseeing body. States therefore have to guarantee their own survival. An analysis into the system as it affects the individual actors is a new facet that has been introduced by the Neorealist approach. The nature of the international system affects the actions of the nation state. This study will in particular show the essence of the Realist approach. Many of the factors that will prevail could very well be explained from a Realist perspective.

1.9 Research Methodology

Research for this work will be done through the analysis of secondary data in the form of books, journals and internet resources. This will be the primary source of data and information. The focus of the case study will mainly be the Northern borders. Primary data will also be used through unstructured interviews. This paper will be used to inform future policy formulations and decisions especially in the area of security.

1.9.1 Chapter Outline

CHAPTER 1: BACKGROUND INTO KENYA'S BORDERS

This section provides an introduction to the area of study. The background of the problem is elaborately given and leads to a clear definition of the problem that the study intends to deal with. A justification of the study is given in both practical and academic facets. Probable hypotheses are then outlined to give possible explanations to the phenomena under study. The key terms and concepts which are critical to this paper are then explained. A look at the literature review reveals the key arguments by different

authorities and the gaps in the various works. A theoretical framework borrowed from academia to explain the various events and phenomena is then outlined. Research methodology indicates the investigation methods that the researcher intends to use.

CHAPTER 2: NATIONAL SECURITY AND KENYA'S BORDERS

The second chapter delves into how the modern state evolved and the rise of the concept of national security. The researcher will then outline the key components of national security. A more critical look will follow on what are the threats to Kenya's national security.

CHAPTER 3: EFFECTS OF POROUS BORDERS ON KENYA'S NATIONAL SECURITY

Following from the second chapter, this chapter will delve into some of the key ramifications of Kenya's porous national borders. These will include terrorism threats, illegal smuggling, fuelling of ethnic conflicts, proliferation of small arms and light weapons, illegal immigration and an increase in refugee numbers. A critical analysis of the efforts made for improved border management will then follow.

CHAPTER 4: RECOMMENDATIONS AND CONCLUSIONS

The conclusive part of the paper has a summary of findings from the research done, a list of recommendations to ensure more border security and a conclusion of the study. A list of references used is then included with two relevant appendix.

2.0 NATIONAL SECURITY AND KENYA'S NATIONAL BORDERS

The rise of the modern state which is a sovereign political entity is the genesis of the concept of national security. It emerged in the late 15th Century and culminated with the rise of absolutism and capitalism. As the Western dynasties of the time engaged in activities to centralise political and economic control, so were the roots of the modern state sunk. The concept of modern day national boundaries emerged as the European monarchs defeated other powers and delineated boundaries showing their areas of influence. In place of the previous feudal system, emerged a system in which territories were better defined. Contrary to the states partitioning that took place in Africa where there was usually heterogeneity of peoples within a single state, the European states were often formed peoples with many similarities among the peoples making the 'nationalism' concept easier to achieve. In the 17th and 18th centuries, the common characteristics of a state included a standing army. This was especially important to note in emphasizing the question of security of the state. The term state as used in today's world was advanced first by Niccolo Machiavelli in his book the Prince published in 1532.³¹

National security is a combination of efforts that ensure survival of the nation-state in the international system. A state can ensure its national security through many ways including subtly by the use of diplomacy to negotiate for peaceful coexistence and cordial relations with other states. Through the use of its economic prowess, a state can facilitate the protection of its national security or in extreme cases, compel cooperation. This can

³¹ [http://en.wikipedia.org/wiki/State_\(polity\)](http://en.wikipedia.org/wiki/State_(polity)) 08/08/2009

be through for example 'influencing' favourable trade agreements. The use of might in the form of armed forces and even through intelligence guarantees a state protection of its national security.³²

In the ideological confrontation era of the Cold War, states would have their national security defended and guaranteed by the front that they were aligned to. Today, though the world system has states that form pacts to safeguard each others interests, it is primarily upon the state to safeguard its own national security.³³ This is however emerging as a hard task for the state since globalisation has made the national boundaries more permeable. Following technological advancements such as the internet and the faster transport networks, threats from without have become harder to control. At times the efforts by the state to safeguard the national security might actually infringe on the rights and freedoms of the citizens of the state. In extreme cases, muzzling of the media or intrusive surveillance by state security agents may be done all in the name of safeguarding national security. An example is the protest by Americans over the USA Patriot Act³⁴ or locally by Kenyans over muzzling of the media during the post elections violence events from late 2007 to early 2008. Another phenomenon is that during the Cold War era, the emphasis of national security was on protection against external and more specifically military threats.³⁵ The change in the world system led to a change in the thinking of what entails national security. Today, in the era of economic politics, economic security is a very important factor though physical security challenges can still

³² http://en.wikipedia.org/wiki/National_security-08/08/2009

³³ Ibid

³⁴ Ibid

³⁵ <http://www.accessmylibrary.com/article-1G1-81891201/concept-national-security-policy.html>
08/08/2009

not be ignored.

