# COUNTER-TERRORISM POLICIES IN THE HORN OF AFRICA: A CRITICAL REVIEW OF METHODOLOGIES, TECHNIQUES AND IMPACT, 2005 - 2012

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# DECLARATION

This project is my original work and has not been presented in any other University.

SIGN_____          DATE:_____

ABSALOM DENNIS ODUOR ODERO

This project has been submitted for examination with my approval as University supervisor.

SIGN: _____          DATE: _____

DR. IBRAHIM FARAH

# DEDICATION

To my wife Maureen, son Jeremy, late grandfather Christopher and mum Susan who give me the heart and the motivation to march on in any challenges I face in life.

# ACKNOWLEDGEMENTS

# LIST OF ABBREVIATIONS

| | |
|---|---|
| **ACSRT** | African Centre for the Study and Research on Terrorism |
| **AFRICOM** | Africa Command |
| **AOR** | Area of Responsibility |
| **AQIM** | Al Qaeda in the Islamic Maghreb |
| **ATA** | Anti-Terrorism Assistance |
| **ATPU** | Anti-Terrorism Police Unit |
| **AU** | African Union |
| **CAR** | Central African Republic |
| **CIA** | Central Intelligence Agency |
| **CJTF** | Combined Joint Task Force |
| **CoE** | Council of Europe |
| **CPA** | Comprehensive Peace Agreement |
| **DENTCAP** | Dental Civil Action Program |
| **EACTI** | East Africa Counter-terrorism Initiative |
| **EIJM** | Eritrean Islamic Jihad Movement |
| **ETA** | Euskadi Ta Askatasuna |
| **EU** | European Union |
| **FARC** | Revolutionary Armed Forces of Colombia |
| **FBI** | Federal Bureau of Investigations |
| **FLN** | Front de Lib'beration Nationale |
| **FLQ** | Front du Liberation de Quebec |
| **HOA** | Horn Of Africa |
| **ICU** | Islamic Courts Union |
| **IGAD** | Inter-Governmental Authority on Development |
| **JTTF** | Joint Terrorism Task Force |

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| **MEDCAP** | Medical Civil Action Program |
| **MPLA** | Movement for the Liberation of Angola |
| **M-THEL** | Mobile Tactical High Energy Laser |
| **NGO** | Non Governmental Organisation |
| **NSAC** | National Security Advisory Council |
| **OGC** | Other Groups of Concern |
| **OLF** | Oromo Liberation Front |
| **PKK** | Kurdistan Workers Party |
| **PREACT** | Partnership for Regional East African Counter-terrorism |
| **PSD** | Peace and Security Department |
| **SPLM/A** | Sudan's People Liberation Movement/Army |
| **TIP** | Terrorism Interdiction Program |
| **UNDP** | United Nations Development Program |
| **UNODC** | United Nations Office on Drug Control |
| **USAFRICOM** | U.S. Africa Command |
| **USAID** | United States Agency for International Development |
| **USEUCOM** | U.S. European Command |
| **VETCAP** | Veterinary Civil Action Program |

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# ABSTRACT

Counter-terrorism policies in the Horn of Africa are U.S. driven with the aim of achieving American objectives in the region. Africa is the new focus of the world powers due to resource competition, home to failed and weak states that are breeding grounds for terrorists. This has led to increasing interest from majorly the U.S. and China. The U.S. offers goodies to the HOA region but these are accompanied with restrictions whilst China has a policy of non-interference with the internal affairs of partner states which African states like. The events of 9/11 changed the U.S. outlook of Africa as a point of interest due to the need to enhance its counter-terrorism capabilities. The HOA exhibited failed and weak states, structural and social injustices and economic deficiency all these, key pull factors for extremists' recruiters.   This research project sets out to critically analyse counter-terrorism policies in the HOA region. This will focus on the methodologies in place as well as the specific techniques used to counter terrorism in the region. It will then look at the impact of these methodologies and techniques in the region. This will be to find out if they have positively or negatively impacted terrorism. From this, recommendations on policy direction geared towards localising counter-terrorism methodologies and techniques will be made in an effort to defeat terrorism. This research will cover the time period of 2005 – 2012, a period which saw terrorists' attacks in the region pick up. This study is significant as this phenomenon is gaining ground in the region and need to be halted before it spirals out of control. Specific counter-terrorism players and measures will be looked at including CJTF-HOA with a bias to their activities in Kenya. This will help in formulating methodologies and tactics that are localised therefore guaranteed to work. Terrorism has been active in the region since 1998 with all measures thrown at it backfiring and it growing in stature, complexity and frequency.

<div align="center">**CHAPTER ONE**</div>

<div align="center">**INTRODUCTION TO THE STUDY**</div>

## 1.0 Introduction

Conflict occurs when there is incompatibility of interests and values.[1] Values are fundamental things that determine our existence. Interests are comfort we can live without. Conflict is endemic in society and thus cannot be done away with. Dispute is considered as disagreement based on interest. Conflict is about values. We can therefore bargain on the interests but hold firm on our values and this leads to conflict. There are various ways of conflict management and these are conflict settlement, conflict resolution and conflict transformation. Conflict settlement is a power based approach where the powerful exerts their authority on the weak and dissipates the conflict leading to a win lose situation. Conflict transformation is about changing a system, structures and people's perception. Remove a reality and replace it with a new context. The new context replaces reality with abstract. It is about total change, restoring them from violence to peace. Transformation is about moving from a culture of violence to a culture of peace.[2] Conflict resolution on the other hand is about a win-win situation where the gains of one party are not directly translated to losses for another.

Terrorism is a form of struggle adopted by insurgents as is coup de' tats revolutions and guerrilla warfare. It is generally violent, in furtherance of a political goal and intended to instil fear in the general populace.[3] It has been used world over by groups and individuals in the furtherance of their myriad causes. In the Horn of

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[1] Galtung Johan, Theories of Conflict: Definitions, Dimensions, Negations, Formations 1973. Pg 23
[2] Project money with culture change goal | Bendigo Advertiser,
http://www.bendigoadvertiser.com.au/story/709553/project-money-with-culture-change-goal/
(accessed September 5, 2013).
[3] Alex P. Schmid and Albert J. Jongman, Political Terrorism. (Amsterdam: North Holland Publishing
Company, 1988), pp.5-6.

Africa, it has generated a lot of focus on the measures to be taken to counter the rising wave of terrorism. This has meant a change in the US and other European states rules of engagement given the presence of Al Qaeda backed groups in the region operating from Kenya, Somalia and elements in Eritrea and Sudan.[4] Counter-terrorism policies have generally been in response to the U.S. and other[5] foreign powers conditions and due to the recent attacks witnessed in Kenya, U.S. bombing of perceived chemical weapons factory in Sudan, inclusion of Eritrea in the coalition of the willing in its support of Al Shabaab terror group. They have been largely security and judicial based with the armies and police receiving training from the U.S., Britain, Germany, Sweden and other nations from the West.

This research hopes to identify the loopholes in the existing policies and as an overriding objective to critically review the counter-terrorism policies in place with a view towards recommending better counter-terrorism policy adjustments as the region continues to experience terrorism despite the efforts in place.

## 1.1 Background to the Study

The cold war era saw Africa as a chessboard that the superpowers manoeuvred on. This was because Africa was seen as a source of client states for Soviet and American foreign policy infiltration. Post cold war saw a selective policy on engagement with democratic African states. This was because Africa was seen as not crucial in any way to US foreign policy. This changed after the 2001 Sept, 11 terrorist attack in U.S. soil. It meant that the U.S. was now firmly in the war against terrorism. This took its forces to Iraq and Afghanistan. Assessment of Africa in terms of risks and opportunities

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[4] http://www.usip.org/files/resources/sr113.pdf
[5] APES History Timeline timeline | Timetoast timelines, http://www.timetoast.com/timelines/apes-history-timeline (accessed August 5, 2013).

shifted towards failing and failed states as they were seen as breeding grounds for terrorists. This led to increased aid and military assistance to these countries to bolster their counter-terrorism capabilities and thus assist in the global war against terrorism. The increasing number of failing and failed states and the advent of radical Islam have remained a core concern for the U.S. everywhere especially in Africa since these, are threats to their citizens and assets worldwide.

Terrorism has been with mankind for ages, but the symbolism and audacity of the Sept 11, 2001 attacks brought this issue to the fore with the seriousness it deserved. The Horn of Africa was not spared either as attacks on the U.S. Embassy in Nairobi and Tanzania in 1998, Nov, 2002 attacks in Kikambala Hotel in Mombasa and at a plane carrying Israeli tourists in Mombasa Kenya awakened the government. It was widely believed that Somali had aspects of radical Islamic elements within its borders and with the crumbling of the Islamic Courts Union, Al Shabaab (as a terrorist organisation) was born. This posed a threat to all countries bordering Somalia. Ethiopia and Eritrea were embroiled in hostilities over territory and Eritrea sponsored groups within Somalia to bolster its fight against Ethiopia through proxies. Sudan and South Sudan split through a referendum. Sudan has been sponsoring radical Islamic elements in the Somali and this too poses a threat to the U.S. citizens and its assets in the region. Kenya has been an island of peace in the region and despite electoral violence, has managed to bounce back despite few setbacks. Due to increased kidnapping of tourists from its coastal shelf and from within its territory, Kenya sent its military into Somalia to be able to create a safe zone and protects its tourism industry which was dwindling due to attacks from Somalia. The need for specialised counter-terrorism response to this apparently new kind of crime was born.

## 1.2 Statement of the research problem

The state of security in the countries in the Horn of Africa is one of failing security and aid dependent economies. Violence is seen in every state in the Horn of Africa with most having democratic governments in place. These take the form of insurgencies, ethnic clashes, rebellions, interstate and high crime prevalence. The state in most of these countries seeks to preserve the integrity of the regime rather than look at the whole human security nexus. The populace continually agitates for better governance and this is done through different means. Trends show most attacks being domestic in nature with a changing trend towards international terrorism. Most governments in the region ratified all or some of the twelve protocols on terrorism and have been key in the counter-terrorism fight in the region.

Terrorist attacks in Kenya, Sudan, Uganda, Ethiopia, Somalia, and Tanzania have refocused the security lenses towards terrorism, a previously misjudged American or Israeli affair. Policy direction in combating terrorism and formulating counter-terrorism measures within the region have focused on militarised and combative ways without considering soft diplomacy as opposed to the gun boot diplomacy used. In his address to heads of state at the conference on "Fighting Terrorism for Humanity: A Conference on Roots of Evil" Kofi Annan the former UN secretary general stressed for a relook of existing measures in the fight against terrorism in order to determine what was working and what was not working (United Nations Secretary General, 2003).

This study will seek to measure the effectiveness of these measures in countering terrorism. It will look at the policies in place and adjudge their impacts in alleviating terrorism in this region. Further it will also look at the techniques in place and eventually propose ways of enhancing the counter-terrorism measures to achieve

success in combating terrorism. Some of the drivers of terrorism including failed states, social and political grievances combined with its economic implications. Terrorism stands out as one of the security challenges to the global economy. Ultimately, case studies reveal that long-term, intractable, flourishing terrorism is a complex activity that relies on five integral factors: an available population of potential recruits, a secure base of operations, a sophisticated organization, some degree of outside support, and cultural bonds that engender vibrant group solidarity[6]. Activities that interfere with the smooth working of any of these factors weakens terrorism sustainability.

## 1.3 Objectives of the Study

The overall objective of this study is to carry out a critical review of methodologies, techniques and impact of counter-terrorism policies in the Horn of Africa in the period 2005 - 2012.

More specifically the study aims to:

1. Provide an overview of counter-terrorism policies in the region.

2. Examine the processes that have been used in formulating counter-terrorism policies between 2005-2012

3. Review the impact of counter-terrorism policies in the Horn of Africa between 2005-2012

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[6] Virginia Lunsford http://www.usni.org/magazines/proceedings/2008-12/what-makes-piracy-work retrieved on 9/5/2013.

## 1.4 Literature Review

Terrorism can be defined as the unlawful use of violence or threat of violence to instil fear and coerce governments or societies and is often motivated by religious, political, or other ideological beliefs and committed in the pursuit of goals that are usually political.[7] Counter-terrorism can be defined as "actions taken directly against terrorist networks and indirectly to influence and render global and regional environments inhospitable to terrorist networks".[8]

Policy is defined as a set of decisions which are oriented towards a long-term purpose or to a particular problem. Such decisions by governments are often embodied in legislation and usually apply to a country as a whole rather than to one part of it.[9] These are statements of intention either subjectively or objectively guide in making decisions towards a particular direction. Policies therefore differ from one state to the other depending on the objective the state intends to achieve. Policy function includes policy making, policy implementation and policy analysis. Policy making is the act of making the decisions concerned and is made at the highest level. Policy implementation involves supervisory action of carrying out decisions arrived at in policy making. Policy analysis involves choices and impact of alternatives to find out how in line with the objectives of the policy they are. These processes should be carried out by specialists in order to ensure priorities and objectives are adhered to. Policies already in place need to be constantly looked at to ensure they are always in line with the objectives set and if not improvements made to them. These improvements should consider the critical policy issues, better policy designs and their impact and how the formulation process can be made better. In doing this what

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[7] Ibid, p. 290
[8] http://www.dtic.mil/doctrine/new_pubs/jp1_02.pdf p. 66
[9] Definition of policy, http://www.fao.org/wairdocs/ILRI/x5499E/x5499e03.htm

policies are already in place regionally, in the continent and globally need to be taken into consideration.

Counter-terrorism policies therefore would refer to strategies put in place to ensure states are a "harder target" and actively "going after" terrorists.[10] Classification of counter-terrorism policies categorise several dimensions; long-term versus short-term policies, coercive versus accommodating policies and domestic versus international policies.[11] Other classifications are based on distinction between 'war' and the 'criminal justice' approach to counter-terrorism. This takes heed of who has the leading role in countering terrorism. In the war classification, the army takes a leading role whereas in the criminal justice classification civil rights and liberties are at a maximum and law agents are the focal group.[12] Another model after a comparative study of policies in Israel, India is the 'intelligence model' which vouches for expansion of intelligence services powers to include extra judicial means like liquidations of terrorist suspects and special tribunals.[13] These aim to tackle terrorism after the occurrence and involve capture and prosecution of the terrorists. Classification based on the need to change existing laws and regulations also exist.[14] All the above classification methods being used depend on the objectives of the policy makers and as such guide the policy formulation process.

For counter-terrorism policies to succeed there is need to encompass all the objectives intended to be achieved by the state and to understand the terrorist point of

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[10] http://usforeignpolicy.about.com/od/defense/a/what-is-counterterrorism.htm
[11] Crelinsten, Ronald D., and Alex P. Schmid (eds.). (1993) 'Western responses to terrorism: a twenty-five year balance sheet' in Crelinsten and Schmid (eds.), Western responses to terrorism, Londen: Frank Cass Publishers.
[12] Crelinsten, Ronald D. (1989) 'Terrorism, counter-terrorism and democracy: the assessment of national security threats', Terrorism and Political Violence, vol. 1/2.
[13] Bhoumik, Arunabha. (2004) 'Democratic responses to terrorism: a comparative study of the United States, Israel, and India', Denver Journal of International Law and Policy, vol. 33.
[14] Posner, Eric A. (2002) 'Fear and the regulatory model of counterterrorism' in Harvard Journal of Law and Public Policy, vol. 25 (2002).

view. Terrorist organisations are made up of the leaders who take charge of policy direction; the cadre who are the core of the organisation and take charge of the operational issues like finance, logistics, communication among others; active supporters who fund and provide information but are not operational and passive supporters who form a sympathetic group but are not committed enough to actualise their support. At the lowest operational level is the cell. This actualises the terrorist action, aims and objectives. The cellular structure provides security as cell members are unaware of other cell activities. Terrorists groups have the basic characteristics which define them. These include their own security, funding, production and distribution of propaganda, support infrastructure, recruitment ability and operational actualisation against selected targets.

Therefore, there is need to include deterrence activities towards sustenance of group cohesion by any terrorist cell or group thereby facilitating its disintegration and disrupting the atmosphere that allows terrorists to employ successful attacks. Once the terrorist groups can no longer function as a group, cell or team and the environment is hostile for the completion of a successful attack then their activities are seriously curtailed. Despite this, national power facilities employment including the military against terrorist organizations is made complex by the guarded nature, wide resource base, devolved control, passive government and local support and capacity to integrate into different communities worldwide. This is supported by global communication capability, easy financial transfers, and global transport availability. All these enable terrorists to easily adapt to local situations thus breach security, elude capture and successfully carry out attacks. This makes their capture difficult and thus the need for a policy that can adapt as fast in terms of flexibility of attack.

Some International Counter-terrorism Policy Instruments[15] include: 1963 Convention on Offences and Certain Other Acts Committed On Board Aircraft, 1970 Convention for the Suppression of Unlawful Seizure of Aircraft, 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1973 Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, 1979 International Convention against the Taking of Hostages, 1980 Convention on the Physical Protection of Nuclear Material, 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1997 International Convention for the Suppression of Terrorist Bombings, 1999 International Convention for the Suppression of the Financing of Terrorism, 2005 International Convention for the Suppression of Acts of Nuclear Terrorism, 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation.

### 1.4.1 US Counter-terrorism Policy

Sun Tzu warns that, "He who attempts to defend everywhere defends nowhere".[16] Terrorism has been around for long and is not about to disappear as it is used by many organizations to agitate for their goals. It has evolved from a tactic employed to

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[15] http://www.un.org/terrorism/instruments.shtml
[16] Sun Tzu. The Art of War. Translated by Samuel B. Griffin. Oxford, England: Oxford University Press, 1963.

stimulate fear in the populace and regions to a transnational threat. This has called for strategic adjustments for the Western societies and the United States. A case in point is the Al Qaeda and its related terrorist networks which form a multinational enterprise operational in over 60 countries. In its National Strategy for Combating Terrorism of 2006, the US stresses that:

We will continue to prevent terrorists from exploiting ungoverned or under-governed areas as safe havens – secure spaces that allow our enemies to plan, organize, train, and prepare for operations. Ultimately, we will eliminate these havens altogether.[17]

America's counter-terrorism policy is one of giving no concessions as heralded by President Richard Nixon in 1973, when Palestinian terrorists kidnapped six diplomats and demanded for the unconditional release of sixty plus terrorists in Israel, Jordan, the United States and West Germany: he stated that "As far as the United States as a government giving in to blackmail demands, we cannot do so and will not do so."[18] The United States therefore takes terrorists as its enemies and seeks to dismantle, disrupt, and defeat them. Towards tackling this issue, "the United States Government policy on countering terrorism has been summarized as follows: Defeat violent extremism, and create a global environment that is inhospitable to violent extremists".[19] It takes each terrorist group, action and ideology as unique and therefore seeks a unique way of dealing with it. It involves a unified approach at federal government and operational level by different government agencies with the Department of State taking the lead. It involves three strategy elements which include defence and protection of the homeland, attacking and disabling terrorist operational

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[17] United States of America. (2006). *National Strategy for Combating Terrorism,* September. Available at http://www.fas.org/irp/threat/nsct2006.pdf (Accessed 23 April 2013).
[18] Quoted in Bruce Hoffman. "Is Europe Soft on Terrorism?". *Foreign Policy*, 1999.
[19] http://www.dtic.mil/doctrine/new_pubs/jp3_26.pdf, p. vi

capability in the United States and abroad and offering aid to mainstream efforts targeted towards rejection of violent extremism. This is achieved by formulating partnerships with foreign states, prevention of terrorist capacity for acquisition of weapons of mass destruction and finally institutionalising at home and internationally its policy against violent extremism. It uses various enabling functions for its counter-terrorism operations including intelligence, surveillance and reconnaissance, logistics, legal, strategic communication and information operations.

Towards achieving its counter-terrorism policy, the United States Government supports the formation of international instruments like the United Nations Security Council Resolution 1373 which guide states on how to deal with terrorism. This resolution called upon all member states to collaborate in preventing terrorist activities through financing suppression from their citizens or activities in their borders, making their territories uninhabitable for terrorists for planning and safe movement. The United States Government continues to impress upon all governments to become parties to and implement these resolutions. In the Horn of Africa, the US initiatives include East Africa Counter-Terrorism Initiative (EACTI) and the Combined Joint Task Force – Horn of Africa (CJTF-HOA).

## 1.4.2 Other Counter-terrorism Policies

EU counter-terrorism policy has been guided mostly by international models and pressure to comply to international instruments on counter-terrorism. At the domestic level, counter-terrorism is not a major political debate item as it is not seen as an immediate threat to citizens. It is mainly criminal justice oriented with limited military component.

Just after 9/11, the EU sought a record of counter-terrorism measures per country (Council of the European Union, 2004a and 2004b).[20] This led to the publishing by the The Council of Europe (CoE) of the so-called "Profiles on Counter-Terrorist Capacity" which were brief reports in which member states explained their counter-terrorism policies. In a report by the "Citizens and governance in a knowledge-based society"[21] of the EU a comprehensive framework with measures was developed based on extensive research of individual member states efforts to curb terrorism. This was based on four EU counter-terrorism policy strands. These are Prevention, Protecting, Pursuit and Response i.e. prevent vulnerable groups from resorting to terrorism, protect citizens, sites and infrastructure from terrorist attacks, pursue terrorists and disrupt their networks and respond adequately to the immediate consequences of a terrorist attack.[22] Towards this the EU has scored high on sharing of intelligence[23] and terrorist financing, prosecution capabilities and customs and visa information exchange [24] as counter-terrorism policy measures emanating after the September 11 terrorist attack as lessons learnt. This enabled the development of four counter-terrorism policies within the EU. These include the maximalist approach, the human agent approach, the confrontational approach and the antagonist approach. The maximalist approach is strong on all four strands; the human agent approach believes that changing human action will ensure there is avoidance of terrorist attacks and consequent emerging emergency situations will be avoided, this stresses prevent

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[20]

http://www.coe.int/T/E/Legal_Affairs/Legal_cooperation/Fight_against_terrorism/4_Theme_Files/Country_Profiles/ (accessed 1 April 2008) for links to the CoE country profiles.

[21] http://www.transnationalterrorism.eu/tekst/publications/WP6%20Del%2011.pdf

[22] For the definitions of the four strands as formulated by the EU, which is also how we understand them here, see European Council, (2005).

[23] Dearstyne, Bruce W. (2005) 'Fighting terrorism, making war: critical insights into the management of information and intelligence', Government Information Quarterly, vol. 22, nr. 2, pp. 170-186

[24] Bures, Oldrich. (2006) 'EU counterterrorism policy: a paper tiger?', Terrorism and Political Violence, vol. 18, nr. 1, pp. 57-78

and pursue strands; the confrontational approach believes terrorism is wholly a human activity therefore see terrorist as the enemy and thus take a war like approach. They attack the terrorists, their activities and further improve on instruments of doing the same; antagonist approach responds to terrorism when it is already in place. This approach has no preventive measures but is strong on the other three strands i.e. protecting, pursuit and response. The four strand EU counter-terrorism policy is to enable covering of all aspects of terrorism activities and therefore minimise attacks at its members.

The AU has not been left behind in the formulation of appropriate counter-terrorism policies. It has legal and operational frameworks that consist of the 1992 OAU Convention and Plan of Action which is the legal framework for counter-terrorism, the institutional framework of the Peace and Security Department (PSD) of the AU Commission and the African Centre for the Study and Research on Terrorism (ACSRT) which covers the operational mechanisms for counter-terrorism; these are enhanced by counter-terrorism measures within Regional Economic Committees in their peace and security frameworks.[25] The 1992 convention saw the union undertake to fight extremism and terrorism. In 1994 at the 30th Ordinary Session in Tunis, Tunisia, it adopted the Declaration on the Code of Conduct for Inter-African Relations, in which whether under the ploy of sectarianism, tribalism, ethnicity or religion it declared redundant all types of extremism and terrorism. The same declaration declared criminal terrorist acts, methods, practices and resolving to further cooperation in alleviating such acts. In 2002 in Algiers the AU High-Level Inter-Governmental Meeting on the Prevention and Combating of Terrorism in Africa adopted the AU Plan of Action on the Prevention and Combating of Terrorism. This

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[25] http://www.un.org/africa/osaa/reports/new-reports/OSAA-TerrorismPaper-12Nov2010.pdf p. 5

was to concretise the commitments and obligations of Members. This included practical measures including policing and border controls, judicial and legislative measures, information exchange and terrorists financing. Under this action plan, in 2002 the African Centre for the Study and Research on Terrorism (ACSRT) was established in Algiers. It main function included development of capacity building programmes on counter-terrorism, a centre for study, information analysis and the focal point for information on counter-terrorism. It was also to be the liaison body with the regional mechanisms and international partners on the subject. Towards achieving its goal, an African Model Law on Counter Terrorism was adopted 2011 at the 17th Ordinary Session of the Assembly of the Union.[26]

African Union's counter-terrorism policy majorly hinges on the criminal and legislative angle with sparse military capabilities. This has been bolstered by the US Global War on terrorism which has seen selected African countries receive military training on counter-terrorism.

## 1.4.3 The Horn of Africa

This encompasses the entire desert region inhabited by Somalis between the Kenyan highlands and the Ethiopian highlands and the sea; it extends from the South to the North covering about 1, 000 miles and East to West covering 400 to 500 miles and is sparsely populated. It covers territories within a number of countries including Kenya, Eritrea, Somalia, Ethiopia, Sudan and Djibouti.[27] They are all in some state of conflict with violence manifest in all though more in other s than the rest. The events of September 11 made the Horn a strategic focal point for the United States. Kenya has

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[26] http://www.peaceau.org/en/page/64-counter-terrorism-ct
[27] Gerald Reece, The Horn of Africa, International Affairs (Royal Institute of International Affairs 1944-), Vol.30, No. 4(Oct., 1954), pp. 440-449

had a history of poor governance in contrast to its relative stability interspersed with the 2007/2008 post election violence has led to conducive base for terrorist operational planning, hiding area and movement corridor. This has been the case as attacks in Somalia, Uganda and Tanzania have had components planned in the country.[28]  This resulted from porous borders in the region, Arabian Peninsula closeness to the Horn, lack of strong  law enforcement and judiciary, endemic corruption, state support for terrorists and an over twenty year lack of government in Somalia. The state's security has been tried and led eventually to the military moving into Somalia in the Kenya Defence Forces operation "Linda Nchi" to create a secure zone between Somalia and Kenya. Civil strife in Somalia, Ethiopia and Sudan compounded by interstate wars pitying Ethiopia and Somalia over the Ogaden region in 1977 – 1978 on one hand and Ethiopia and Eritrea over the border in 1998 – 2000.[29] Currently the area has relative peace and even Somalia is on its way to recovery.

An effective counter-terrorism policy achieves the objectives it sets out to do. In the state's favour it can be measured by how the state emerges from a terrorist attack whilst from the public outlook it can be highly judged as successful by success in the prevention of any terrorist attack. The Horn of Africa has witnessed mixed impact from counter-terrorism war. It has thrust the Horn onto the world map leading to a need to reorder the priorities of security in the region.[30] States in the region have taken advantage of the "war against terrorism" to label any opposition as terrorism thereby stoking strife in the region in an attempt to protect the regime in power. Yoweri Museveni invoked the Anti-terrorism Act accusing his opponent Kiza Besigye

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[28] Terrorism in the Horn of Africa.pdf p. 2

[29] Al-Qaida's (Mis)Adventures in the Horn of Africa.pdf, p. 4

[30] M Tadese, New security frontiers in the Horn of Africa, Friedrich-Ebert-Stiftung, briefing paper, June 2004, p 5.

of terrorism in a bid to weaken his bid on the presidency.[31] This led to local extremist groups forming calculated alliances with jihadists leading to tactics such as beheadings[32] and for the purposes of securing aid and funding for their causes. Due to the counterterrorist programmes being imported to the region, hastily prepared counterterrorist laws were adopted by the states in the region. These went contrary to international human rights notions and widened religious cracks.

Imposition of Americas' notion and definition of counter-terrorism has resulted in poor uptake of the principles it stands for leading to uncoordinated response in national, regional and international response to counter-terrorism. Kenya ratified all the 12 counter-terrorism instruments and even passed the witness protection Act to protect witnesses in terrorism cases, all this in a bid to appease the U.S. government.[33] As a policy towards countering terrorism the U.S. backed warlords in Somalia leading to an escalation in insecurity, a full scale war and further attacks by the same warlords (terrorists) on neighbouring countries namely Kenya and Uganda.[34] All these had civil rights bodies protesting as they contain elements that bring conflict between counter-terrorism and the tenets of democracy.[35] Capacity to tackle terrorism has also greatly improved with the Kenyan security apparatus forming an Anti-Terrorist Police Unit, formation of an inter-ministerial Anti-Money Laundering and terrorist financing task force and invoking of the NGO Co-ordination Act of 1990 which enable deregistration of NGOs linked with terrorists groups like the *al-Muntada al-Islami, al-Haramain* Islamic Foundation, the World Assembly of

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[31] Uganda journalists face anti-terror laws, <www.cpu.org.uk/pfnews.html>.
[32] Mungiki leaders convert to Islam, *Daily Nation*, 3 September 2000.
[33] *Daily Nation* (Kenya), 24 September 2004.
[34] International Crisis Group (ICG), *Can the Somali crisis be contained?* Africa Report No 116, 10 August 2006.
[35] Tadese, *New security frontiers*, op cit, p 5.

Muslim Youth, Wakalatul-Rahmah, the *aI-Ibrahim* Foundation, and the aI-*Najah* IslamicCentre in northern Kenya.[36]

Tanzania ratified seven international instruments on counter-terrorism out of the twelve and enacted the Prevention of Terrorism Act drawing protests from activists on human rights violations contained in the Act in 2002.[37] In 2003 May Uganda passed the Anti-Terrorism Act after ratifying the twelve international conventions on terrorism. This Act in Uganda rather prioritised local rebellion over international terrorist threat as it was being used by the Museveni government to stifle opposition. Despite the Horn states coming together under IGAD to agree on a common counter-terrorism front based on international standards, non-violation of human rights, enhancing public support against terrorism, curtailing terrorism funding and support, border controls and establishment of a database on terrorism suspects; results have been mixed. This has been due to lack of funds, capacity, coordination between country goals and international expectations.

The US has invested in the region with military aid and targeting the mindset of civilians in the countries they operate in namely Djibouti, Ethiopia, Kenya and Uganda. This has ironically turned these countries into targets for the terrorists' organisations launching attacks against them. This has made the US and its allies issue travel advisories against these countries further injuring their economies.[38]

In conclusion there is need for a holistic approach to the problem of extremism and terrorism in the Horn of Africa and this entails a coordinated strategy that ropes in poverty reduction, conflict resolution and transformation and peacebuilding and recovery efforts. The current policies having been in place since the bombing of US

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[36] P Mayoyo, Kenya Muslims say no to US school funds, *East African*, 23 February 2004.
[37] Tanzania's Muslims fight terror bill, <www.news.bbc.co.uk/1/hi/world/africa/2482199.stm>.
[38] W Nick, The horrifying result of US ban in Kenya, *East African Standard*, 16 March 2004.

embassies in Kenya and Tanzania and a failed attempt in Uganda seem to be out of context with the existing causes and therefore cannot lead to a conclusive solution. This research seeks to look at the policies in place critically, the impacts of the same policies in the region with a view to suggesting practical options in a bid to better the counter-terrorism policies in use currently.

## 1.5 Justification of the study

Terrorism is a phenomenon that previously held little interest to African states. It is linked to structural conflict in the society among a certain group of personalities who seek to take it upon themselves to change situations they perceive as unjust. These causative issues could be marginalization, oppression, governance issues among others; issues that seem to exist in most of the Horn states. This makes the region an appropriate recruiting, training, planning and execution area for terrorists as has been seen in the recent past. Western nations continue to invest in the region due to their rising energy needs. The recent discoveries of gas and oil in the region has spurred interest in the region with Western and Eastern powers seeking to diversify their energy sources to drive growing needs at home. With their presence in the region and being a target for radical extremists and terrorists, they make the entire region a target too.

Attacks have been made at their interests in the region and casualties have been noted to have been the locals more than the Western and Eastern states nationals. The bombings of the embassies in Kenya and Tanzania unearthed serious security lapses in the countries security apparatus since the planning of the attacks took place in the respective states. The terrorists came in through existing points of entry and were not detected for who they were. The support they received from the local

population was also noted particularly from the coastal town of Mombasa. After the bombings in Kenya and Tanzania, the Horn region gained prominence in the global war on terrorism as a key focal point in the fight against terrorism in the region. The events of Sep, 11, 2001 led to a flurry of activity in the region in terms of response to the Bush administration "you are either for us or against us" policy in the fight against terrorism. Since then, the Horn states have put up measure after measure in counter-terrorism efforts, yet a decade later we are still talking about terrorism as a threat to security in the region. Just what techniques and methodologies have been used since that time? What policies have been driving these techniques and methodologies? What are the impacts of these techniques and methodologies? Have there been any changes in the terrorism practices in the region? Why the current status? How do the techniques and methodologies in place relate to human rights issues in the region? What can be done to change the situation?

These are issues that this research seeks to explore and enumerate on. These questions beg answers as policy makers seek to enhance the security in the country. Sources of policy formulation need to be relooked as blanket support for ready-made policies has been seen not to favour local situations. An evaluation of what has been achieved needs to be undertaken with a view to better the existing policies and ensure that they serve the interests of the states in the region.

## 1.6 Hypotheses

The study will test the following hypotheses:

   i.    Existing counter-terrorism policies can lead to the eradication of the menace in the Horn of Africa region

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ii.    Counter-terrorism policy formulation in the Horn of Africa takes cognizance of all causative factors

iii.    There have been both positive and negative impact of counter-terrorism policies on security in the Horn of Africa

## 1.7 Conceptual Framework

Counter-terrorism can be explained using a number of theories. This is because it entails a myriad of concepts having bits on conflict to include terrorism, crime, psychology, diplomacy and state building, security just to mention a few. Terrorism and counter-terrorism can be explained by different theories including but not limited to realism, social disorganization theory, routine activities theory, crime pattern theory and deterrence theory.

Realists view the state as the major actor in the international scene and thus states would do whatever it took to protect their interests.[39] States seek to employ their power in application and manipulation of force to secure their territories. Towards this states have been able to further their key interest which is national security by developing counter-terrorism policies to safeguard against terrorist attacks which are majorly aimed at undermining the sitting government in order to achieve certain goals, be they regime change, ideology change, religion intertwined with governance among other causes.

Social disorganization theory is a type of criminological theory that attributes crime variation and delinquency among territories and over time to breakdown or absence of communal institutions e.g. local government, school, family, and church) and

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[39] John Baylis, "International Security in the Post-Cold War Era" in John Baylis & Steve Smith (eds), *The Globalization of World Politics; An Introduction to International Relations* (Oxford : Oxford University Press, 1997), p. 194

relationships that customarily encouraged cooperation and healthy interaction amongst people.[40] This concept is defined in terms of values that depict the communal institutions and relationships and organisation. These are normally presumed to be organised when high level heads of these organisations e.g. Local officials, family-heads, pastors and school organizations participate in activities involving the whole community. This integrates and builds a sense of togetherness creating a common bond in this community. This concept can explain crime variations in small ecological units e.g. local communities and even larger units e.g. countries as well as variations over time. Criminal groups that operate on a survivalist ideology are best understood in this sense. Criminal factions are thus able to infiltrate the communities they live in and create a tolerance of their deviance due to lack of control by the inhabitants.