Threats to national security are not easy to define. According to the National Intelligence Service of Kenya, threats to Kenya's security can be defined ³⁶ as any activity relating to espionage, sabotage, terrorism or subversion or intention of any such activities directed against, or detrimental to the interests of Kenya and includes any other activity performed in conjunction with any activity relating to espionage, sabotage, terrorism or subversion.

Further, it could be any activity directed at undermining, or directed at or intended to bring about the destruction or overthrow of, the constitutionally established system of the Government by unlawful means or any act or threat of violence or unlawful harm that is directed at or intended to achieve, bring about or promote any constitutional, political, industrial, social or economic objective or change in Kenya and includes any conspiracy, incitement or attempt to commit any such act or threat. As regards threats from without, it could be any foreign-influenced activity within or related to Kenya that - the interests of is detrimental Kenya and is detrimental to the interests of Kenya

National security is at times very ambiguous but generally, it is the ability to preserve the nation's physical integrity and territory; to maintain its economic relations with the rest of the world on reasonable terms; to protect its nature, institutions and governance from disruptions from outside; and to control its borders. The characteristic nature of Kenya's national borders is such that they are extensive. They mark off Kenya from Tanzania to

³⁶ <http://www.nsis.go.ke/act.pdf> 21/09/2009

the South, Uganda to the West, Sudan and Ethiopia to the North and the failed state of Somalia neighbours to the North East. It is imperative to note that these borders are relatively porous. They have no clear physical structures that mark off Kenya's land territory. The Kenyan border does however have numerous control points across its stretch.

In order to safeguard national security, these borders have to be well managed. The transactions that prevail across the borders involve both legal and illegal trade. The legal activities are welcome since they boost Kenya's economic prosperity. Activities such as smuggling however take away from the economy and in fact promote vices such as corruption. Customs officials facilitate the inspection and movement of goods and across the borders.

The manning of the borders is also carried out in a bid to manage the persons that move across the borders. The neighbouring states are a major source of illegal immigrants into the country. The refugees also emanate from the conflict situations in the neighboring states. Usually, these pose great burden on state facilities and agencies and that work in that area of service.

The national borders that are a heritage of the colonial legacy, have resulted in some communities being split in different states. This commonality of peoples encourages cross-border movement that at times unfortunately results also in cross border movement of arms and weapons. Rival ethnic communities in the neighbouring states also result in threats to security through inter communal raids.

Terrorism is a major threat to the well being of Kenya. The state of Somalia is a refuge for many of these outlawed outfits especially with the rise of radical Islamism through groups such as the Union of Islamic Courts (UIC). The Somalia border is the least manned yet is the most dangerous. It poses a great threat to Kenya's national security.

The proliferation of small arms across Kenya's national borders has gone to underline the importance of borders in protecting the physical security of the country. These arms are used to fuel not only urban crime but also ethnic conflicts. The ramifications of insecurity are overwhelmingly negative especially with the deviation of investment capital into beefing up security efforts instead of development. +The above outlined areas go to indicate the close link between national borders and national security. One cannot have national security without properly managed borders.

3.0 CHAPTER 3: EFFECTS OF POROUS BORDERS ON KENYA'S NATIONAL SECURITY.

3.1 SMALL ARMS AND LIGHT WEAPONS

Kenya has suffered the effect of SALW proliferation as a result of long porous borders with unstable neighboring states, large refugee populations, relative stability in an unpredictable region, geographically vast and isolated arid and semiarid that can not be policed adequately among many others³⁷

The source of these weapons is usually the fragile neighboring states. For example in both Somalia and Ethiopia, after the collapse of the USSR at the end of the Cold War in 1989, the regimes that ruled collapsed since they were closely tied to the prevailing ideological underpinnings in the international system. Consequently, the huge stocks of arms used by these regimes to suppress dissenting voices found their way into the black market. Indeed, international dealers in collusion with the local dealers established functional gunrunning networks in the region.

In the recent past, the fall of governments in Uganda (1979 and 1986) and the decades long conflict in the Southern Sudan have all in a great way contributed to the availability of illegal arms in this region³⁸ For example, Trans Nzoia District with its closeness to the

³⁷Country Report to the 1st UN Review Conference on the status of implementation of the UN Program of Action to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in All its Aspects. Courtesy of Office of the President, Provincial Administration and Internal Security.

³⁸Kamenju Jan, Mwachifo Singo, Wairagu Francis, *Terrorized Citizens: Profiling Small Arms and Insecurity*

Ugandan border has been exposed to availability of guns. The years of instability in Uganda left many citizens with illegal guns that later found their way into Kenya through lengthy mostly unpoliced borders.³⁹ The porous, uncontrolled borders allow for easy cross over from Sudan by the Toposa, who bring with them arms for sale to other interested parties. On the other hand, the uncontrolled borders allow the Turkana themselves to get into Uganda and buy arms.