Terrorism carries on in a rather unique way where the targets are evaluated and are viewed as a means to an end; their injury, kidnap, death in the goriest way possible serve to further highlight the terrorists cause. Due to difficulties in policing the vast borders large swathes of entry points into states are largely unprotected. The social circumstances in place i.e. inherited traits; hunger, poverty, unemployment and lack of conventional lifestyle enable view of the targets as valuable medium through which to communicate the terrorist cause. This is a fact that made terrorism a viable source of publicity. Emile Durkheim proposed that the lack of norms creates deviant behaviour and ultimately social upheaval.[41] This is the case for Somalia, which has been devoid of an effective central government since 1991when President Siad Barre

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[40] Jensen, G. F. and D. G. Rojek. *Delinquency and Youth Crime*, 3rd Edition. Prospect Heights, Illinois: Wavelnd Press, 1998.
[41] Durkheim, E. 1893, reprinted 1933. *The Division of Labour in Society*. Trans.by George Simpson. New York: The Free Press.

was ousted.[42] Radical extremists spread terror; disease and famine has eroded social and moral norms which regulate behaviour in the society and has thus plunged the country into lawlessness.

Looking at routine activities theory crime occurs when three conditions are satisfied: 1) the presence of a motivated offender; 2) the presence of a suitable target (exhibit value, inertia, visibility and access); and 3) the absence of a capable guardian (Figure 5).[43] All these exist in the Horn states and thus urge on terrorism. Motivation due to the conditions in Horn states is high and therefore would overtly act given the target. The motivation for crime is explained by Travis Hirschi's line of thought that crime occurs in the absence of controls.[44] When controls are low yet temptations are high, a motivated terrorist can strike effortlessly. This more so as most terrorist attacks in the Horn states are violently executed, terrorists will force a defenceless state easily into submission like in Somalia.

Crime pattern theory suggests people are intertwined with their environment and crime is a product of how they move about and converge in time and space.[45] Corruption or basic reconnaissance enables terrorists with extremist backgrounds to carry out attacks despite their crude operations by opening access to information about floor plans, route plans, plane manifests, shipping routes, ports of call, sailing time, and security plans. With such information it is easy for the terrorist to plan and carry out an attack at what is previously thought to be a heavily guarded area like an embassy.

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[42] BBC News. 2009. Country profile: Somalia. April 23, 2009. Retrieved May 12, 2013 from http://news.bbc.co.uk/2/hi/africa/country_profiles/1072592.stm.
[43] Felson, M. and R. V. Clarke. 1998. *Opportunity Makes the Thief: Practical theory for Crime Prevention*. London: Home Office. Retrieved May 14, 2013, from http://www.homeoffice.gov.uk/rds/prgpdfs/fprs98.pdf
[44] Hirschi, T. 1969. *Causes of Delinquency*. Berkeley, CA: University of California Press.
[45] Brantingham, P., and P. Brantingham, eds. 1991. *Environmental Criminology*. Prospect Heights, OH: Waveland.

The rational choice theory looks at offender decision making. Offenders weigh punishment and pain Vis a Vis gain and pleasure prior to committing a crime. Oft, their decisions are flawed due to imperfect information that hinders their actions thus flawed outcomes i.e. injury, arrest, monetary loss, death.[46] Conditions in their homelands are oppressive thus pleasures to be gained from terrorism (like money, 70 virgins in case of death and direct passage to heaven) outweigh the pain of capture. Terrorists come from a diverse background with some being opportunists working from local community who may have had military training but are engaged in terrorism for own advantage.[47]

Gordan A Craig defines deterrence as "consisting essentially of an effort by one actor to persuade an opponent not to take action of some kind against his interests by convincing the opponent that the costs and risks of doing so will outweigh what he hopes to gain thereby".[48] Rational deterrence theory assumes that the antagonist (terrorist) is rational and thus will weigh the costs of terrorism Vis a Vis other actions and thus settle for the one that best suits his/her cause objectives, or whether to abort the attack.[49] This is because even extremists do not entertain tactical risks that reduce chances of their success in attacks and thus in the existence of uncertainty or risk will abort the operation. This leads to a reduction in attacks in cases where counter-terrorism efforts are current and in tandem with prevailing threat of terrorism thus able to thwart any attempt. For the counterterrorist policy based on deterrence theory to work, it must satisfy the three principals of capability, communication and

[46] Ibid

[47] Bateman, S. 2001. Piracy on the rise. Correspondents' Report. Australian Broadcasting Corporation. Retrieved May 1, 2012, from http://www.abc.net.au/correspondents/s326347.htm

[48] Wolf, Barry, *When the Weak Attack the Strong : Failures of Deterrence* (Santa Monica: The Rand Publication, 1991)

[49] Gordan A Craig and Alexander L George, *Force and Statecraft : Diplomatic Problems of Our Time* (New York : Oxford University Press, 1995), p. 179

credibility.[50] The counter-terrorism policy in place must be within the state ability to execute; visible enough for the potential terrorist to see and recognise readiness to be used (these can be in the form of military, judicial, specialised units, police, economic prowess and enforcement).

Sutherland espouses that if the society is organized with allusion to the ethics expressed in law, then crime is prevented; if not organized as such, crime develops and persists."[51] In summary the researchers, using the above theories social disorganization, routine activities, crime pattern and rational choice explains why terrorism takes place in society. These serve as the academic backings that support the issues discussed in this research project.

## 1.8 Research Methodology

To test the hypothesis the researcher will depend on primary data from interviews of key personalities of counter-terrorism planning and operations and secondary data from books, journals, internet searches, library research and newspapers, i.e. content analysis. The researcher will carry out a desktop review of counter-terrorism policies in the Horn of Africa in the years ranging 2005-2012. He will also use data from published scientific papers, reports, policy documents from different countries in the Horn of Africa and the rest of the world. This research is geared towards finding the common issues that influence counter-terrorism in the region to make them either successful or not. Towards this interviews of selected experts will be used to get the current positions.

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[50] J.P. Harvey, *Conventional Deterrence : A Continuing Role in Australia's Security* (Fairbairn : Air Power Studies Centre, 1995), pp. 11-12

[51] Sutherland, E. H. *Principles of Criminology*. Philadelphia: J.B. Lippincott, 1939; 8

Expert opinion will be sought on Horn of Africa state of coordination, institutions involved in the counter-terrorism policy formulation, political involvement in the issues raised, public view on counter-terrorism and terrorism measures, global terrorism state experience, transfer of policies and formulation models, state of security systems and intelligence in the Horn states, and impact of policies in the region and ways to better them. This will be done through interviews and a critical and thorough desktop analysis of available literature.

**1.9 Chapter Outline**

This study has five chapters which run as indicated below:

i.   Chapter One: An introduction to the study.

ii.  Chapter Two: An overview

iii. Chapter Three:  Counter-terrorism policies in the Horn Of Africa: A Critical Review Of Methodologies, Techniques And Impact, 2005 - 2012

iv.  Chapter Four:  A critical analysis

v.   Chapter Five: Conclusion, summary, key findings and recommendations

# CHAPTER TWO

# AN OVERVIEW

## 2.0 Introduction

Chapter One defines counter-terrorism and the attendant key topics. It looks at issues of counter-terrorism from a global to a local angle taking the Horn of Africa as the key loci of the issue in point. Having justified the purpose of the study, it provides a conceptual framework within which counter-terrorism as a field in conflict management falls. Supporting review of material is included to give the justification a firm grounding in academia and a methodology of data collection to prove or disapprove the hypothesis.

This chapter is dedicated to understanding the historical background of counter-terrorism. But in order to do this, we must understand the history of terrorism as these two are two sides of the same coin, without terrorism there wouldn't be counter-terrorism. Understanding terrorism determines the resources, manpower, finances, institutional framework that will be used in tackling terrorism.[52] Crelinsten argues that understanding "particular forms of terrorism can lead to the emergence of particular forms of response".[53] This is because their objectives and aims can be comprehended and a response appropriate made out for them. Issues considered in response include space, time, type of intervention and type of power as these help in classifying approaches to be used in countering terrorism whether shot-term or long-term, whether persuasive or coercive, whether strategic or tactical, whether reactive or proactive, whether defensive or offensive, whether global or local or whether international or domestic. It is therefore important to understand the history of

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[52] Crelinsten, Ronald D.. *Counterterrorism*. Cambridge, UK: Polity Press, 2009. p. 39
[53] Ibid

terrorism as much as it is to understand the theoretical underpinnings of terrorism as these both will contribute to developing appropriate counter response tactics, techniques and methodologies of tackling terrorism. This chapter therefore goes out to give a deeper look at the history of terrorism as well as the theories that support terrorism and counter-terrorism as a policy response to terrorism.

## 2.1 History of Terrorism

Terror through provoking fear has throughout history been the major tool of power. Dictatorial societies have made terror their key tool even in modern times. By submitting to set order and use of force humanity has ensured freedom and security for itself. Prehistoric times were ruled by fear from nature of wild animals and of other men. Terror was used as a means of coercion and conformity for the purposes of order. Terror comes from a Latin word terrere meaning "to make tremble". Societies in pre-times that used terror include the Assyrians, Mongolians, French Revolution, Jewish Zealots, Isma`ili sect of the Assassins among many others.[54]

The monopoly of force in today's nation states was left to the state and it has utilised this to rein terror in many instances. This can be exemplified through acts committed in war like the massive bombing of Dresden, Coventry, and Tokyo, and the Hiroshima and Nagasaki atomic bombing.[55] This supports the notion of terror is meant to terrorise. As early as 70 C.E terrorism in the name of religion had already taken roots given the Jewish Zealots Sicarii against the Romans, the Isma`ili sect known as the Assassins in the years between 1090 and 1272 against Muslim dignitaries, Taborites of Bohemia in the fifteenth-century, Anabaptists in the

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[54] Forst, Brian. *Terrorism, crime, and public policy*. Cambridge: Cambridge University Press, 2009.
[55] Artarit, Jean. Robespierre ou l'impossible filiation. Paris: La Table Ronde, 2003. p 71

sixteenth-century, and the first crusade of 1095 which was active anti-Semitism and the inquisition all these showing that terror has been a major tool of messianic movements.[56]

Messianism hypothesizes the world being transformed by a history making event in the not so far future. This can include among Christians the apocalypse marking the end of the world as we know it and the coming of Christ a second time, (Parousia), the world ending if the sun would not receive its offerings of human blood, Judaism movement of Sabbatai Zevi believed in a return to the promised land especially after the six day war to create Gush Emunim including Samaria and Judea (today's West Bank). Messianism in Islam is seen in the return of the Mahdi (messiah). Any contrary move to these believes have triggered terror attacks such an attack in Mecca of the Great Mosque in 1979 by radical Sunnis in Saudi  and the Yitzhak Rabin assassination in 1995 after he abandoned the West Bank in a peace agreement by members of Gush Emunim.[57]

Terrorism in the ancient era include incidences where violent acts in defence of tribal and territorial integration crossed over to civilian populations. Some of these include Babylon overrunning Judea under King Nebuchadnezzar in the  sixth century BCE, Roman emperors assassinations including in  41 CE Caligula,  in 44 BCE Julius Caesar,  in 96 CE Domitian,  in 68 CE  Galba and  in 193 CE  Commodus among others.[58]

The middle ages experienced episodes of terrorism. Notable in this period is the Mongolian leader Temujin who later took the title the *Genghis Khan* meaning the

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[56] Chaliand, Gérard, Arnaud Blin, Edward D. Schneider, Kathryn Pulver, and Jesse Browner. *The history of terrorism: from antiquity to al Qaeda*. Berkeley: University of California Press, 2007.

[57] Sprinzak, Ehud. Brother against Brother: Violence and Extremism in Israeli Politics from Altalena to the Rabin Assassination. New York: Free Press, 1999.

[58] Forst, Brian. *Terrorism, crime, and public policy*. Cambridge: Cambridge University Press, 2009.

Universal Rule. He would wreak havoc on lands and enemies he conquered from China to Eastern Europe, Afghanistan, Persia and Baghdad by the time of his death in 1227. The same land had been under attack from the crusaders (between eleventh and thirteenth century's nine crusades) who set a precedent for religious fighters centuries later who would kill in the name of Allah or Christ. Those who would die in these fights were considered martyrs.

America and Europe had their fair share of terrorism in the eighteenth and nineteenth century. Robespierre, the Jacobin leader, believed that "Terror is nothing but justice, prompt, severe and inflexible." This set the precedent for the modern terrorism starting with the French revolution during which over 40, 000 lives were lost through beheadings, disease, malnutrition, drowning and mass shootings from 1793 to 1794 under the radical Jacobin government. Robespierre considered terror a legitimate instrument of justice.[59]

In the mid nineteenth century with socialist agendas inspired the opposite shifting from state terrorism to individual perpetrators. At the beginning it was peaceful under Pierre Joseph Proudhon of France in the years 1809-1864. Other proponents include in the years 1818–1883 Karl Marx, in Russia Mikhail Bakunin in the years 1814–1876 and in the years 1809–1880 Karl Heinzen of Germany. Later on they extended their attacks to factories, armed forces, the police in their respective countries namely France, Austria and Germany. In the United States of America they were responsible in 1901 for the assassination of President William McKinley.

According to Walter Laqueur[60] two waves of terrorism existed in Europe, late nineteenth century in Russia and early twentieth century in Ireland and Russia. Russia

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[59] Chaliand, Gérard, Arnaud Blin, Edward D. Schneider, Kathryn Pulver, and Jesse Browner. *The history of terrorism: from antiquity to al Qaeda*. Berkeley: University of California Press, 2007.
[60] Laqueur, Walter, *No End to War: Terrorism in the Twenty-First Century* New York: Continuum, 2003.

experienced student anarchists' unrest against the czars in the 1870s leading to the assassination of Czar Alexander II in 1881 (who was the head of government). "The People's Will" an anarchist organisation led by Nikolai Morozov, claimed responsibility for this attack. The reprisals that followed by the slain leader's son Alexander III led to arrests, killing and hounding of the People's Will leaders. In the early twentieth century in 1918 the "Red Terror" a Bolshevik campaign led to over 10,000 deaths, mass arrests (over 70, 000) and deportations of state enemies. This was triggered by the death of the head of secret police under the counter-revolutionaries and Bolshevik in 1918 and a failed attempt on Vladimir Lenin the top Bolshevik leader.[61] The anti-communists responded with a bloody reprisal known as the White terror although crushed by Stalin in his Gulag system. Since World War I terrorism by individuals has subsided in this region.

The twentieth century has seen terrorism take mostly an ethnic and a religious angle as causative factors. Most of the terrorism we see today is an offshoot of these typologies of terrorism. These include the Turks and Kurds in Eastern and Southern Turkey, the Shi'a and the Sunnis in Iraq, the Kurds and the Sunnis in Iraq, the Spanish nationalists and the Basques in North Central Spain, the Chechens and the Russians in the Trans-Caucasus region, the Tutsis and the Hutus in Rwanda, the Irish Catholics and English Protestants the in Northern Ireland, and the Sinhalese and Tamils in Sri Lanka.[62]

Colonialism was defeated only after resort to means not used in battle commonly like guerrilla warfare and suicide bombing. This developed in the mid of this century as states fought against colonial rule and took as a tactic suicide bombing

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[61] Forst, Brian. *Terrorism, crime, and public policy*. Cambridge: Cambridge University Press, 2009.
[62] Ibid

to instil fear in the colonialists so as to gain freedom. Most notable is the Front de Lib´eration Nationale (FLN) of Algeria which in 1959 went on a three day killing spree slaughtering Fourty Nine French citizens raising the cost of France occupying Algeria leading to independence in 1962. They got the attention they wanted by targeting civilians after the French colonizers executed three members of the rebel group. This led to this tactic of targeting unarmed civilians brutally gaining validity. This inspired like action in Spain with mixed results as the Basque separatists formed under the Euskadi Ta Askatasuna (ETA) did not get freedom from Spain but managed widespread autonomy politically. Another group with mixed results include Front du Liberation de Quebec (FLQ) in Canada from 1963 which fought for a free Quebec but due to its violent means lost populism and never achieved its goal.[63] Palestine and Israeli conflict has had many casualties on both sides employing tactics that target civilians resulting in many lives lost. Neighbours including Egypt, Jordan, Syria, Lebanon and also Libya, Saudi Arabia, Yemen and Iran all have participated in attacking Israel in one way or another with more failures than victories.

Egypt, Syria and Jordan have signed peace agreements with Israel while the other countries continue in one way or another to try and destroy the state of Israel. This follows their opposition to UN Security Council Resolution 181 which led to the formation of the state of Israel on November 29, 1947. Terrorist's acts that have been committed include the 1968 hijacking of an Israeli commercial jet, the 1972 Munich Olympics murder by a PLO splinter group ("Black September") of 11 Israeli athletes, the 1976 Entebbe Uganda hijacking of an Israeli plane who were liberated in an Israeli commando raid and killing of Leon Klinghoffer who was wheelchair bound in

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[63] Martin, Gus. *Understanding terrorism: challenges, perspectives, and issues*. 2nd ed. Thousand Oaks, Calif.: Sage Publications, 2006. p 94

1985 during the hijack of the Achilles Lauro an Italian cruise ship. Yassir Arafat's PLO eventually signed the Oslo peace accord and was awarded the 1994 Nobel Peace Award. Despite this, terrorism attacks against the state of Israel continued from Hamas, Hezbollah which was formed and propped up by Iran and the Islamic jihad.

Other groups in the twentieth century which cannot be left out in any accurate account of terrorism are the leftist groups in the Americas, Africa and Europe.[64] These despite having the military as their main target also made civilian scores. They include the Baader Meinhof Gang of West Germany, which used kidnap, murder and robbery as its main tactics, Italy's Red Brigades in the 1970s and '80s which had kidnap, murder, and bombing including of Aldo Moro (the former prime minister) in 1978, Shining Path in Peru, FARC Revolutionary Armed Forces of Colombia, MPLA - Movement for the Liberation of Angola and the Ethiopian Peoples' Revolutionary Democratic Front.

The suicide bomber is an ancient technique which has been adopted by today's terrorist. According to Hoagland when "people see themselves as rendered collectively helpless, humiliated, or otherwise aggrieved by overwhelming military or police power, asymmetric attack in the name of martyrdom and collective justice can become a compelling alternative to remaining in a state of hopelessness".[65] This is an ancient tactic linked to Samson's offering himself in the Philistine temple attack, kamikaze pilots death flights in the Pacific into U.S. military targets, during the World War II. This tactic was revived by the Hezbollah in Lebanon through suicide bombing in Beirut of the U.S embassy killing over sixty three among them eleven Americans (including the CIA's Middle East director of operations) and injuring one hundred

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[64] Chaliand, Gérard, Arnaud Blin, Edward D. Schneider, Kathryn Pulver, and Jesse Browner. *The history of terrorism: from antiquity to al Qaeda*. Berkeley: University of California Press, 2007.
[65] Hoagland, Jim, "Thinking Outside the Iran Box," *Washington Post* (May 14, 2006a), p. B7

more.[66] The means of delivery was a van packed with 400 pounds of explosives driven by the suicide driver. As if this was not enough six months later US Marine barracks was targeted killing over 241 servicemen. The means of delivery was a TNT delivery truck. This was followed 20 seconds later by another truck explosion in the French military barracks in the same area killing 58 paratroopers. There major aim was withdrawal of all multinational forces from Lebanon and they achieved this when within six months of the bombings all forces withdrew from Lebanon.

According to Bruce Hoffman 80 percent of suicide attacks that occurred after 1968 took place after 9/11 and this rate increased by 2007.[67] This means became a preferred tactic as the delivery of the weapon is on point and the availability of suicide bomber is high spurred by revenge, martyrdom, fame on dying, virgins in heaven after death, family honour among many other reasons. The human guidance factor on the timing and physical location ensures maximal destruction on the selected target.[68] The difficulty of preventing such attacks without imposing serious restrictions on populations is real. This was witnessed by the U.S military in Iraq leading to its intended goal of winning minds and hearts of the Iraqis being defeated as the military had to protect itself from suicide bombers thus had to warn Iraqis to be at least 100 meters away lest they got shot.[69] This trend continues conflict as was witnessed in the Palestine Israeli conflict in the 90s. Islamic Jihad, Hamas and the Al-Aqsa Martyrs Brigade designed suicide belts with shrapnel to exact maximum harm on the Israelis in populous areas. This led to the Israelis bombing the Suicide bombers

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[66] Perry, Marvin, and Howard E. Negrin. *The theory and practice of Islamic terrorism: an anthology.* New York, NY: Palgrave Macmillan, 2008.

[67] Hoffman, Bruce, "Security for a New Century," Senate Foreign Affairs Committee briefing (September 23, 2005)

[68] Benmelech, Efraim and Claude Berrebi, "Human Capital and the Productivity of Suicide Bombers," *Journal of Economic Perspectives*, Vol. 21, No. 3 (Summer 2007), pp. 223–38

[69] Nordland, Rod and Babak Dehghanpisheh, "Surge of Suicide Bombers," *Newsweek* (August 13, 2007), pp. 30–32

family's home or the group which took responsibility's premises as a means of dissuading suicide bombings. Robin Wright states that statistics on suicide bombings conducted between 1983 to 2008 show over 1,840 bombings killing over 22,000 people according to the National Counter-terrorism Center's Worldwide Incidents Tracking System.[70] Most of these have been concentrated in Iraq and Afghanistan with the suicide bombers leaving recordings giving their reasons for their actions. Despite these explanations according to Walzer, no moral explanation suffices for killing innocent civilian non combatants.[71] Studies on suicide bombings continue with a view of understanding the enemy's thought process so as to process their eventual defeat.[72] This is more so as to remove the opportunity and desire to be part of any suicide bombing.

The US despite its superpower status (and number one target) experienced some of the worst terrorist attacks through home grown terrorists. These include Terry Nichols and Timothy McVeigh, the Oklahoma City bombers, World Trade Center attack in 1993 killing six people and over 1000 injured when a car packed with explosives was detonated in the car park and the 9/11 attack on the World Trade Center and the Pentagon which killed over 3000 people and injuring scores of others. These succeeded because of advances in technology and information processing and the fact that terrorism has taken a more religious as opposed to a political angle.

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[70] Wright, Robin, "Since 2001, a Dramatic Increase in Suicide Bombings," *Washington Post* (April 18, 2008)

[71] Walzer,Michael, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1992)

[72] Peters, Ralph, "Myths of Globalization," *USA Today* (May 23, 2005)

## 2.2 Women in Terrorism

Due to nurture and nature terrorism is dominated by men yet we find that women also play a big role in it. Nurture has made it possible as women are generally considered less belligerent and thus less scrutiny is directed at them opening up avenues to them that are closed to men. According to Siljak[73] women made up in the nineteenth century, up to one fourth of the Russian terrorists reported with prominent ones like Vera Zasulich playing an active role on aggression. Others include in 1971 Fusako Shigenobu the Japanese Red Army founder, in 1991 a young Tamil woman assassinated Rajiv Gandhi the Indian Prime Minister, the 2002 Moscow theatre killing of more than 300 captives by forty one Chechnyan terrorists half of who were women (*Shahidkas* or the "Black Widows,"),[74] 2004 Beslan school held hostage resulting in 334 civilian deaths of mostly children and women included two women in the terrorist group. The sharp increase in women suicide terrorism can be attributed to the Egyptian scholar fatwa which proclaimed "When the enemy assaults a given Muslim territory, it becomes incumbent upon all its residents to fight against them to the extent that a woman should go out even without the consent of her husband" effectively sanctioning women involvement.[75]

Al Qaeda too sanctioned women involvement in 2004 website posting in Saudi. Other noted involvement of women in suicide bombing include in Jordan, Somalia, Afghanistan, Egypt, Iraq, Kashmir, Pakistan, Palestine, Israel, Sri Lanka (non-Muslim), Uzbekistan, Chechnya, Turkey, and elsewhere.[76] Tim McGirk notes

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[73] Siljak, Ana, *The Angel of Vengeance: The "Girl Assassin," the Governor of St. Petersburg, and Russia's Revolutionary World* (New York, St. Martin's Press, 2008)
[74] Jusik, Julia, *Die Br¨aute Allahs. Selbstmordattent¨aterinnen aus Tschetschenien* (St. P¨olten, Austria: Nieder¨osterreichisches Pressehaus, 2005)
[75] Bergen, Peter and Paul Cruickshank, "Meet the New Face of Terror," *Washington Post* (August 12, 2007), p. B4
[76] Zedalis, Debra D., *Female Suicide Bombers* (Carlisle Barracks, PA: Strategic Studies Institute, 2004)

that women in Palestine attempted eighty-eight times to commit suicide bombings between 2002 and early 2007, successfully completing eight due to reasons ranging from redemption after breaking a taboo or committing a serious offence, escaping from an arranged marriage to honour.[77] As shown above, women in terrorism as leaders and foot soldiers is a reality which should not be ignored and should serve as a focus for further study as they may yet hold the key to countering terrorism.

## 2.3 Post 9/11 Attack and its effects

September 11, 2001, represented one of history's points of change in the conflict world. After the Pearl Harbour attack, World War II and the ideological Cold War 9/11 became the next point of change in the way conflict was played out in the world scene.

Over 3000 people died following the crash in the World Trade Centre, the 110 floor building was floored, and a wing of the Pentagon was also destroyed. These included 265 passengers in the four planes, 2995 on the ground, 343 fire fighters from New York City, 23 New York Police Department Police Officers, 125 military personnel and civilians from the Pentagon, 37 Police Officers from the Port Authority. In addition five buildings at the World Trade Center site, four subway stations and major television and radio communications equipment were also damaged. The attack was carried out by nineteen men, from Saudi Arabia 15, Egypt 1, Lebanon 1 and United Arab Emirates 1. They commandeered four planes from Logan International Airport in Boston (2 planes), Newark International Airport (1 plane) and Washington Dulles International Airport (1 plane) with 75% success as the fourth plane targeting Capitol building missed crashing in a field just outside Pennsylvania. The fact that it

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[77] McGirk, Tim, "Moms and Martyrs," *Time* (May 3, 2007), pp. 48–50

was well planned and successfully carried out in US soil evading the stringent US security services made it even more historical. In response to this attack, many nations fearing such an attack on their citizens joined the US in appealing to the Taliban government in Afghanistan to give up the Al Qaeda leaders it was offering refuge. This was rejected and the US responded "Operation Enduring Freedom" was launched on October 7, 2001, destroying Al Qaeda in Afghanistan and overthrowing the Taliban government. This marked the beginning of the US war on terror. On March 20, 2003 the US invaded Iraq in the "Operation Iraqi Freedom" which succeeded in toppling the  24 year rule of Saddam Hussein but did not find any weapons of mass destruction, radioactive or biological weapons as earlier purported.[78] This invasion gave rise to an insurgency which is still raging on from mainly former Baathist members (former ruling party) and Sunnis. Soon jihadists under the leadership of a Jordanian associate of Osama bin Laden, Abu Musa al-Zarqawi joined the insurgency. These jihadists gained support from the Muslim populace and soon the Americans (formerly saviours from Saddam Hussein) became the enemies and unwanted in Iraq.

Photographs in 2004 showing torture of Iraqi prisoners in Abu Ghraib prison by American soldiers only worsened the American presence in Iraq.

The American war on terrorism has not lessened but increased the number of terrorists' and attacks world confirmed by the National Counter-terrorism Center. Terrorists' attacks according to the U.S. Department of State (2006) indicate attacks worldwide took a dip between 1980 and 2003 then rose sharply in 2003 all through to

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[78] North, Oliver. *War stories: Operation Iraqi Freedom*. Washington, DC: Regnery Pub., 2003. Print.

2005 with the highest frequency being in Iraq. [79] Media coverage for terrorists' attacks and claims has been on the increase too. This has tended to increase the demand side of terrorism by making it key news thus giving the terrorists more motivation to conduct their attacks. Global feelings are that the US war on terror did not have any other considerations for other countries but only its interests thereby making them a bully; this after a research involving over fifty nations and 90,000 people.[80] This attitude towards other countries and their citizens changed the peoples' perception from land of opportunities to exploiter and a world bully.[81]

Terrorism too has evolved giving way to "new terrorism," which has been compartmentalised into smaller groups, interlinked networks with unclear and at times deluded goals.[82] This is informed by guerrilla warfare tactics such as those developed by Carlos Marighella in his *Minimanual of the Urban Guerrilla.* The terrorist aim is to win over populations creating themselves a safe haven to operate in and a place to attack from. This is because the US and allies have bombarded most of the terrorist structures crippling them, killing key operatives forcing into hiding remaining leaders. Technology has made it easier for recruitment and radicalisation to take place devoid of physical meetings, plans and targets to be set and execution carried out by smaller cells of sympathisers.

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[79] Sabasteanski, Anna . "Patterns of Global Terrorism 1985-2005: U.S. Department of State Reports With Supplementary Documents and Statistics; (2v).(Brief Article)(Book Review)." *Patterns of Global Terrorism 1985–2004: U.S. Department of State Documents and Supplementary Material, with Updated 2004 Reports (Great Barrington)*, May 1, 2013.
[80] Pew Global Attitudes Project, *A Year after Iraq War Mistrust of America in Europe Ever Higher, Muslim Anger Persists* (Washington, DC: Pew Research Center, March 16, 2004)
[81] Kohut, Andrew, and Bruce Stokes.*America against the world: how we are different and why we are disliked*. New York: Times Books, 2006.
[82] Robb, John. *Brave new war: the next stage of terrorism and the end of globalization*. Hoboken, N.J.: John Wiley & Sons, 2007.

## 2.4 Theoretical Aspects

Theory is necessary for building knowledge needed for analysis of relationships between given variables. Walt argues for the use of many slightly divergent theories to explain a phenomenon as there's always room for theories to overlap; that single tenets can impair a practitioner's ability to generate policies.[83]

Terrorism is an extreme form of crime and aggression and the theories that explain these do also explain it.[84] Counter-terrorism as a response too has explanations that support the need for its employment.

States faced with dangerous and armed neighbours have no option but to find a way to advance their national interests and ensure their survival through the use of power. Realism is an international relations theory which places the state as the major actor in the international arena and thus uses its resources to protect its interests at home and in the international scene.[85] Through the use of power in terms of potential to influence, states have been able to respond to perceived and real threats facing their interests. Realism believes that states are governed through established norms else anarchy would set in. Power is used to assure a state of certain interests in accordance with established norms. When these norms are destabilized then chaos ensues and it is the work of states to employ their tools of power to restore order. This is the principle theory that guides states reactions to terrorism in terms of counter terrorism measures to be applied.

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[83] Stephen M. Walt, International Relations: "One World, Many Theories," Foreign Policy. Vol. xx, No. x. 30.

[84] LaFree, Gary and Laura Dugan, "How Does Studying Terrorism Compare to Studying Crime?" in *Terrorism and Counter-Terrorism: Criminological Perspectives*, edited by Mathieu Deflem (Amsterdam: Elsevier, 2004)

[85] John Baylis, "International Security in the Post-Cold War Era" in John Baylis & Steve Smith (eds), *The Globalization of World Politics; An Introduction to International Relations* (Oxford : Oxford University Press, 1997), p. 194

Deterrence theory can be used to base counter-terrorism as a measure employed to avert terrorism. Cesare Beccaria believed that to deter crime one must put in place painful consequences.[86] Even the perception of the pain involving the risks inherent in committing the offence like arrest and punishment arrest could stop someone from committing crime. Despite the tools used to mete out punishment themselves being considered negative these punishments must promise to impede more crime than they generate. Deterrence as a theory is based on the notion that people consciously try to avoid pain and seek pleasure.[87] Countering terrorism involves various measures meant to dissuade extremists and other disillusioned persons from carrying out acts of terrorism. Towards this it is essential that measures that make terrorism less attractive through provision of pain are used to deter their efforts. These include search, arrest, long jail terms, and these should be punitive enough to make the cost of committing terrorism very high. These measures should also be applied swiftly at the terrorist whenever they are caught and without fail.

Deterrence also depends on the general knowledge and certainty that terrorism will attract instant and certain heavy punishment this having been demonstrated over time. Such measures should be focused on the individual terrorists in order to dissuade recruits from joining a terrorist group and at the general public so as to enable information flow as to terrorist presence in the general populace. The general population should be in the know through wide media coverage of the severity, consistent certainty and swiftness of the punitive measures that terrorism attracts. This should be repeated over time so as to get the widest coverage. Deterrence works through the formation of a relationship between criminal or terrorist action of an

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[86] Beccaria, Cesare. *On crimes and punishments*. Indianapolis: Hackett Pub. Co., 1986.
[87] Nagin, Daniel. *Deterrence and the death penalty*. Washington, D.C.: National Academies Press, 2012.

individual or group and the punishment attached to the act. This helps in dissuasion of possible recruits and commission of further acts. Despite this, the principal of rationality must be applied in deterring terrorism. This means that that the punishment and seriousness of the same should be based on the act committed as excesses do not work as expected. It has been found that excessive punishment increases rather that reduces crime including terrorism.[88] "Punishment that is too severe is unjust, and punishment that is not severe enough will not deter criminals from committing crimes".[89] Case in point is the USA which has been the major target of terrorists' world over yet its antiterrorist programmes have answered positively to all requirements in the application of deterrence theory. It has swiftly and decisively dealt with any attack on its interests, has been known world over not to bluff on the threat of response when attacked and always receives the widest media coverage on its counterterrorist campaigns. Rational deterrence theory assumes that the antagonist (terrorist) is rational and thus will weigh the costs of terrorism Vis a Vis other actions and thus settle for the one that best suits his/her cause objectives, or whether to abort the attack.[90] This is seen in the changing tactics of terrorists in their modes of attacks such as remote controlled explosive devices. When deterrent measures are high terrorists too goes into a lull till a time when success is evident. Terrorism to a great extent depends on success of their missions as failure does not promote their cause and also makes radicalisation, financing and recruitment difficult.

Routine activities theory also seeks to explain how terrorists operate and why counterterrorist actions are necessary. Daily routine involving work and leisure

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[88] Bentham, Jeremy, and Laurence J. Lafleur. *An introduction to the principles of morals and legislation ;*. New York: Hafner Pub. Co., 1948.
[89] http://marisluste.files.wordpress.com/2010/11/deterrence-theory.pdf
[90] Gordan A Craig and Alexander L George, *Force and Statecraft : Diplomatic Problems of Our Time* (New York : Oxford University Press, 1995), p. 179

provide perfect opportunities for terrorists to strike. According to Cohen and Felson crime occurs when offenders are determined enough to commit crime, targets that are visible, immobile, accessible and valuable are available to the offenders and the security services are lapse in their duties.[91] These conditions and this theory spur on the need for countering terrorists through the creation and adoption of appropriate counterterrorist measures. The Horn states face many conflict conditions which create a ripe ground for terrorist actions. Targets are visible and not at all well protected given the governments attention to other areas of interests. Travis Hirschi's further espouses on this issue of lack of controls as a motivation for crime stating that as controls diminish and temptation increases due to situations causing deprivation, terrorists can strike successfully and effortlessly.[92] When such attacks occur in a defenceless state like Somalia then submission of the state to terrorist control is swift. When this theory is applied then targets are hardened through access control to vulnerable areas like airports, government buildings e.t.c. Tracking and apprehension of willing offenders is enhanced with a view of dissuading any future recruitments of terrorists.