The Karamojong of Uganda frequently cross over into Kenya and sell arms to Pokots and other communities along the border. The main road that connects Kenya and Sudan and Lokichogio airport serve as the leading routes for the arms flow from Sudan into Kenya. The war deserters and arms traffickers cross the border and sell their arms to the local communities in Turkana. The surplus arms are transported along the highway through Lodwar, Kitale, Eldoret and Nairobi. The porous border between Kenya and Uganda serve as an entry point of arms from Uganda. The main entry points are Kanyalus, Suam, Amudat and Kiwawa.⁴⁰

Further evidence that SALW are illegally brought into our country is that Kenya does not have significant SALW manufacturing or production facilities except for the small caliber bullets produced by the Kenya Ordnance factories. There are also stringent measures and restrictions on trade use or importation of the SALW. According to IRIN, it is estimated that there is a total of between 500,000 and one million illegal firearms in Kenya with over 5,000 automatic rifles crossing back and forth across the Somalia

in the North Rift Region of Kenya (Security Research and Information Centre,2003)p.38

³⁹ Ibid. p.38

⁴⁰ Ibid p. 55

border. The typology of arms traded is AK-47s and Mig 16s with USA, China and Bulgaria markings which have been collected at border towns of Wajir, Garissa and Wagalla, others include 303 rifles, Ceska rifles, Browning revolvers and sporting guns⁴¹

Illegal trade in firearms is concentrated mainly in the vast dry regions of the North Rift, North Eastern province and in major towns such as Nairobi, Mombasa, Nakuru, Wajir, Garissa, Lokichogio, Daadab and Kakuma refugee camps and the surrounding areas⁴². Sabala reports that, the ports of Kismayu and Mombasa are key entry points of arms in the region.⁴³ This is an example of the general nature of porosity of even 'manned' border points as Mombasa is one of the modern and well facilitated border points in the country.

The demand for illicit arms in Kenya according to Kagiri is from a combination of inequality, urban crime, rural banditry (pegged on the harsh environmental conditions, economical resources and militarized activities such as cattle rustling and an increased desire for self protection.⁴⁴ The diminishing effectiveness of the government security institutions has led to higher roles of insecure feelings.

A UN habitat report has indicated that a majority of residents in Nairobi feel insecure.⁴⁵ The emergence of up to 291 security companies in Kenya is evidence of this. The many security or vigilante groups also provide a market for small arms. Studies have indicated

⁴¹ IRIN November 10th report of 2000

⁴² Sabala K, *The proliferation, circulation and misuse of fire arms in urban centers. The case of Nairobi Kenya*-Draft Paper presented at the Quakers meeting Dec12-16 2000

⁴³ Kagiri Wanyiri, *Transborder Transactions Across Kenya's Borders and Their Effects* (Nairobi, United States University-Africa,2004)p.33

⁴⁴ Ibid p.35

⁴⁵ East African 10-16 June, 2000 p.56

in Nairobi alone, firms incur losses to the tune of two million shillings annually due to lost production days as a result of workers falling victim to crime. Further firms spend about 11% of their total cost on security services while households spend 9% of their budget on security costs.⁴⁶

Owing to the abundance of SALW that are cheap and require little training to use, small arms have become weapons of choice for all manner of present-day conflict in this region. (The availability of arms among communities across borders and the lack of a joint intergovernmental approach to this problem complicates a delicate situation.⁴⁷

Refugees, arms and contraband goods move with ease across the common borders. This movement is facilitated by the porous nature of the international borders. Most parts of the North Rift region are characterized by harsh climatic conditions. The terrain is rough and hostile while hot, dry and windy conditions make border patrols an extremely difficult task. In addition, there are not enough police officers available to police a border region of well over 1,000 kilometers. Thus, the geographical conditions and characteristics of the region render it prone to insecurity.

Corruption in the public service and especially among security forces is identifiable as a factor in the proliferation and trafficking of small arms. The common practice by customs officials and police officers of turning a blind eye towards crime and taking bribes has

⁴⁶ Ibid p.56

⁴⁷ Kamenju Jan, Mwachifo Singo, Wairagu Francis, *Terrorized Citizens: Profiling Small Arms and Insecurity in the North Rift Region of Kenya* (Security Research and Information Centre, 2003) p.45

enhanced the proliferation of small arms in the region⁴⁸

Police officers who man various checkpoints for example, rarely bother to inspect vehicles or even inquire what is in transit, especially with regard to private and government vehicles. Commercial vehicles are also rarely thoroughly checked as long as one is able to offer a bribe⁴⁹The net effect has been the high cost of providing security, underdevelopment of arid areas inhabited by armed pastoral communities and instability arising from cross boarder manifestation of these pastoral conflicts. The impact of the spread of SALW has been visible underinvestment in the affected areas and the invariably large costs of providing security at the costs of other social services.