Other services that can be upgraded include the securing of citizens, their properties and all vital resources so as to make targeting them extremely difficult. This has been seen in Kenya, Uganda, and USA after some serious attacks and has reduced the frequency and the ferocity of the attacks when they occur. This is especially encouraging to a country's citizens and investors as it enable business to carry on favourably and by extension development in the state and its resources. Despite all this positives, these enhanced security measures come with their down

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[91] Cohen, Lawrence E. and Marcus Felson, "Social Change and Crime Rate Trends: A Routine Activity Approach," American Sociological Review
[92] Hirschi, T. 1969. *Causes of Delinquency*. Berkeley, CA: University of California Press.

side as civil liberties and freedoms are to some extent curtailed. This leads to accusations from certain quarters of the populace like the Somali community in Kenya complaining of racial profiling and being targeted. This is a situation which provides good recruiting grounds for home grown terrorists. Resources too are diverted to these measures making other areas of the economy to suffer at the expense of securing the homeland.[93] Despite all these efforts we cannot conclusively say that we can eradicate these threats as targets and motivated offenders are large and security services are most oft far stretched to holistically offer complete protection.[94] This therefore calls for preparation to mitigate against effects of such attacks as they will inevitably occur albeit in lesser instances.

Crime pattern theory suggests people are intertwined with their environment and crime is a product of how they move about and converge in time and space.[95] Security lapses in a country, town, shop or any other place exposes these places to easy access to information on their operations. Terrorists are able to scout secure locations uninhibited due to such lapses and therefore plan exhaustively for their operations as was in the case of the 1998 US embassy bombings in Kenya and Tanzania. Poverty levels in some countries too, make it easier for terrorists to gain security information which they buy and even live among locals posing as wealthier members of such communities giving handouts and therefore giving alms. This theory provides an understanding to practitioners as to how opportunities abound in certain places at particular times. This provides the basis upon which outsiders integrate themselves within communities and are able to carry out attacks within these communities or use these communities as bases from which to launch attacks. Over

[93] Stiglitz, Joseph E., and Linda Bilmes. *The three trillion dollar war: the true cost of the Iraq conflict*. New York: W.W. Norton, 2008.

[94] Posner, Richard A., "The 9/11 Report: A Dissent," *New York Times* (August 29, 2004)

[95] Brantingham, Paul J., and Patricia L. Brantingham. *Patterns in crime*. New York: Macmillan;, 1984.

time a people develop a way of doing things creating a pattern and this is what is exhibited as security lapses which are what terrorists exploit as the community's weak point. These develop once these outsiders have known the daily interactions of the community thus creating a pattern that can be exploited by the terrorists for their own purposes. The terrorists are then able to plan based on first hand or acquired knowledge their modes of operation. They are able to analyse and come up with the points of attack (commonly known as hot spots), level of damage expected, modes of attack, and time of attack among other key planning points in a bid to achieve their goals.

Rational Choice theory in attempts to explain terrorism focuses on the individual in terms of decision making. Terrorism is planned, coordinated, and conducted in a logical and "systematic" way.[96] It is not random neither is it illogical. The terrorist does a cost benefit analysis and on that basis decides whether his actions will be beneficial to his cause or not. In most cases information on the befits to be derived from his actions and the likely consequences are not water tight as governments world over employ deterrent measures and this leads to unexpected outcomes including death, arrests, injury and monetary loss. This goes to show that individuals that engage in terrorism are systematic in their planning and engage in rationalizing their action and are therefore rational actors. Terrorists perpetrate their actions due to varying reasons including economic and social. Individuals who are caught as a result of their actions receive a monthly payout for the duration of their incarceration.[97] Those with longer terms receive higher pays and as such this makes

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[96] Merriam-Webster Dictionary. "Terrorism." Available at:
<http://www.merriamwebster.com/dictionary/terrorism>
[97] Itamar Marcus and Nan Jacques Zilberdik. "PA to Pay Salaries to all Terrorists in Israeli Prisons."
Palestinian Media Watch. May 20, 2011. Available at:
<http://palwatch.org/main.aspx?fi=157&doc_id=5001>

terrorism an attractive venture in more so in societies where honour is held high. Terrorists groups too, consider economic implications of their activities and as such do come together to commit terrorists acts in order to save costs. This as was with the Madrid train attack of 2004 in which Islamic extremists who had been exiled from Syria teamed up with drug traffickers from Morocco for financing in order to perpetrate the attack.[98] As a tactic terrorism is more economically cheaper compared to conventional warfare or legal means in achieving the terrorist's goal. Individuals at times do join terrorism as a consequence of social and personal conditions. At times this is due to loneliness, family and friends already joined thus for kinship network.[99]

In recruiting, terrorist use women to entice other men to join their networks in a bid to shore up numbers of a particular group.[100] This not only adds up the numbers but also makes it difficult for recruits to leave for fear of breaking their marriages. Rational people in neighbourhoods that consider themselves marginalised also take decisions to commit acts of terror in a bid to punish their oppressors. This was the case in the murder of Theo Van Gogh a Dutch filmmaker by Mohammed Bouyeri a Moroccan immigrant opposed to his documentary entitled Submission which criticised Islam's treatment of women and to Netherland's treatment of Muslims in general.[101] Terrorists are rational actors who have to think out means of carrying out their goals and also consider the type of target to hit. Whenever a particular target is hardened then they shift focus to softer ones in a bid to achieve their cause. They

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[98] From a presentation by Scott Atran and Marc Sageman entitled "Global Network Terrorism (April 10, 2006): Comparative Anatomy and Evolution An Open-Source, People-Based Approach."

[99] Justin Magouirk; Scott Atran; Marc Sageman. "Connecting Terrorist Networks." Studies in Conflict and Terrorism. 2008. 1-16.

[100] Brian Palmer. "The Glass Ceiling for Female Terrorists." Slate. March 29, 2009. Available at: <http://www.slate.com/articles/news_and_politics/explainer/2010/03/the_glass_ceiling_for_female_terrorists.html>.

[101] National Post. "Europe's Tolerance Finds its Limit." Canada.com. November 25, 2006. Available at:
<http://www.canada.com/topics/news/world/story.html?id=b4d47fc8-9764-4bcb-9fa3-4cbd0d7c56e3>.

weigh up their options and decide on the one with the highest returns in relation to costs; they counter, moreover, "in a sensible and predictable fashion to changing risks".[102] As a whole, rational choice theory looks at behaviour which intends to assuage decisions and interests that are personal in nature by a rational individual and how the environment affects these decisions.

Routine activities, rational choice and crime pattern theory together structure "opportunity theory," which implies that given environments, situations, and products that promote terrorism if controlled to "design-out" terrorism will lead to its reduction.[103]

Social disorganization is a theory of criminology that looks at fluctuations in crime in communities over a period of time as being due to collapse either totally, partially or completely of common societal establishments including local government, educational facilities, family, and religious bodies and bonds that normally encouraged relationships and strong dealings among people.[104] This theory looks deeply at the aspects of relationships that show organisation at different levels in a community. These organisations and camaraderie in a community create bonds among a people in a given locale and can be seen as identifying commonly accepted standards in that society.

In communities with such bonds, behaviour is directed in a particular accepted way in the society. In areas where these bonds break down, criminal elements, extremists and insurgents swoop in to fill the void in the society. They create a

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[102] Enders, Walter, and Todd Sandler. *The political economy of terrorism*. Cambridge [England: Cambridge University Press, 2006.

[103] Felson, Marcus, and R. V. G. Clarke. *Opportunity makes the thief: practical theory for crime prevention*. London: Home Office, Policing and Reducing Crime Unit, Research, Development and Statistics Directorate, 1998.

[104] Jensen, G. F. and D. G. Rojek. *Delinquency and Youth Crime*, 3rd Edition. Prospect Heights, Illinois: Wavelnd Press, 1998.

tolerance of their ways amongst the populace and as such have their way. Terrorist are thus able to find their way into such societies that have suffered a detachment from its values. Radicalisation is rampant due to a need for an accepted way of control as a vacuum exists. Border towns suffer from this phenomenon especially if they don't bear any particular economic importance to a state. Lon stretches of the border in any state are not properly policed and thus terrorists can infiltrate and radicalise the inhabitants of a target state. The absence of these relationships arise due to marginalisation of communities by central governments, perceived favouritism in distribution of state resources, political reasons among other reasons. This state can lead a people to rebel and easily fall prey to terrorist recruiters as a way to hit back at the government.

Emile Durkheim proposed that the lack of norms creates deviant behaviour and ultimately social upheaval.[105] Terrorists therefore resort to various means including kidnap, skyjacking, bombings, random shootings, assassinations, drug trade, and bank robberies among others as ways in which to get governments to advance their causes. Other reasons for breakdown in the social relations of a community can include among others hunger; inherited traits, unemployment and poverty. Terrorism due to its impact in society generates a lot of publicity which the terror group thrives on. Somalia as an example has had no effective central government since the fall of President Siad Barre in 1991.[106] This has led to warlords fighting for control, disease attacks, famine, and erosion of societal norms all which have created a ripe ground for extremists to radicalise and recruit followers leading to increase in terrorism.

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[105] Durkheim, E. 1893, reprinted 1933. *The Division of Labour in Society*. Trans.by George Simpson. New York: The Free Press.
[106] BBC News. 2009. Country profile: Somalia. April 23, 2009. Retrieved June 28, 2013 from http://news.bbc.co.uk/2/hi/africa/country_profiles/1072592.stm.

# CHAPTER THREE

# COUNTER-TERRORISM POLICIES IN THE HORN OF AFRICA: A CRITICAL REVIEW OF METHODOLOGIES, TECHNIQUES AND IMPACT, 2005 - 2012

## 3.0 Introduction

This chapter delves into counter-terrorism from the outlook of a key player in the Horn of Africa – the Combined Joint Task Force - Horn of Africa (CJTF-HOA). This chapter further looks at counter-terrorism issues across the HOA and the area covered by the CJTF-HOA. It is also going to delve into methodologies of counter-terrorism, technique (read tactics) and the impact of CJTF-HOA in the Horn region. This will be with a bias to four countries in the region namely Kenya, Djibouti, Uganda and Ethiopia.[107] It will further look at the challenges drawn from the efforts of CJTF-HOA in the Horn region before concluding.

## 3.1 Background

The 9/11 attacks and the US embassy terrorists attacks in Tanzania and Kenya in August 1998 prompted a flurry of response from the U.S. and its allies. One of this was the creation of the CJTF-HOA.

Originally a constituent of the Central Combatant Command (CENTCOM), CJTF-HOA operates currently under AFRICOM. It was established on 19th Oct, 2002 in North Carolina, at Camp Lejeune, with the sole aim of establishing the detachment of US Marines to be sent to Djibouti. It was formed with a specific mission to prevent and counter violent extremism. This was as part of the US "Whole government approach" used in East Africa to provide expertise from a civil – military approach

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[107] http://www.hoa.africom.mil/pdfFiles/Fact%20Sheet.pdf Accesed on 20/08/2013

through working with state department as well as the U.S. Agency for International Development (USAID).[108]

As a dominant counter-terrorism player in the region, its area of responsibility covers Djibouti, Kenya, Ethiopia, the Seychelles, Eritrea, Somalia and Sudan. It also covers other countries of interest including Chad, Burundi, Democratic Republic of Congo, the Comoros, Uganda, Madagascar, Mozambique, Tanzania, Rwanda, Mauritius and Yemen. With this area of responsibility as per the start of its operations, the Horn of Africa jurisdicticion geographically covers the land and airspace to the high water mark of Kenya, Somalia, Sudan, Djibouti, Eritrea, Ethiopia and Yemen.[109] CJTF-HOA falls under the US African Command (AFRICOM). It established a model for efforts geared towards integrating diplomacy, defense and development efforts.[110] Towards achieving this, it aims to enhance capacity of partner and regional nations to provide security in the long term, conflict prevention and protection of coalition ad US interests. It seeks to enable African solutions to African challenges.

It is based at Camp Lemonnier Djibouti City in Djibouti since 13th May, 2003 after it moved from USS Mount Whitney (a US fighting frigate) from 8th Dec, 2002. This was part of Bush's war on terrorism in the Operation Enduring Freedom - Horn of Africa. Its composition of over 400 members at the time was drawn from US military branches inclusive of Marines, Soldiers, Airmen and Sailors together with other civilian employees. On moving to Djibouti, Camp Lemonier the numbers was boosted by about 900 personnel.[111] Others include liaison personnel from partner and coalition states. CJTF-HOA is mainly involved in training the military of partner nations to enhance their security capabilities (including counter-terrorism) as well as

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[108] Ibid
[109] http://www.hoa.africom.mil/pdfFiles/Fact%20Sheet.pdf Accessed on 20/08/2013
[110] AFRICOM, Official Website.
[111] http://www.globalsecurity.org/military/agency/dod/cjtf-hoa.htm Accessed on 20/08/2013

civil affairs missions which include human and animal medical care, renovation of clinics and schools, clean-ups, school supplies distribution, drilling wells among others.[112]

Initially, the CJTF-HOA mission was to detect, disrupt, defeat and deny al-Qaeda factions as they arrived in the Horn of Africa.[113] This was eventually amended to include development issues after it was realized that failed states do not have the logistics necessary to coordinate and execute terrorism.[114]

Some of the tactics CJTF-HOA employed included denying external support, safe havens and material assistance to terrorists. Additionally, civil-military operations were to be used to counter any re-emergence of transnational terrorism as this stemmed through use of developmental agencies like USAID and other NGOs any recruitment due to poverty. CJTF-HOA adopted this enhanced counter-terrorism strategy having inherited assets from US Central Command, its parent command and therefore has the ability to engage terrorists and offer support to partner nations.

Personnel at the Camp Lemonier was beefed in May 2003 to more than 1,800 drawn from all branches of the military including more than 300 forces from the 478th Civil Affairs Battalion out of Miami, Florida; the 10th Mountain Division at Fort Drum, New York; and Marine Heavy Helicopter Squadron-461 based at New River, North Carolina. By this time it had engaged itself in various civil affairs programs including renovating 33 schools, 5 hospitals and 8 clinics; it had also sunk

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[112] From the CJTF-HOA official website: "CJTF-HOA is all about *building friendships*, *forging relationships*, and creating partnerships. The integration of Diplomacy, Development, and Defense efforts is essential to ensuring our success. With effective partnership, we will see increased Security and improved Stability in the Horn of Africa." –CJTF-HOA, "About CJTF-HOA." Official Website, 2009 http://www.hoa.africom.mil/AboutCJTF-HOA.asp. Italics added.

[113] Tom Duhs, COL, "The War on Terrorism in the Horn of Africa," Marine Corps Gazette, April 2004, Military Module, page 54. (COL Duhs was the CJTF-HOA J-5 and Deputy J-5 from 1 December 2002 to 15 July 2003. He currently serves as the Assistant Chief of Staff, G3 of the 4th Marine Division).

[114] George W. Bush, *The 2002 National Security Strategy of the United States*, (Washington, D.C.: The White House, Month? 2002), 2.

11 wells; and had also done over 40 veterinary and medical visits. This team was boosted by 2005 to include 275 civilian employees of Kellogg, Brown and Root, whose mandate was to provide combat support to Camp Lemonier and over 400 Soldiers in active-duty, Reserve soldiers and the National Guard.[115]

In October 2008 the CJTF-HOA became part of the US Africa Command with the aim of enhancing the region's security capabilities and build relationships with the region's states. This transitioned Camp Lemonnier to a full time base that could support US AFRICOM commitments in the continent. By late 2009, the CJTF-HOA had changed its mission from one of active involvement in countering terrorism to one of improving individual countries military capabilities to counter terrorists and extremists. It used its major development organisation the USAID to further its development agenda with a view of enhancing the US presence and perception in the HOA region.

## 3.2 Counter-terrorism Issues in the Horn of Africa

### 3.2.1 Countering Chinese Influence in the Horn of Africa

The United States of America endeavours to ensure the failed state theory does not apply to African states. This is a situation which was witnessed in Afghanistan affording Al-Qaeda through Osama bin Laden's group to arrangement and execute the 9/11 attacks against the United States. The other interest US has in Africa especially the HOA is trade relations due to the regions rich natural resource base. Towards achieving these goals the US has been faced with serious competition from China. The Council on Foreign Relations lists the following overarching implications for the US regarding China's increasing strategic interest in Africa:

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[115] Ibid

China's rise in Africa poses three challenges to the United States and its Western partners. The first is China's protection of ''rogue states'' like Sudan and Zimbabwe in the face of egregious human rights violations. Second is China's effect on patterns of Western influence: negative pressures—such as withholding aid or placing limitations on investments—to improve an African country's human rights or governing practices provide less leverage if China is prepared to counterbalance that influence. Third, Chinese business practices, which serve state interests as much as a profit motive, create unfair competition to U.S. firms in bidding for contracts.[116]

China's foreign policy of seeing no evil thus speaking no evil does not resonate well with US policy of enhancing development through the CJTF-HOA and its constituent bodies that is the military and USAID. China favours a position where it benefits despite what the other nation states are gaining or not thus be able to determine world movements in its favour in total disregard to other countries. China sees the exploitation and expansion of its influence in Africa especially the HOA region as part of its long term vision for the region the impact whether positive or negative notwithstanding. The CJTF-HOA is therefore part of the US strategy to curtail the Chinese influence and spread its democratic influence in the region through a permanent presence in the region.

### 3.2.2 Countering Al Qaeda Influence in the Horn of Africa

The September 11, 2001 marked one of the biggest terrorism scores on US assets in the homeland. Prior to this the record was held by the Nairobi and Tanzania attacks.[117] However, after these attacks Al-Qaeda's stature in the terrorism world has grown due to devastating attacks in Algeria, Morocco, Egypt and Yemen.[118] Al Qaeda has tried

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[116] More than Humanitarianism: A Strategic U.S. Approach Toward Africa p 49-50.

[117] These attacks, on U.S. Embassies, claimed the lives of over 220 people and injured more than 4,000 mostly Kenyans and Tanzanians

[118] As per the geographical jurisdiction of CJTF-HOA Yemen is considered in the context of Africa and the Horn of Africa as it shares more in common with Africa than the Arabian Peninsula.

to make inroads into the region with little success in a bid to copy the success it had in Afghanistan.

Due to the global war on terror mainly directed at Muslim nations like Iran, Iraq, Lebanon among others, Al Qaeda teaches and professes a denunciation of all things western. It vouches for the spread of radical Islam under the sharia law, basically a rule as per the Koran. Muslim nations (unlike Israel) despite having vast natural resources like oil and gas politically are stunted at the world stage thus can easily be swayed with a promise of an Islamic nation. This has created resentment beyond Afghanistan to Africa and this is what Al Qaeda seeks to exploit and the US seeks to eliminate through the activities of CJTF-HOA. Al Qaeda exploits this resentment and discontent to radicalise and recruit more members into its ranks thus furthering their cause.[119]

## 3.3 Unpacking CJTF-HOA

Being the main counter-terrorism player in the HOA the US through CJTF-HOA has to ensure it overcomes the issues raised above. These include denying Al Qaeda any access to failed states, preventing theses extremists from hinging on anti-Western and anti-U.S. sentiments to recruit jihadists and other fighters aimed at attacking the U.S. and its interests and finally curtail in the HOA Chinese influence to ensure the U.S. achieves its objectives in the region. This can only be achieved by ensuring the

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[119] Al-Qaeda leader's Ayman al-Zawahiri's word to fighters in Somalia implores them to stay strong, "I also send my greetings and those of my brthers to our brothers, the Mujahideen in Somalia, and I remind them that their duty to Somalia is to defend the honor of Islam and Muslins on the Horn of Africa against the Crusaders and Zionistts, and to know that what is happening in Somalia is another installment of th Zionest Crusade which is assaulting the Muslim Ummah everywhere. Brothers in Islam and Jihad in Somalia: Know that you are on the southern garrison of Islam…don't lose heart..even if your enemies posses thousands of tons of iron an explosives, in their chests lie the hearts of mice." – Per transcripts of al-Zawahiri's speeches documented by Intel Center, in their 2008 publication, "Words of Ayman al-Zawahiri Volume 1." Pages 192 – 193.

countries in the region have confidence that the U.S. through CJTF-HOA can further development as well as deter extremism in the region.

Due to the HOA strategic importance to the U.S. the policy towards this region had to be rethought to ensure that this relation is maintained. Towards this, a task force chaired by former National Security Advisor Anthony Lake through The Council on Foreign Relations think tank was formed for this purpose. This task force recommended a multi-dimensional outlook to ensure focus is put ensuring the HOA region is brought into the international economy. The Council recommended:

> That the United States advances a policy to help integrate Africa more fully into the global economy. The new policy would also mean making Africa an active partner in U.S. programs to assure safe and reliable supplies of energy for the world market, combat terrorism, reduce conflict, control pandemic diseases, and enlarge the worldwide community of democracies.[120]

Thus for the U.S. to succeed the military support as well as development agenda have to be fronted and met in the HOA region. Barnett supports this notion intimating that military superiority alone cannot achieve the demise of terrorists but has to be wholesome encompassing economic, security and cultural benefits derived from denying terrorists a safe place to operate from. He posits that:

> An effective counter-terror strategy (and gap reducing strategy) "takes down the worst gangsters *while trying to deny them both new recruits and regional sanctuaries*…But just killing terrorists can seem sort of pointless…the Gap's ability to supply them seems rather endless.[121]

This has generated the concept of "Phase Zero" operations taken from the four traditional phases of war namely: Phase One - deter/engage; Phase Two - seize initiative; Phase Three - decisive operations; and Phase Four transition. According to General Charles E. Wald Phase Zero refers to:

> Phase Zero consists of shaping operations that are continuous and adaptive. Its ultimate goal is to promote stability and peace by building capacity in partner nations that enables them to be cooperative, trained, and prepared to help prevent or limit conflicts…Phase Zero relates strongly to the deter part of deter/engage…[and] thus it could be argued that Phase Zero is simply a subset of

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[120] Council on Foreign relations More than Humanitarianism: A Strategic U.S. Approach Toward Africa. p. 15.
[121] Barnett, Thomas P.M. A Blueprint for Action. New York, NY. Berkley Publishing, 2005

> Phase I…But Phase Zero is much more than deterrence and goes beyond mere engagement. It is an active effort to win the war on terror by destroying terrorism at its roots...if executed successfully, Phase Zero eliminates the need for Phases I through IV. The goal is to sustain Phase Zero engagements with no transition to subsequent conflict.[122]

Operations in "Phase Zero" are pre-emptive actions taken to prevent the U.S. from having to engage with any other organization, entity or country and the CJTF-HOA essence falls within this purview. This would in the long run according to Barnett limit the military inclination of foreign affairs, improve support of America in the region and curtail the recruiting of new terrorist adherents.[123] CJTF-HOA operations are focused on development of partner countries lands and networks and not restoration operations. This means CJTF-HOA has to adopt a soft power[124] as initiated by Joseph S. Nye, Jr. approach rather than a hard power approach despite having it in a bid to combat extremism/terrorism. He explains soft power to be

> "the ability to get what you want through attraction rather than coercion or payments. It arises from the attractiveness of a country's culture, political ideals, and policies. When our policies are seen as legitimate in the eyes of others, our soft power is enhanced."

This involves provision of a reliable transportation network, building infrastructure, opening access to all to natural resources, boosting security services, curtailing corruption and a vibrant criminal justice system. As an antiterrorist organisation CJTF-HOA objectives are summarised in four P's namely: "Prevent conflict, by Promoting regional stability, to Protect coalition interests, in order to Prevail against

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[122] Charles E. Wald, "New Thinking at USEUCOM: The Phase Zero Campaign," Joint Forces Quarterly Issue 43, 4th Quarter 2006: 73-75.

[123] "People the world over have always been more impressed by the power of our example than by the example of our power." Former U.S. President William Jefferson Clinton, "Speech at the Democratic National Convention" 2008.

[124] Joseph P. Nye, Nye talks about his new book: "Soft Power: The Means to Success in World Politics," An interview with Professor Joseph P. Nye, interview by Joanne J. Myers, *Carnegie Council, The Voice for Ethics in International Politics*, 13 April, 2004. 1.

extremism."[125] By 2007 the CJTF-HOA had come up with seven "strategic objectives" needed to guide their mission including: Promoting a "unified" effort across the area of responsibility (AOR), Fostering a regional perspective, Interagency cooperation, Building littoral domain, Increasing coalition, Engaging AU and other regional organizations and Sustaining capacity building. These objectives are not unitary and thus problematize the goal of developing HOA to fend for itself security wise and also developmentally. They are about enhancing American presence in the region, countering the Chinese growing influence in the region and developing the HOA region. All these are in the U.S. policy in relation to this area that has other international NGOs operating from and thus have their mandates being copied by the CJTF-HOA. That said, the U.S. presence in the region through CJTF-HOA offers America an opportunity to clean its name and enhance its relations in the region through its development agenda thus enabling the region to come up with own solutions to challenges arising.

This generally takes a regional approach to the issues of the region as Robert Kaplan aptly captures this outlook writing that:

> [CJTF-HOA Commander] Brig. Gen. Robeson was unburdened by bureaucratic boundary seams. If terrorists could take advantage of the porosity of borders, why couldn't the US Government? And yet US embassies established according to a system of nation-states were by definition country centric, with localitis the natural result…[126]

Interagency cooperation is paramount as is wherever different departments engage in the same activity this more so between the Embassies of the U.S. in the region, CJTF-HOA and the USAID.[127] This is a factor which has to be enhanced even through

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[125] This phrase is emblazoned all over camp Lemonier, in nearly every official press release, or official brief.

[126] Kaplan, Robert D.. *Imperial grunts: the American military on the ground*. New York: Random House, 2005.

[127] Eric Boger, personal interviews with U.S. Department of State Public Affairs officer for U.S. mission in Kenya (interview conducted at interagency conference in Addis Ababa Ethiopia - Sep 2007)

creation of a robust Combined Joint *Interagency* Task Force (CJITF) to smoothen

operations in the region. The multiplicity of agencies leads to duplication of effort

with lines of command crossing leading to need to consolidate effort thus increasing

efficiency. This captured by the Council on Foreign relations in creating the Africa

Policy task force stating that:

> Problems of balance and ambiguity in the counter-terrorism programs to date arise from a dysfunctional interagency process in Washington as much, if not more, from problems in the field. Counter-terrorism policy in Africa needs to be developed and directed by an interagency process that balances the military, diplomatic, economic, and informational aspects of the policy, and provides guidance to the various missions and commands in the field.[128]

## 3.4 Counter-terrorism Methodologies and Tactics

Terrorism attracts a flurry of responses in a bid to detect, deter and respond to attacks

when they occur. The four traditional components for response to terrorism include

intelligence, antiterrorism, counter-terrorism, and consequence management. These

methodologies contain various tactics which are specifically applied to counter

terrorists.

### 3.4.1 Intelligence

This is one key methodology in the fight against crime be it terrorism or unrelated. It

is the key with which to unravel crime before, during and after commission. It is

imperative for governments to stay a step ahead of extremists and terrorists in order to

prevent any attacks on their soils and this has to be done without the adversary's

knowledge. In recent times advancements in civil liberties and human rights (the right

to privacy) have made this ever more difficult. Information is collected and taken

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and a USAID relief provider based in Nairobi (interview conducted in Washington D.C. - October 2008).
[128] Council on Foreign relations More than Humanitarianism: A Strategic U.S. Approach Toward Africa. p. 60.

through a series of analytical tools before it is passed on to operatives who use it to curb criminal activities. This majorly breaks down the intelligence cycle into collection, analysis then dissemination to required parties with an evaluation stage at the end. Tactics of intelligence collection have involved over time where as previously operators had to do tedious legwork but nowadays are assisted by computerised electronic equipment having various capabilities from voice, date and even facial capture and recognition. Despite the strides made, the one irreplaceable part is the human component both at the commission and deterrence levels. These are necessary for operational level duties and also for gathering information as informants invariably human. Any strict restrictions on this aspect is bound to severely hamper counter-terrorism efforts as the CIA experienced in 1995 on their terrorist informant recruitment programme.[129] In the U.S. the FBI is under the Foreign Intelligence Surveillance Act, which guides its agents in conducting physical searches and electronic surveillance of non-citizens covering even suspected terrorists or their supporters.

### 3.4.2 Anti-terrorism

This refers to "Defensive measures used to reduce the vulnerability of individuals and property to terrorist acts, to include limited response and containment by local military forces".[130] This is a methodology that has both preventive and reactive elements. It involves using intelligence, community liaison, political situation, criminal trends and analysis of all these to predict likelihood of attack and thus take measures to stop this from happening. The tactics used have to make it difficult for

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[129] Hunsicker, A.. *Understanding international counter terrorism: a professional's guide to the operational art.*. S.l.: Universal Publishers, 2006.
[130] http://www.terrorism-research.com/glossary/ Accessed on 20/08/2013

potential terrorists to access their targets thus prevent any attack from happening. These include border controls, security checks, building access control, profiling suspects, curtailing terrorist financing, public information systems on potential targets and terrorists, technological advances like the Israeli Mobile Tactical High-Energy Laser (M-THEL) designed to protect Israel from Hezbollah's Katyusha-type rockets fired from inside Lebanon,[131] enhanced patrols and security personnel visibility. These measures are best effective where they involve both the state and public participation as private sector is also required to exercise these measures. Therefore cooperation is paramount for success to be achieved and terrorism curtailed. These measures also have to be continuously implemented to ensure continuous safety as any lag would open an opportunity for attack.[132]

### 3.4.3 Counter-terrorism

This is a methodology that involves going after terrorists to neutralise them and their ability to conduct any attack. These include targeted assassinations, home demolitions and collective punishment, administrative detentions and punishments and technological advances like drone attacks. In recent times most states in HOA region have enhanced these efforts with specially trained teams to handle terrorism. In the U.S. the military takes precedence in such efforts with a unit known as Delta Force based at Fort Bragg, North Carolina specifically charged with counter-terrorism operations.[133] Its main mission is counter-terrorism including capture or elimination of terrorists, hostage rescue, gathering intelligence on terrorism, close (VIP)

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[131] Steve Rodan, "THEL hits Katyusha-type rocket in first Test" *Janes Defense News* [journal online]; available from http://www.janes.com/defence/news/jdw/jdw000612_1_n.shtml; Internet; Accessed 22/08/2013.
[132] Ibid
[133] http://www.americanspecialops.com/delta-force/ Accessed on 21/08/2013

protection and unconventional warfare. In Kenya we have the Anti-Terrorist Police Unit (ATPU) that deals with counter-terrorism within the country. In all domestic terrorist attacks it is the local security outfit that responds first and thus training of these personnel should be enhanced.

### 3.4.4 Intelligence Research and Analysis

The fourth counter-terrorism methodology involves analysis of information to produce actionable intelligence to be used in antiterrorism and counter-terrorism. Some of the HOA countries have fledgling investigative capabilities that are developing. This function usually falls on the larger investigative arm of the police or the military. Kenya has the Directorate of Criminal Investigations and the National Intelligence Service with assistance in terrorism issues from the military intelligence. All the information gathered by these units is synthesised and analysed by the analysis units within these bodies then disseminated to the relevant authorities for action. The use and integration of the private sector is also imperative though in the HOA region this is yet to take shape. In Kenya the Private Security Sector Bill which will guide information sharing between government agencies and the private sector is yet to be passed into law. This intelligence information is useful for investigators tracking terrorist operatives.

### 3.5 CJTF-HOA Counter-terrorism Methodologies

The traditional methodologies of counter-terrorism have been tried time over and as much as some success has been noticed the root causes of terrorism have not been addressed in the HOA region. According to the International Crisis Group successful

counter-terrorism needs a move from additional methodologies that did not focus on the root causes stating that:

> A successful counter-terrorism campaign requires more engagement with the broader public, including civil society organizations and more moderate Islamist groups. Somalis must be persuaded…that some individuals guilty of terrorism are indeed in their country… At the same time, Somalia's partners must become involved with the peace process, helping to overcome the TFG schisms and to forge a genuine government of national unity. If they fail to do so, jihadis will gradually find growing purchase among Somalia's despairing and disaffected citizenry, and it will only be a matter of time before another group of militants succeeds in mounting a spectacular terrorist attack against foreign interests in Somalia or against one of its neighbors.[134]

The CJTF-HOA has adopted this novel methodology in its counter-terrorism efforts in the HOA region. According to U.S. Navy Captain Patrick Myers in an interview on 25th Jan 08 the mission CJTF-HOA is operation in the HOA region is a capacity building operation; he further stated that:

> "Our mission here has evolved into getting at the root causes of…the individuals or organizations that want to use extremist or terrorist type actions against people…us. This is our lane; it's about capacity building…almost everything that we do here links to providing the ability for the Africans to help themselves and to learn."

A previous Commander of CJTF-HOA from May 17, 2005 to April 12, 2006, Major General Timothy Ghormley of the U.S. Marine Corps stated in respect to the mission:

> …we're waging peace…there is little, if any, shooting going on…we don't seek to engage the enemy but we do seek out those in need. Our primary manoeuvre elements are doctors, veterinarians, well drillers, and civil engineers."[135]

By August 2007, more than 150 civil affairs projects[136] were in progress under the oversight of CJTF-HOA, these were aimed at increasing capacity and humanitarian

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[134] International Crisis Group, Countering Terrorism in Somalia: Losing Hearts and Minds?, Africa Report Number 95, July 11, 2005, p ii.

[135] Anna Simons and David Tucker, "The Misleading Problem of Failed States: A 'Socio-Geography' of Terrorism in the post 9/11 Era," *Third World Quarterly*, Vol. 28, No.2, 2007, 387-9.

[136] Civil affairs/Civil-Military Operations is defined as: "The activities of a commander that establish, maintain, influence, or exploit relations between military forces and civil authorities, both governmental and nongovernmental, and the civilian populace in a friendly, neutral, or hostile area of operations in order to facilitate military operations and consolidate operational objectives. Civil affairs may include performance by military forces of activities and functions normally the responsibility of local government. These activities may occur prior to, during, or subsequent to other military actions.

assistance in Ethiopia, Yemen, Uganda, Djibouti, and Tanzania.[137] This was done

through such agencies like U.S. Navy Construction Battalions (C.B.s or Seabees),

U.S. Army Civil Affairs teams, contracts and construction advisors, well drilling

teams, veterinarians and physicians.

Towards achieving its mission in the HOA region a number of tactics have

been adopted. These include well drilling, construction and repair of schools,

Veterinary Civil Action Programs (VETCAPs), Dental Civil Action Programs

(DENTCAPs) and Medical Civil Action Programs (MEDCAPs). U.S. military

doctrine states that:

> The use of Health Support Services (HSS) resources has historically proven to be
> a valuable low-risk asset in support of CMO (Civil Military Operations). HSS is
> generally a non-controversial and cost-effective means of using the military
> element to support US national interests in another country. The focus of HSS
> initiatives, although possibly targeted towards health problems in the operational
> area is not normally curative, but primarily long-term preventive.[138]

Other tactics include military assistance and training and humanitarian and crisis

assistance.

## 3.6 Developments in Kenya

According to the Harmony Project, at West Point's Counter-Terrorism Center, Kenya

is key to extremism - terrorism and counter-terrorism in the Horn of Africa.[139]

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They may also occur, if directed, in the absence of other military operations." - United States.
Department of Defense. The Department of Defense Dictionary of Military and Associated Terms:
Joint Publication. JP 1-02. Washington D.C.: Updated March 17, 2009) 90.
www.dtic.mil/doctrine/jel/new_pubs/jp1_02.pdf.

[137] CJTF-HOA, "Unclassified Commander's Brief," October 2007. - It is worth noting that CJTF-HOA
does not have active projects in Eritrea, Sudan, or Somalia.

[138] United States, Department of Defense. Civil Military Operations: Joint Publication 3-57
(Washington D.C, July 8, 2008) . p II-12 www.dtic.mil/doctrine/jel/new_pubs/jp3_57.pdf.

[139] "Yet it is Kenya's very stature that makes it such a decisive battleground between al-Qaeda and the
West in the Horn of Africa…Its track record as a target for terrorists, combined with the underlying
conditions of weak governance and religious-ideological influence on the coast, suggest that future
terrorist attacks are likely." United States, Counter Terrorism Center – Harmony Project. Al-Qaeda's
(Mis)Adventures in the Horn of Africa 62.