3.2 REFUGEES

The porous borders of Kenya have at times been used by refugees seeking refuge.

Kenya today is a home to a large number of refugees in Africa. Unlike most of its neighbors in the Great Lakes and Horn of Africa regions, Kenya has enjoyed prolonged periods of relative political stability and development. This makes it a favorable destination for most refugees fleeing turmoil from the neighboring countries of Rwanda, Sudan, Uganda, Ethiopia and Somalia. These countries have been characterized by episodes of political instability in their political histories.⁵⁰

Refugees and immigrants can pose threats to sending (home) countries by working to

⁴⁸ Ibid p.45

⁴⁹ Ibid. p.49

⁵⁰ Sora Ibrahim H. Col., "Refugees in Kenya. An economic Menace?" *National Defense College Journal* 6th ed.,(Nairobi, National Defense College,2006)p.155

undermine or overthrow the regime in their home country by using the host country as a base for arming themselves and/or engaging in terrorist acts. They can also destabilize host countries by changing ethnic balances, exacerbating social and economic problems, and disrupting notions of political and cultural identity.⁵¹ Indeed once these refugees are hosted in the country a security problem may emerge. This was the case when the Ethiopian government blamed Kenya for harboring Oromo dissidents.

Some refugee camps represent various combatant groups that were responsible for the original conflict. Some carry weapons into the camps to safeguard themselves against the opponents. The result has been extension of factional fighting in camps.⁵²

There have been strained relations between refugees and the local communities in Kenya. Indeed instances of conflict are common in Kakuma refugee camp. The improvised local communities especially due to drought and increased armed banditry and other related forms of violence have had conflict with the refugee at Kakuma camp⁵³ It is paramount to note that in the insecure areas, public goods and services which Kenyans are entitled to have collapsed for instance education, health and information. This makes the perception that refugees are 'privileged' indeed very real.

The porous borders that surround Kenya make it easier for refugees to enter the host nation with weapons, thereby exposing the nation to national insecurity through increased incidents of crime in which such weapons are used.

⁵¹ Doty Roxanne Lynn, *Immigration and the Politics of Security* (New York, Parson Publishers,2000)p.54

⁵² Kagiri Wanyiri, *Transborder Transactions Across Kenya's Borders and Their Effects* (Nairobi, United States University-Africa,2004)p . 43

⁵³ Ibid.p. 48

According to Sora,⁵⁴ the effect of these refugees has been positive where they have contributed economically by investing in the hotel industry especially in areas such as Eastleigh, Hurlingham and South B. He further claims that far from the argument that refugees take away jobs from Kenyans, refugees have been able to reorganize viable enterprises which now give employment to scores of Kenyans. The shortage of vehicles in the city's transport system has had a positive input from members of the refugee community who have invested in fleets of passenger buses and matatus. This is mainly in Eastleigh, South B and C routes.

Even at the refugee camps, the economic status has improved. The Kakuma Ethiopian market has over 120 stalls but the Haagadera market is the largest in the refugee camps. And they mainly trade in Kenyan goods.⁵⁵

The management of borders is indeed affected by the presence of refugees. Case in point is the regulation of refugees coming into the country following the take over of the state of Somalia by the Union of Islamic Courts(UIC). According to the then Mandera police chief Leonard Omukata, only the Liboi and Mandera border points would be open. At these points screening would then be done by security and immigration officials. However, these efforts do not take away the fact that there are many unpoliced entry points between Somalia and Kenya which the refugees may use.

⁵⁴ Sora Ibrahim H. Col., "Refugees in Kenya. An economic Menace?" *National Defense College Journal* 6th ed.,(Nairobi, National Defense College,2006)p.155

⁵⁵ Ibid p.155

3.3 ETHNIC CONFLICT

Apart from the porosity of these borders, the nature of these areas is such that there is a lot of nomadic movement and there is ethnic dichotomy along the boarder and the people have strong relations (common ethnicity and family lineages). This poses a major challenge in controlling human movement. Somalia people are found across the border between Kenyan, Ethiopia and Somalia. The Turkana transcend Kenya- Sudan border while Karamajong , the Turkana and Teso transcend Kenya- Uganda border.

The economic activity of nomadism further complicates any efforts to try and regulate movement (across national borders). Two thirds of these communities that inhabit these border areas are nomadic pastoralists. Traditionally they practiced cattle rustling using traditional weapons but today they have acquired small arms that have changed the face of this age old practice. Today, the activity is dangerous due to the effects that these weapons have. The porous borders have indeed made communities vulnerable to attacks from without. Their lives and property are at risk constantly. The SALW have continued to fuel urban crime, abet cattle rustling and fuel ethnic conflicts⁵⁶

Communities in the neighboring countries share similarities with Kenyan pastoralists in that they are also nomadic pastoralists and as such often find their way into North Rift of Kenya for raids or in search of pasture and water. The uncontrolled human traffic flow across borders makes it easy for arms to move from one community to the other and, by

⁵⁶ Country Report to the 1st UN Review Conference on the status of implementation of the UN Program of Action to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in All its Aspects. Courtesy of Office of the President, Provincial Administration and Internal Security.

extension from one country to another.

According to Kamenju, there has been a commercialization of cattle rustling from what was previously a cultural activity. This is mainly due to the long history of neglect of the region by the Government that left security matters in civilian hands and in that case only better-armed prevail and in extreme cases, survive. The integration of the gun into cultural aspects of these communities, where some see the gun as a symbol and means of power is a worrying development.⁵⁷

3.4 SMUGGLING

In Kenya, various legal statuses mainly administered by the Ministry of Trade and Industry and the Department of Customs and Excise within the Finance Ministry govern the production, exports and imports of all goods and services.⁵⁸ The goods that leave and enter the country through Busia and Malaba crossing points end up either in Kenya, Uganda, Rwanda, the Democratic Republic Of Congo or Southern Sudan. The parastatal charged with customs control is the Kenya Revenue Authority (KRA). However, according to former Busia Mayor Mr. Francis Mukamani and local councillor Jack Wambulwa, the KRA lacks the capacity to contain smuggling. They have only one vehicle to check on those evading tax, they lack a fence and adequate lighting system. Smugglers take advantage of these shortcomings to bring or take out goods tax free. They

⁵⁷Kamenju Jan, Mwachifo Singo, Wairagu Francis, *Terrorized Citizens: Profiling Small Arms and Insecurity in the North Rift Region of Kenya* (Security Research and Information Centre, 2003) p. 44

⁵⁸ Report on *Development and implementation of Border Control Points in Kenya*. Presented to the Inter-Ministerial Task force By Arch. Aidah Munano, Chairperson of the Technical Working Group.

also lack a computerized system that makes the system tedious.⁵⁹ Officials at border control points have also been allegedly involved in corrupt practices and deals.

State presence in border areas is indeed marginal. Kenya's border with Somalia for instance, is thinly populated, largely by ethnic Somalis. Although there are nominal customs checkpoints at the main entry points, the rest of the border is rarely patrolled and there are many smuggling routes.

3.5 ILLEGAL IMMIGRATION

As the world draws closer together in the wake of remarkable technical, market and political developments it is being pulled apart by growing inequalities.⁶⁰ This paradox is at the heart of explaining the illegal immigration at Kenya's borders. The immigrants are usually in search of more opportunities to have a better life. The illegal immigrants are mainly of young ages and are either smuggled or trafficked into the country.⁶¹ Some of these persons are either in transit to more lucrative countries or have Kenya as their final destination.

The main issue with these unmonitored movements into the country is that these persons enter the country without the due inspection of their identities, motives and ability to cater for themselves. This means that many may have undesirable characteristics such as not having enough finances. Such persons end up being a burden on the economy. They might be forced to settle for less than average wages for jobs and therefore edge the

⁵⁹<http://www.propertykenya.com/.../005975-border-points-still-a-paradise-for-the-unrelenting-smugglers.php>

⁶⁰ Moses Jonathan W., *International Migration: Globalization's last frontier* (London, Zed Books, 2006) p. 19

⁶¹ Interview with Maureen Kiambuthi, Immigration Officer, June 30 2009

nationals out of employment. Furthermore, they might engage in crimes such as prostitution and selling of drugs. The illegal immigrants might in their profile have had networks with criminal or terrorist groups and this will not be noticed if they come in illegally.

3.6 TERRORISM.

Kenya is geo-strategically positioned to be a target for terrorist activities.

The country is also a probable target due to the many Western investments, cosmopolitan and friendly society, unstable neighbors, weak legislation, poverty and the porous borders.⁶² Indeed there have been three major terrorist attacks in Kenya from the Norfolk bombing in 1980 to the American Embassy bombing in 1998 and Kikambala missile launches in 2002.

The neighboring failed state of Somalia has had a long history with known terrorists. In 1992 and 1993 following the overthrow of Siad Barre, Al-Qaeda's then deputy military chief Muhammad Atef made several trips to Somalia from Al-Qaeda's base in Khartoum. The Harmony documents on Somalia indicate Al-Qaeda's primary objective in Somalia was to establish working relations with Somali militants and to establish training camps in the Ogaden region of Ethiopia and in Somalia.⁶³

In the past decade, particularly in the post 9-11 period, many countries have reviewed the border and immigration policies to counter the terrorist threat. The general trend has been

⁶²Tom Anyim ,Immigration attache to the Terrorism Resource Center in a lecture at Kenya Institute of Administration on the *The Challenge of Terrorism* 7th August,2008

⁶³ www.realinstitutoelcano.org/wps/portal/rielcano_eng/Content?...

to tighten migration rules and put in place more stringent conditions for visa issuance and the physical inspections at the point of entry.⁶⁴ In the recent past the Al-Shaabab group that has links to Al-Qaeda has issued a litany of threats that include mounting attacks on Kenya's society and imposition of sharia law in North Eastern province. Kenya's long porous border especially with Somalia is therefore a time bomb that can be used by terrorists in the execution and coordination of their attacks.