Kenya's assessment according to the Jamestown Foundation's assessment in 2006 went thus:

> Overall, Kenya is susceptible to terrorism, especially due to the government's close relationship with the United States and other Western democracies. The influx of Somali refugees crossing into the country from war torn Somalia is another reason why the international community should worry about the country's internal wrangles. It is reported that over 25,000 new refuges from Somalia have entered Kenya as a result of the Islamic courts taking power [in Somalia]. There are genuine concerns that Islamic radicals may be using this refugee flow to smuggle weapons and people into Kenya to engage in terrorist attacks against Western interests. While it has been four years since the last Al-Qaeda attack in Kenya, the country must remain vigilant to prevent a new incident from occurring.[140]

Kenya has become an important factor in the fight against terrorism as it is viewed as a staging area, place for targeting U.S interests, and as a possible training place for terrorists. This was acted out in the 1998 bombing of the U.S embassy in which 12 US citizens and 211 Kenyans were killed. This was followed by the Paradise Hotel attack and later the attempted shooting down of an airliner in Mombasa.[141] It been a consensus that in all these attacks, the terrorists at some point used Somalia as a transit point for their person or equipment used in bomb making. After these attacks the US and Kenyan reactive policy favouring defense approach deployed plain clothes U.S Marines in Nairobi the Kenyan capital and along the borders with Somalia and Sudan.[142] Due to the vastness of the border between Kenya and Somalia and the minimal security apparatus presence at the border there has been continuous infiltration of Somali insurgents in Kenya.[143] Counter-terrorism in Kenya is US driven as is seen with military exercises and assistance known as "Edged

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[140] Terrorism Monitor. Jamestown Foundation. Volume 4 Issue 19.

[141] Kagwanja, Peter. "Global Cop USA Seeks More Presence in Africa," Nation (Nairobi), available from http://africapi.org/siteimages/Africa%20Policy%20Brief%20No.%2029%202007.pdf Accessed on 23/08/2013

[142] Donovan C. Chau. 2008. U.S. Counterterrorism in Sub-Saharan Africa: Understanding costs, cultures, and conflicts. Pg. 24-28. Available at:http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB821.pdf

[143] Rosand, E, Millar, A., and Ipe, J. (2007), „Enhancing Counter-terrorism in Eastern Africa," African Security Review, 18:2.

Mallet" which is held each year since 1999 along the Northern coast. The US department of defense considers Kenya an ally in East Africa as a result of its strategic position along the Indian Ocean and support interests the West holds dear in the Horn of Africa region.[144] According to Yusuf Haji a former defence minister in the Kenyan government, when attacked the nation has the right to pursue the attackers and try to reach wherever the attacker is. This was in defence of the incursion by the Kenyan KDF into Somalia following increased attacks by Al Shabaab militants on the Kenyan coastal town and the Northern frontier.[145] The militant group has kidnapped 4 European tourists, killing another in September and government officials for ransom from Kenyan territory by October, 2011. Two Medicins san Frontiers workers were also kidnapped from Dadaab refugee camp. In a press conference the then Internal Security minister the late Prof. George Saitoti indicated that the government would take decisive action to protect its territory and visitors.[146]

From an interview of Mark Schroeder (an African Analyst with Stratfor discussing the strategy behind Kenya's incursion into Somalia to combat Islamist militia al Shabaab)[147] Kenya's incursion into Somalia is not original but a first in the region to go after, combat and isolate the various factions of the Somali Jihadists.[148] This initiative is under the auspices of the AU through AMISOM whose soldiers are found predominantly in Mogadishu. He also mentions the Ethiopian military forces and Ethiopian backed militia have had a hand in the counter-terrorism strategy. Despite the Kenyan incursion he gives a disturbing verdict that the Kenyan army is unlikely to defeat the Al Shabaab. This is because the Al Shabaab has withdrawn into

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[144] Kagwanja, 2007
[145] http://www.youtube.com/watch?v=lCm36pvrHK4 Accessed on 15/08/2013
[146] Ibid
[147] Author interview
[148] http://www.youtube.com/watch?v=mIAlkMzjkKk Accessed on 21/08/2013

parts of Somali that they call home and will defend efficiently i.e. Kismayo[149], Baidoa and Mogadishu, he further quips that a three prong approach that was in use at that time is what would put Al Shabaab on the run i.e. Kenya to the South, Ethiopian militia from central Somalia and AMISOM in Mogadishu. The pinpointing and elimination of identified high value targets such as Muktar Robow Abu Mansur (a leader of the nationalists' elements of Al Shabaab), Godane and Al Gani. Due to their non conventional nature Al Shabaab would decline conventional battle and resort to guerrilla tactics and Kenyans must be prepared to counter this. As a strategy, the key reason for the Kenyan incursion was to create a buffer zone of Al Shabaab free areas that would then be left under a strengthened Somali government force thereby achieving their goal of securing that country as the KDF is not an occupational force in Somalia. This has so far been achieved as all the Al Shabaab strongholds in the Southern region have been captured up to Kismayo.[150]

Kenneth Menkhaus (a political science professor from Davidson College North Carolina a former consultant on Somalia for the United Nations) shared his thoughts in an interview in CNN where he asserted that any direct participation of the USA in Somalia would result in increased fighting around Mogadishu. Despite this he expected the USA air force to assist in precision bombing more so if foreign jihadists were found in Somalia. This is because of the possibility of Al Qaeda infiltrating the Al Shabaab and gaining a foothold in the region. The Kenyan government after facing many attacks from the Al Shabaab terrorists from Somalia took a position of not negotiating with the group. It developed a strategy of involving a multi-sectoral approach to countering terror. The government collaborated with various groups from

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[149] Kismayo was the stronghold of the Islamist militia Al Shabaab and the last battle was likely to be there
[150] http://www.youtube.com/watch?v=mIAlkMzjkKk Accessed on 21/08/2013

the government and public at large. This included transport industry, National Police Service, the military, hotel owners, Nairobi Central Business Development Association, supermarket industry and religious leaders among others. This was after attacks escalated after the Kenya Defense Forces entered Somalia in pursuit of Al Shabaab and made significant gains in the fight against Al Shabaab in Somalia.

The Nairobi provincial commissioner Njoroge Ndirangu in an interview reiterated the government strategy of hardening potential targets including schools, hospitals, market places, religious dwellings, airports, government offices police stations and camps among others.  This to be done through use of metal detectors at entrances of buildings, supermarkets, religious premises, explosive sweeps before events, enhanced patrols and response time to incidences among other measures. He touched on the issue of home grown terrorists radicalised within the country then taken out of the country for combat training before being reinserted in to the country. This is a challenge as they live among the citizenry and are no different from any other person. It is therefore more difficult to profile the home grown terrorists thus more difficult to stop him/her without the measures he mentioned. To counter this seminars and trainings are held to sensitize and disseminate information on enhancing security and being more vigilant. This is done to counter the terrorism threat and enhance security through forums like "security stakeholders forum on counter-terrorism" under the chairmanship of Nairobi Provincial Commissioner Njoroge Ndirangu.[151] Counter-terrorism in Kenya is a perceptive and emotive issue with politics guiding local views. This is seen for example when opposition from coastal human rights groups stalled the passing of counter-terrorism legislation claiming victimization and infringement on rights of due process of law as resultant of the new

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[151] http://www.youtube.com/watch?v=3mBz28hpl5Y Accessed on 13/08/2013

laws. This was however overcome when the former Kenyan President Mwai Kibaki signed it into law.[152]

In a generalised way Kenya has proven to be a terrorist destination due to four factors namely its rich environment, ethnic diversity, weak state capacity with some marginalised areas and it being a sovereign state.

Kenya has had a long dalliance with the West including the U.K., U.S., Israel and Europe regions and states that terrorists consider their enemies. This has in the overall led Kenya having a robust economy and an investment hub in the HOA region. Kenya's urban environment is vibrant and predominantly Christian which further enriches the attacking targets for terrorists including Al Shabaab and Al Qaeda. The CJTF-HOA has very little it can do alleviate this with the exception of encouraging the government to be more inclusive of the muslim population in its developmental policy approaches.

Kenya being a sovereign state in a way restricts U.S. operations in the country and if terrorists can force the U.S. to attack a foreign state then it works in their favour. An example in point is the hellfire missile strike in 2002 in Yemen against one of Al-Qaeda operatives, Ali Qaed Sinan al-Harthi.[153] This generated a lot of negative sentiments and in the international media was widely criticised.[154] Despite Kenya's willingness to work with the U.S. government against terrorism, it has been witnessing backlashes given the arbitrary "travel advisories" and "terror alerts"

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[152] http://www.youtube.com/watch?v=vVz4wOCLPHg Accessed on 12/09/2013
[153] Yemen Strike Opens New Chapter In War on Terror," Time Online 2002.
http://www.time.com/time/world/article/0,8599,387571,00.html.
[154] An excellent and robust media analysis can be found at the GlobalSecurity.org online library – "CIA Yemen Operation: Many See 'Assassination without Jury, Judge," 2002.
http://www.globalsecurity.org/intell/library/news/2002/intell-021118-wwwh21118.htm.

limiting travel to Kenya.[155] It would not augur well in elections for any candidate to be seen as having co-opted the U.S. in governing the country given the colonial history Kenya has. Case in point is the 2007 anti-terror bill which was seen as being U.S. sponsored thus viewed as foreign interference in internal affairs of a sovereign state.

The U.S. and CJTF-HOA can remedy this through more transparency to the Kenyan government on reasons for the advisories and also help mitigate to a return to normalcy program. Actions that go contrary to a nation's people complicate governance for the nation's leaders and thus the U.S. needs to be aware of these issues before gloating of their successes in foreign sovereign states by upholding the secrecy clause in any agreement they have made.

Pre-colonial times saw Arabs enjoy better status compared to indigenous African along the Kenya coast. Post independence saw this reversed and as much as this animosity is still alive, the multiparty politics has seen the Arab Muslim population at the coast become more vocal of their plight and lack of government willingness to enhance security and development in the region. This was witnessed in March 2007 when a Muslim leader Sheikh Mohamed Dor, in Mombasa proclaimed, "We are going to have peaceful demonstrations. The U.S. embassy thinks by giving false warnings, we are going to be afraid or we are going to pull out from those demonstrations" after a terror alert was issued just before World Cross Country

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[155] This row erupts on a regular basis: In 2003 - Kenya: Kibaki Fails to Persuade Bush to Lift Warning Against Kenya Travel - http://allafrica.com/stories/200310060744.html; 2004 – Kenya: Terror, Trade, and Tourists - http://www.pbs.org/frontlineworld/elections/kenya/; 2005 - Kenya hits at US, Japan over travel alerts http://english.peopledaily.com.cn/200511/04/eng20051104_218889.html; In 2007 - Kenya downplays travel warnings over surge in crime - http://english.peopledaily.com.cn/200702/09/eng20070209_348932.html.

Championship scheduled to be held in Mombasa.[156] Jamestown Foundation a foreign policy think-tank pointed out that:

> Tensions have been high between the Muslim community and the Kenyan government. Muslims on the coast, the northeast and in Nairobi complain that they have been persecuted on the flimsy excuse of being terrorist suspects. The government funded Anti-Terror Police Unit has been allegedly fleecing businesses belonging to ethnic Somalis and Arabs on the claim that they finance terrorists.[157]

This was due to the fact that the bill was claimed to infringe on the rights due to their religion. The 26th July 2007 announcement by the U.S. of intent to reopen the consular office in Mombasa raised furore due to perceived mistrust and implications this would bring including increased security measures such as profiling of "suspicious individual" and raids on the local populace. CJTF-HOA and affiliates like USAID return to Mombasa are not feasible in the near term due to security concerns. The U.S. at a strategic level should consider reviewing policies that alienate Muslims.

Despite the terrorism cases in Kenya this phenomenon is not as high as corruption and general insecurity in the list of significant problems. The judicial system despite being revamped is still questionable, rampant corruption and ill equipped and remunerated security agents serve to erode Kenyans faith in the government. Porous borders over 1 000 000 illegal small arms[158] together with cattle rustling have contributed to make pastoral areas insecure. A UNDP report in 2005 report stated that:

> The border areas of Northern Kenya and Uganda have over the last three or four decades, been the area for a variety of 'low intensity' conflicts. The roots of these conflicts…include: a long history of economic and social marginalization from central authority…and reduced access to credit markets and extension

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[156] "Kenya Indignant Over U.S. terror Alert Ahead of Global Sports Event," PeopleDaily.com March 8, 2007. http://english.peopledaily.com.cn/200703/08/eng20070308_355688.html.

[157] Terrorism Monitor. Jamestown Foundation. Volume 4 Issue 19.

[158] Kennedy Agade Mkutu, "Small Arms and Light Weapons Among Pastoral Groups in the Kenya–Uganda Border Area," African Affairs 2007:47-70. http://afraf.oxfordjournals.org/cgi/content/abstract/106/422/47.

services175…Conflict in pastoral areas is often associated with their marginal location and weak state penetration.[159]

Lack of response, delayed response, indiscriminate force, ineffective formal justice and lack of motivation are some of the reasons for lack of government action in pastoral areas.[160] This is not isolated to the forward areas alone but also in the capital city where criminal gangs have zones where they rein supreme case in point Mungiki in Mathare Nairobi.[161] The other factor that impedes good governance is systemic corruption within government as was reported by Ted Dagne of Congressional Research Service:

> Tackling corruption is another serious challenge facing a new government in Kenya. Rooting out official corruption may require removing senior members of the government from power and prosecution of former senior government officials. Several ministers were forced to resign in 2006, and the Kibaki administration faced serious allegations of corruption. The resignation of the Finance Minister in February 2006 for alleged corruption was seen by some as an important step in fighting official corruption in Kenya. However, the clearing of the Energy Minister from corruption charges raised serious doubt about the government's resolve to fight corruption. In early 2005 the government's anticorruption chief resigned from his position arguing that the Kibaki government is not serious about fighting corruption and accusing a number of senior government official of corruption.[162]

The disturbing face of corruption is at the border point where Al Qaeda and their supporters could easily slip through looking for sympathetic environment like the coastal regions to introduce sleeper cells.[163]

The CJTF-HOA and U.S. have programs designed to improve transparency, eradicate corruption and improve governance.[164] Part of CJTF-HOA mandate is to enhance

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[159] Ciru Mwaura, "Kenya and Ugand Pastoral Conflict Case Study," Human Development Report 2005: 1-3.
[160] Ibid
[161] Michael Mugwang'a And Sam Kiplangat, "Kenya: No Let Up In Mungiki Reign of Terror," AllAfrica.com September 10, 2013. http://AllAfrica.com/stories/20084151221/html.
[162] Dagne, Pages 9-19
[163] Again, it is difficult to get an actual assessment of how corrupt border agencies are, but the Harmony Group has documents attesting to its relative ease, and recent "crackdowns" have exposed a number of illegal Somalis and others who have entered Kenya with inadequate, forged or insufficient documents. Most of those individuals caught acknowledged that they had bribed an official to let them through.

capabilities of the military, improve kitting to handle the country's threats and enable interagency cooperation. This has been seen even in the co-opted of Kenyan security forces in the CJTF-HOA[165] as this has in fact helped to train the Kenyan security forces to act more professionally and to handle internal threats more effectively. The CJTF-HOA even has supported security training schools in and programs Karen in Nairobi and Manda bay in Mombasa[166] and also hold semi-annual military exercises to enhance interoperability. This was seen in the 2006 Natural Fire exercise.[167] CJTF-HOA commander Rear Admiral Richard Hunt remarked that the objective of the exercise was enhancing crisis response and increase interoperability of the EAC nations and the U.S. This exercise by CJTF-HOA to improve emergency response was intended to "counter extremism" by improving the image of the U.S. through provision of material and medical support in humanitarian assistance programs. The other reasons were to corrode criminal intent and confidence of terrorists thus stops them from operating in the forward areas in the country; promote regional cooperation amongst HOA countries and enhance crises management. Other tactics CJTF-HOA uses include humanitarian assistance and flood relief, vetcap & medcap and School and Dormitory Repair & Construction.

Flood relief was evidenced in 2006 in Dadaab region hosting over 100 000 Somali refugees when CJTF-HOA airlifted over six days, 200,000 pounds of relief.[168]

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[164] FBI Director Muller recently (March 2009) visited Kenya to meet with Raila Odinga. He said of his visit with the Prime Minister: "We discussed what could be described as the unhealthy climate of impunity here in Kenya and steps that can be taken to investigate and to prosecute public corruption." - "FBI chief says Kenya must fight corruption," Reuters. http://www.reuters.com/article/latestCrisis/idUSL5021542.

[165] Seen during author's visit to Camp Lemonier – The Strategic Communication division hosted 1Ethiopian officer, 1 Kenyan Army officer, and interestingly, 1 Egyptian officer.

[166] United States. U.S. Navy, "Manda Bay Boat Ramp Eases Training Operations," U.S. Navy Official Website.  http://www.navy.mil/search/display.asp?story_id=22604

[167] The exercise took place in Tanzania and involved Kenya and Uganda

[168] "Airmen Wrap Up It Up By Parachuting Candy to Kids in Eastern Kenya," Newsblaze.com.