3.7 A critical analysis of the efforts to control border management.

The importance of border security has not escaped the security officials in Kenya. The number of controls across the country has increased but is still wanting. According to the proposal of gazettelement of new and numerous border controls⁶⁵, the security forces will be better positioned to maintain border security.

There have been efforts to increase security and border management officials through recruitment in the various agencies that are charged with the responsibility of border management. Apart from recruitment, specialized training is now being offered to such officials in order to increase their competency in handling security at their duty stations.

The various conciliatory initiatives held in a bid to try and get peace especially in the neighboring failed state of Somali have yet to bear fruit. In Sudan, a semblance of peace has been achieved following the signing of the Comprehensive Peace Agreement (CPA).

⁶⁴ Country Report to the 1st UN Review Conference on the status of implementation of the UN Program of Action to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in All its Aspects. Courtesy of Office of the President, Provincial Administration and Internal Security.

⁶⁵ Refer to appendix for a map of the proposed border points

Insecurity in neighboring countries is the root cause of elements such as illegal immigration, to a point terrorism, refugee influx and even small arms and light weapons.

Following from the earlier proposed hypotheses, the first one that 'Conflict in neighboring states leads to insecurity on national borders.' has been proven true. Conflict in neighboring states does lead to insecurity in national borders. The states of Somalia, Ethiopia and Sudan have particularly had histories with war. The violent state of affairs has led to proliferation of small arms and light weapons. These arms find their way across Kenya's borders into the hands of criminals. The rise of insurgent groups in the failed state of Somalia has led to an increase of terrorist threats especially along its border with Kenya.

The second hypothesis that 'Socio-political underdevelopment leads to porous borders' is a valid statement because the Northern frontier where there is comparatively least development in the country has been seen to have the longest and least manned border. There seems to be relatively lower investment in proper border controls at these areas though they are the most dangerous. These areas are also characterized by low economic activities and tend to be neglected. In terms of security, these are the most prone areas to security threats.

The third hypothesis that 'Lack of systematic coordination among security stakeholders at the borders results in increased border porosity.' Has some elements of truth in that the various agencies do require to share intelligence on any threats at their border areas of

operation. These would facilitate their manning operations. However, it failed to consider the possibility as outlined by various dailies on corruption that the various agencies may collaborate to facilitate illegal activities such as smuggling and illegal immigration. The agencies in such a case would collude to indeed make the border more porous.

4.0 Chapter 4: Recommendations and Conclusion

4.1 Summary of findings

Kenya's borders apart from the general porosity due to lack of official control, have elements of porosity due to lack of sufficient machinery and personnel to monitor activities across borders and corrupt officials.

Porous borders lead to the proliferation of small arms and light weapons in Kenya. This increases levels of general insecurity and rates of crime in the country.

Smuggling of goods takes place across Kenya's borders.

Illegal immigration takes place in Kenya especially due to neighboring citizens attempting to come to Kenya in search of brighter futures.

Terrorism is facilitated in the region by the relatively easy movement across Kenya's borders

Refugees have managed to come into the country through the porous borders in times of distress and these refugees have had both positive and negative effects on Kenya's national security.

4.2 Recommendations

The government should beef up security through establishment of more border control points. The proposed new points still do not effectively cover the wide expanse of Kenyan territory.

Some challenges experienced due to our porous borders actually emanate from deep-rooted political and economic problems in neighboring states. The Kenya Government should effectively engage especially the Somali authorities to establish peace. Peace and stability in neighboring states will have positive effects on Kenya's national security

In order to effectively manage trans-border movement, government agencies should cooperate and engage in intelligence sharing for example it will be highly beneficial in profiling of known suspects in coordination with Interpol and other law enforcement agencies , particularly those involved in transnational crimes trafficking human beings, narcotics or involved in terrorism.⁶⁶

Measures should be put in place to ensure that government officials charged with sensitive tasks at border control points are well compensated especially those in hardship and high risk areas. This will also reduce incidents of small scale

⁶⁶ Country Report to the 1st UN Review Conference on the status of implementation of the UN Program Action to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapon Courtesy of Office of the President, Provincial Administration and Internal Security.p. 8

corruption.

A more holistic approach to national development should also be considered. The arid North in particular is still lagging behind in terms of infrastructural and technological development. This fact has its effect on the trans-border movement. Officials at control areas in such harsh environments are unable to use computers for example that have integrated intelligence systems.

According to the Report on the Development and Improvement of Border Control Points in Kenya, the border point personnel face several challenges that need to be addressed. They have inadequate information communication technologies and also lack adequate physical infrastructure and services.⁶⁷

The nature and extent of Kenya's borders is such that some border controls are actually away from the actual position of the international border. Some stations are far from the border making it impossible to control movement across the borders. These include Lunga Lunga border 6km, Taveta 4kms, Kiunga 15kms, Liboi 15kms, Lokichogio 25kms and Loitokitok 13kms away from where they ought to be. These points should be relocated to where they ought to be.⁶⁸ Kenya's coastline is also porous.

⁶⁷ Report on the Development and Improvement of Border Control Points in Kenya, May 2007

⁶⁸ Munano Aidah Arch. Report on *Development and implementation of Border Control Points in Kenya*. Presented to the Inter-Ministerial Task force By , Chairperson of the Technical Working Group p.16

4.3 Conclusion

It is very clear following the study that territorial boundaries have to be protected. This is not only for territorial integrity but for the upholding Kenya's national security. The threats from the neighboring states that surround Kenya are real. These include terrorist attacks, illegal immigration, refugees influx, ethnic conflicts, smuggling and the proliferation of small arms and light weapons. If these trans-border transactions and movements are not monitored, Kenya's national security will be compromised. There is a need to quickly address the challenge of the porosity of Kenya's national borders. Security should be beefed up through increased and improved government presence.

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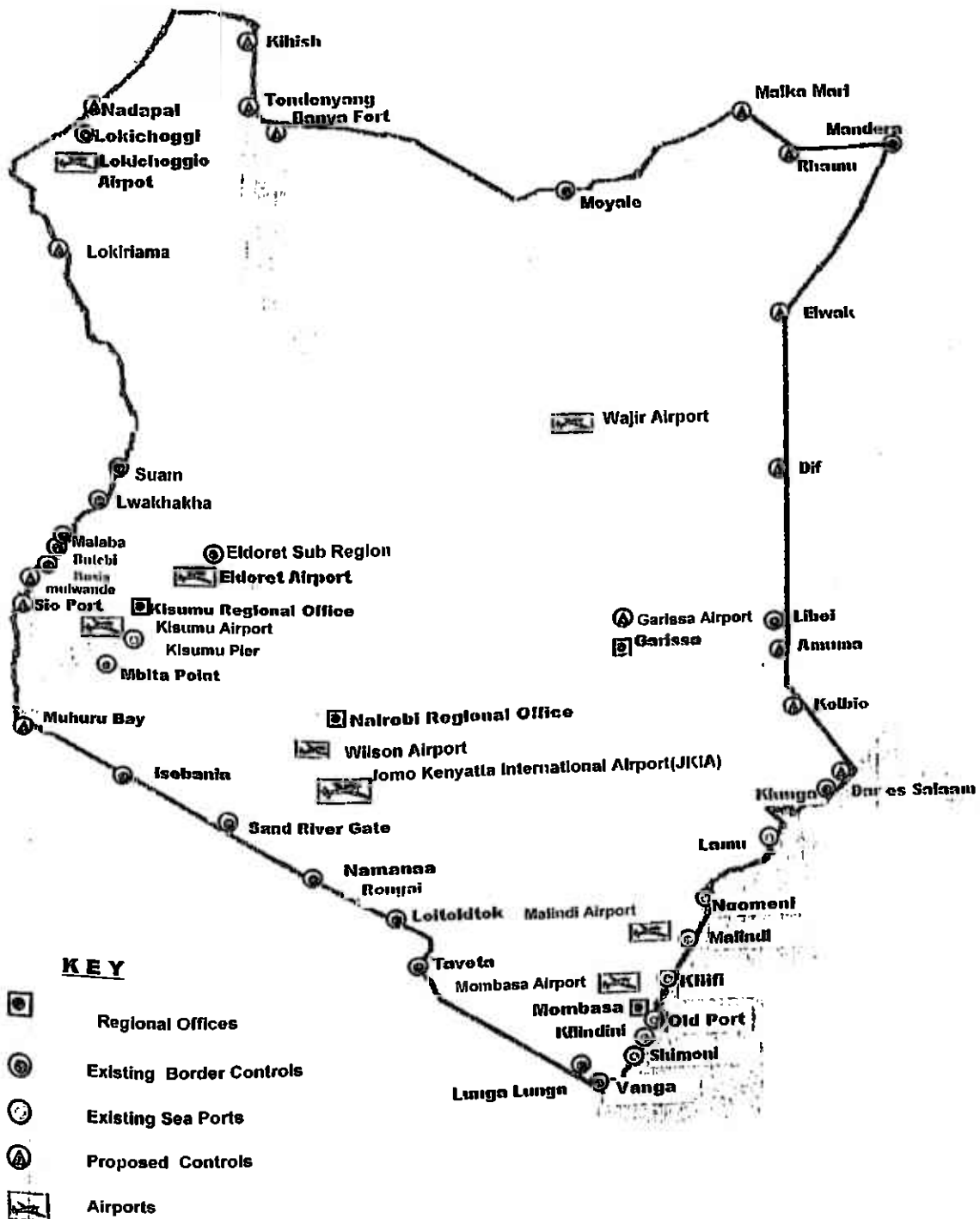
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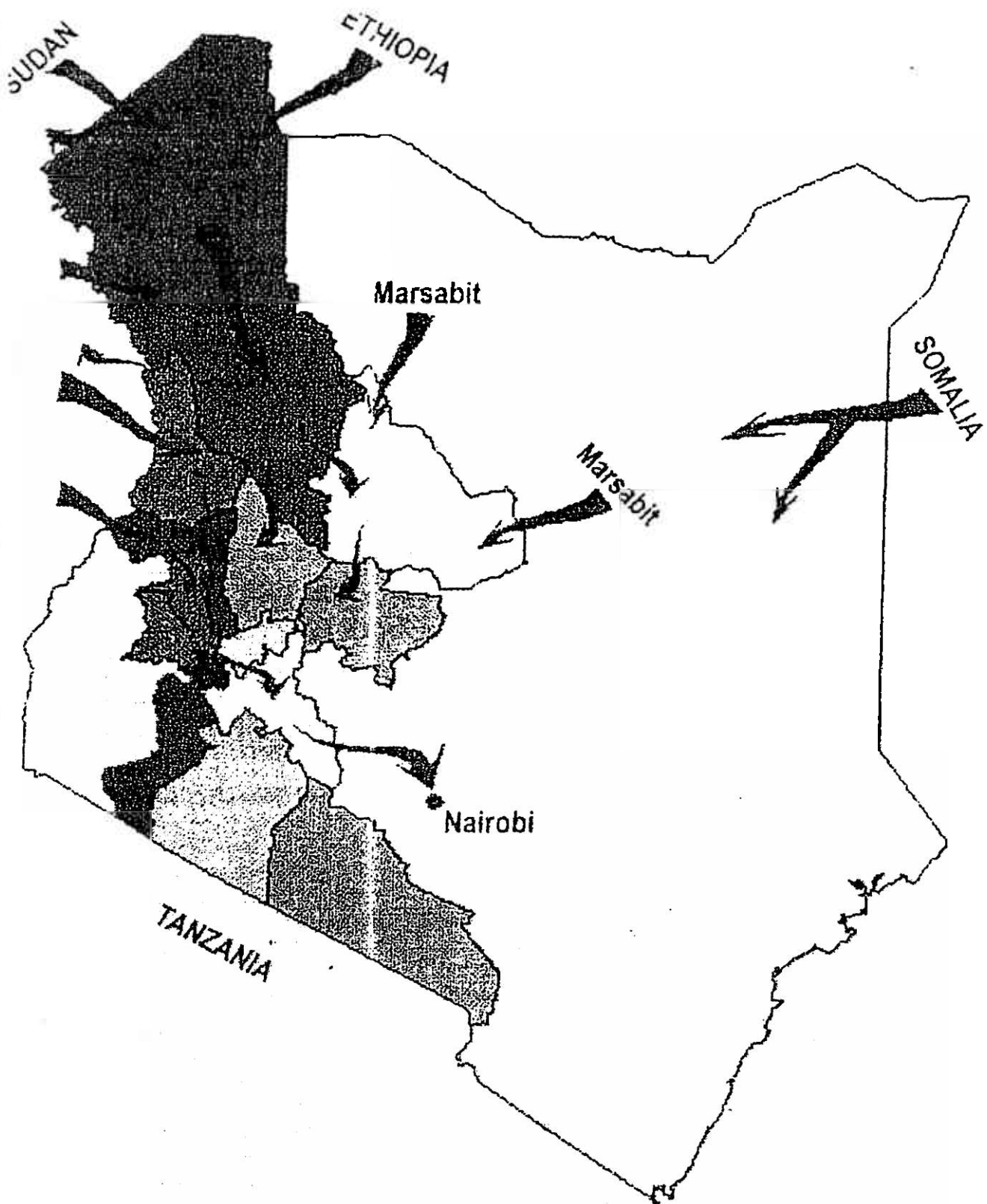
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KENYA IMMIGRATION EXISTING AND PROPOSED CONTROL POINTS





Appendix 2 Showing arms flow into the country courtesy Kamenju Jan, Mwachifo Singo, Wairagu Francis (2003)