This gesture saved Kenya's government finances, saved the Somali refugees lives and mended its image before the Somalis when they showed that they cared about the Somalis wellbeing. According to Levi Mbuva of the National Youth Servicemen, "the CJTF-HOA organises VETCAP is the best thing to happen to the people of the Lamu district and their livestock. This is because healthy animals mean better life for the people living in their marginalized islands".[169] This serves two objectives that is to sustain the livelihood of the locals and also improving U.S. image among the predominantly muslim population. According to the lead veterinarian Army Capt. Catherine I. Williams the CJTF-HOA through the VETCAP managed to treat 20 000 animals enabled the people to see the humanitarian face of U.S. agents, enhance their livelihoods and overall improve the image of the U.S. in the region.[170] CJTF-HOA constructed and fit eight latrine pits, two five-room classrooms, an administrative building, a clean and safe recess area and a fence to provide perimeter security. In Manda Bay one of the schools was described as "presenting a danger to the students and teachers due the poor structure, which had been threatened to be closed down by Kenyan authorities because of the unstable columns supporting the roof, as well as a faulty foundation."[171]

## 3.7 Challenges and Lessons Learnt

CJTF-HOA operations in the region have been received with mixed feelings due to various reasons. This arises out of issues of sovereignty, colonialism and over

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http://newsblaze.com/story/2006/1217083033tsop.nb/topstory.html

[169] As captured in perpetuity at the blog, Gazing at the Flag. Original posting/source unknown. http://gazingattheflag.blogspot.com/2007_01_01_archive.html

[170] Michelle Halpin, "Vets treat hundreds of animals in Kenya." CENTCOM Official Website. Feb 16, 2008
<http:/www.centcom.mil/en/news/vets-treat-hundreds-of-animals-in-Kenya.html>

[171] CJTF-HOA, Kenyans dedicate safe school," CENTCOM Official Website.
http://www.centcom.mil/en/news/cjtf-hoa-kenyans-dedicate-safe-school.html.

militarisation of the approach by the U.S. in its dealing with Africa. African countries considered the end of colonialism the beginning of self governance and thus interference in terms of conditions to Aid and terms of borrowing are considered an affront to their liberty. AFRICOM is said to be the face of the U.S. militarisation policy in Africa.[172] Most of the approaches to issues in Africa have been from a military point of view even where diplomacy would have sufficed. All this have served to increase anti-American sentiments in the region. The other challenge was the fear that the HOA region's unexploited natural resources would be siphoned by the U.S. through AFRICOM without benefitting the indigenous population benefiting. The region is rich in various minerals including oil, rare earth, gold deposits among others and these need to be protected and exploited to benefit the individual countries.

An arising issue was claims that the joint military exercises held by CJTF-HOA trains armies of dictatorial regimes e.g. Uganda's Yoweri Museveni thus helping to keep undemocratic leaders in power. The issue of militarisation is real and is a key reason for resentment for U.S. policies in the HOA. This has however been mitigated by the entrance of CJTF-HOA which has a mandate to use other civil military affairs means in the interactions with the constituents of the HOA. This has been evidenced by the actions taken including joint military trainings with partner nations, humanitarian assistance and flood relief, vetcap & medcap and school and dormitory repair & construction. These are gestures and actions that touch on the livelihoods of the HOA constituents and serve to lessen anti-American sentiments in the region. This will also serve to harden the recruitment of the region's youth into

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[172] "Despite the reality that the State Department and USAID have greater area expertise and experience in diplomacy and development, the funneling of authority and resources from civilian agencies to the military undermined their ability to be effective in their mandates. With AFRICOM the militarization of aid becomes a natural evolution." – From The TransAfrica group Policy Brief 2008, "AFRICOM: The Militarization of U.S. Diplomacy and Foreign Aid".

extremism and thus cure the threat of terrorism. The above serve to show de-escalation in the military's role in U.S. foreign policy in the HOA. Despite this, we have seen an increase on attacks on aid providers in Somalia by militants to serve their ends and also use the same to buy loyalty from the HOA region's people.[173] This still underscores the need for military protection in the actions of the aid providers in the region thus the approach of CJTF-HOA to have military and civil affairs programs. This will ensure the safe delivery of relief food, medical and veterinary services as well as civil works in the region. The fact that AFRICOM is headquartered in Germany despite the U.S. having enough carrots with which to bait African governments goes to show that this time round it seeks to better its relations with the HOA region through the CJTF-HOA.

The U.S. has the habit of backing governments who support broad US policies and strategic interests, at the expense of truly democratic, representative and humanitarian rule.[174] Despite the above, CJTF-HOA's has instilled professionalism in its military training programs taking actions against wayward soldiers in the Ugandan sexual impropriety against a female counterpart and the Kenyan reprimand due to wanting standards of human rights in their operations. This can only be perceived as a benefit in a realm where soldiers are trained to rape the females of their enemies.[175]

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[173] The episodes are countless, but take for example the 19 Oct 2009 killing of the Care International Worker Omar Sharif, which prompted the Somali news reporting organization Shabelle media Network to write: "Attacks on humanitarian workers in Somalia, which are normally blamed on Islamist rebels and clan militia, have cut the ability of the relief agencies to respond to a humanitarian crisis that many say is Africa's most acute"

[174] Present conditions in Saudi Arabia, Iran under Shah Pahlavi with his brutal Savak agents, and Egypt under President Mubarak.

[175] Sudanese soldiers accused of rape. http://news.bbc.co.uk/2/hi/africa/6532573.stm; Ugandan Soldiers charged with rape of Northern IDPs
http://www.politinfo.com/articles/article_2005_04_22_2602.html: Kenya : Army and Rebel Militia Commit War Crimes in Mt Elgon:
Ethiopian soldiers accused of war crimes in Somalia -
www.nytimes.com/2008/05/06/world/africa/06iht-somalia.1.12610349.html

**3.8 Conclusion**

These challenges and lessons present realistic issues to the HOA region and as such the U.S. efforts to address them through CJTF-HOA go a long way in establishing confidence in the U.S. policies towards the HOA. This can only stand true so long as the U.S. stays true to its objectives as spelt out earlier thus: to channel its efforts through diplomacy, defense and development in its policy towards the HOA region and also achieve its objectives of enhancing capacity of partner and regional nations to provide security in the long term, conflict prevention and protection of coalition ad US interests thus enabling African solutions to African challenges.

**CHAPTER FOUR**

**COUNTER-TERRORISM POLICIES IN THE HORN OF AFRICA: A**

**CRITICAL ANALYSIS**

**4.0 Introduction**

Chapter three focused on the critical review of methodologies, techniques and impact of counter-terrorism policies in the HOA in the study period of 2005 – 2012. This chapter will focus on issues emerging from chapter three as well as testing the assumptions of this research project. It will seek to focus the current issues Vis a Vis the literature on issues of counter-terrorism with a focus on the HOA region. It will also look at emerging issues in the realm of counter-terrorism world over with a bias to contextualization in the African and HOA region. A look at the appropriateness of the methodologies, techniques and impact of counter-terrorism measures in the HOA region will be undertaken to test the hypothesis earlier taken on this project.

**4.1 Emerging Issues**

Terrorism is not a new issue as it existed from as early as 70 C.E[176] and has evolved to what it is today. This has necessitated novel ways of fighting this mutating phenomenon as the terrorist has become faceless. Chapter three has given a case study of counter-terrorism methodologies and tactics as practised by CJTF-HOA. Through this a number of challenges have arisen that need to be delved into. This issue include the U.S. militarised foreign policy and its impact in the HOA region; the presence of AFRICOM in Africa through its proxies as a move by the U.S. to access Africa's natural resources and AFRICOM training militaries of dictatorial regimes as a way of

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[176] Chaliand, Gérard, Arnaud Blin, Edward D. Schneider, Kathryn Pulver, and Jesse Browner. *The history of terrorism: from antiquity to al Qaeda*. Berkeley: University of California Press, 2007.

ensuring they stay in power. The definition of terrorism is also a challenge as it affects the response to a particular threat. Issues of transnational and the mutating nature of terrorism are also a cause of concern and need to be further explored.

A look at the appropriateness of counter-terrorism methodologies and techniques to the HOA region will also be tackled in this chapter.

### 4.1.1 Definitional Debates

JohnWhitbeck, in an article in the *International Herald Tribune* in 2004, says that virtually every recognized state confronting an insurgency or separatist movement has eagerly jumped on the "war on terrorism" bandwagon, branding its domestic opponents – if it had not already done so – "terrorists."[177]

Defining terrorism has come out as a major challenge in combating terrorism domestically and internationally. A.U's definition of terrorism as "any act which is a violation of the criminal laws of a state party and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any member or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage"[178] covers non-state groups but leaves a gap for international state sponsored and state terrorism which are common in the HOA region. This is seen in groups that use terrorism to advance their causes and the states or groups that support them yet are not covered by this definition. In essence, terrorist act generally bear some commonalities including (1) an attack against civilians, committed with the intent to cause death or serious bodily injury, or (2) taking of civilian hostages, or (3) damage to property (e.g., an attack

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[177] *John V. Whitbeck, "A world ensnared by a word," International Herald Tribune, 18 February, 2004.*
[178] See Article 1(a)(i) of the AU Convention on the Prevention and Combating of Terrorism.

against a power plant or cyber terrorism), in all cases with the purpose of provoking a state of terror in the general public or in a group of persons or particular persons, intimidating a population or compelling a government or an international organization to undertake or abstain from undertaking a certain act.[179] The other commonality is that all agree that terrorists' attacks, for whatever reason are not justifiable.[180] Therein lies the clear line between terrorism and international terrorism as terrorism is carried out within a state but international terrorism involves multinationals and even across borderlines. These definitions are significant in considering the HOA situation.

International terrorism is not common in the HOA region as compared to domestic which is rampant. These are perpetrated by groups including in Northern Uganda the Lord's Resistance Army, in Sudan Janjaweed, and in Somalia Al-Shabaab. Some of these groups mutate and/or merge with international networks to involve themselves in international terrorism like the Al-Shabaab attack in Kenya and Uganda. Governments also involve themselves in acts that can be considered terrorism. This being the case, in practice it is actually very difficult to prove involvement of state in terrorism be it domestic or international.

Given that terrorists in most cases are not government agents and the difficulty in proving state involvement, it follows that a terrorist attack in itself does not constitute an act of aggression by one state on another and therefore does not call for state retaliation. The term "global war on terror" as used by the U.S. government therefore serves as a rallying call for a united global support and not a call to arms.

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[179] UN Security Council Resolution 1566, 8 October 2004, para. 3. It may be noted that various counter-terrorism conventions contain so-called state military exclusion clauses, exempting "the activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, which are governed by that law" and "the activities undertaken by military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law". See, e.g., Art. 19, para. 2 of the Terrorist Bombing Convention of 1997 (in force since 2001)

[180] Cf. the World Summit Outcome document, UN Doc. A/RES/60/1, 16 September 2005, para. 81

Generalizing the term terrorism may have undesirable consequences as the U.S. government is currently experiencing (a global revolt against it methodologies and tactics including precision bombing and assassinations e.g. of Osama Bin Laden in Pakistan). This gives credence to the group and creates admiration among sympathizers leading to copycats for the purposes of fame.

The other concern is the mutating and hybrid nature of terrorism with some attacks bearing elements of both international and domestic terrorism. This has at time caused even the UN Security Council to classify acts that bear domestic elements as international terrorism.[181] This has been caused by globalization whereby state authority has been eroded thus undercutting the state's dominant status as the key player in the international arena. This has been affected by the advent of international NGOs, financial institutions and terrorists groups into the international scene as major players and directors of policy issues. This has been worsened by cross border movement of persons and goods, leading to groups composed of multiple nationalities and persons of multiple nationalities through interaction or crossbreeding thus one person having multiple nationalities.

This definition conundrum is further complicated given that some nations describe terrorism acts as all action that take or endanger innocent lives. This would put world powers in a quandary when it comes to response tactics like drone attacks which at time have collateral damage. Other states also seek to make a definitional distinction between acts they consider legitimate resistance against oppression from state or no-state actors. This would enable violent acts by groups like FARC, Al-Shabaab among others to be described otherwise. At the same time there has been a

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[181] UN Security Council Resolution 1465, 13 February 2003, regarding the bomb attack in Bogota, Colombia on 7 February 2003. Furthermore, the general determination that any act of international terrorism is a threat to peace as in Security Council Resolution 1373 (2001) was not appropriate. Specific determinations are preferable.

wide discussion on the need to include state-sponsored acts in the defining terrorism. Countries in the Middle East have been slow in the uptake of counter-terrorism initiatives more so the ones that might mean withdrawing their support of resistance by Palestine against Israeli occupation.

ICC in its repertoire of serious crimes does not include terrorism as a crime.[182] This is due to semantics on how to define terrorism.[183] Resolution 1373 (2001) by the Security Council of the UN on obligations of states concerning counter-terrorism also does not define this term.[184] This is an issue which thus needs to be tackled by the UN members so as to enhance global security as terrorism is a global threat.

## 4.1.2 Militarization of U.S. Foreign Policy in the Horn of Africa

What justifies U.S. government presence in the HOA region? Does the concept of armed attack apply? The International Court of Justice in the Nicaragua case in 1986 gave guidance on the qualification of a military operation as an armed attack given that this would depend on the scale and effect of that operation.[185] With the growth of international terrorism, it is now known that non-state actors can attack on scale that can be viewed as an armed attack giving enough reason for a state to resort to self-defence which is a sovereign right. Despite this in international law there need to be guidance as to specific threshold criteria on severity and duration in time of any act in

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[182] Rome Statute of the International Criminal Court opened for signature 17 July 1998, 2187 UNTS 90 (entered into force 1 July 2002).
[183] There are arguments, however, that terrorist acts fall within the jurisdiction of the Court as constituting crimes against humanity (crimes under article 7 of the Rome Statute).
[184] Having said this, the lack of definition was most likely due to the fact (as will be seen through subsequent discussions) that there is a lack of consensus on just what amounts to terrorism. In a desire to issue a forceful, and at the same time early, resolution in the wake of September 11 it is likely that the Council saw use of the term, without definition, as the only viable option in the short term. The problem with this approach is that it has left the question of defining the term with individual member States, leading to inconsistent definitions and, arguably, a weak rather than forceful resolution.
[185] Case concerning Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United State of
America), Judgments on the Merits on 27 June 1986, ICJ Reports 1986, para. 195.

determining whether it is an armed attack or not.

In an advisory opinion on the Wall case, the International Court of Justice stated that for a violent act against a state to constitute an armed attack it must be committed by a state or be imputable to a state for it to qualify under Article 51 of the UN Charter.[186] Despite this, Judge Kooijmans wrote a Separate Opinion to this Advisory Opinion, underpinning the need for a re-interpretation of Article 51 stating:

> "Resolutions 1368 (2001) and 1373 (2001) recognize the inherent right of individual or collective selfdefence without making any reference to an armed attack by a State. The Security Council called acts of international terrorism, without any further qualification, a threat to international peace and security which authorizes it to act under Chapter VII of the Charter. And it actually did so in Resolution 1373 (2001) without ascribing these acts of terrorism to a particular State. This is the completely new element in these resolutions. This new element is not excluded by the terms of Article 51 since this conditions the exercise of the inherent right of self-defence on a previous armed attack without saying that this armed attack must come from another state even if this has been the generally accepted interpretation for more than 50 years. The Court has regrettably by-passed this new element, the legal implications of which cannot as yet be assessed but which marks undeniably a new approach to the concept of self-defence."[187]

CJTF-HOA has been a major policy break for the U.S. in its counter-terrorism fight as it makes a move from strictly a military oriented approach. Military influence in foreign policy reflects coercive power as defined by Harvard's Joe Nye ability to shape other's behaviour to one's own benefit; this as opposed to persuasive or attractive power.[188] In this light therefore, there appears to be a new understanding on the right of self-defence regarding an armed attack by a non-state actor.[189] This must

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[186] Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004, ICJ Reports 2004, para. 139.

[187] Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004, Separate Opinion of Judge Kooijmans, ICJ Reports 2004, para. 35.

[188] Nye, Joseph S.. *Bound to lead: the changing nature of American power*. New York: Basic Books, 1990.

[189] 7 It may often be rather difficult to legally attribute terrorist acts to the state hosting the terrorist organization. In this respect, it was more generally observed that the International Court of Justice has set a high standard for attribution of private acts to states in the Nicaragua Case concerning Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United State of America), Judgments on the Merits on 27 June 1986, ICJ Reports 1986, para. 115-116, which it has recently reaffirmed in the Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide, Bosnia and Herzegovina v. Serbia and Montenegro, 26 February

however be directed toward the non-state actor in the host nation after it has been ascertained that the state is unwilling to act on the non-state actor within its borders. CJTF-HOA brings the shift to the other two types of power in its adoption of civil affairs programs to counter extremism. With the end of the Cold War the U.S. government reconsidered it relationship with Africa due to strategic interests within the continent. According to Gilpin at this juncture, the challenge the U.S. was facing was to maintain its status quo as the world's dominant superpower in his statement:

> To solve the fundamental problem...the balancing of commitments and resources. The...three-way struggle over priorities (protection, consumption, and investment) produces a profound dilemma for society. If it suppresses consumption, the consequence can be severe internal social tensions and class conflict.... If the society neglects to pay the costs of defense, external weakness will inevitably lead to its defeat by rising powers. If the society fails to save and reinvest a sufficient fraction of its surplus wealth in industry and agriculture [and I would add education, research & development, and infrastructure], the economic basis of the society and its capacity to sustain either consumption or protection will decline.[190]

Towards this end the most efficient way for the U.S. was the military because despite being the global hegemony their economy had not followed suit. The U.S. has been continuously called upon to intervene in issues globally. In this era of borderless criminal and narcotic trafficking, terrorism, cyber attacks, and pandemic outbreaks the need for interagency response has been underscored and used repetitively with the U.S. leading in most of these initiative. This is due to its prowess, equipping, and supremacy at such levels thus a need to keep it that way. In 2006 March the National Security Strategy stated that "Africa holds growing geo-strategic importance and is a high priority of this Administration…our goal is an African continent that knows

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2007, ICJ Reports 2007, para. 391-395, 396-412, and 413-415. In the Case Concerning Armed Activities on the Territory of Congo (Democratic Republic of Congo v. Uganda), Judgement on the Merits on 19 December 2005, the Court did not answer the question as to the action a victim State may take in the case of an armed attack by irregular forces, where no involvement of the State can be proved. According to Judges Kooijmans and Simma the occurrence of an armed attack is sufficient to create a right of action in self-defence, whether or not the actions are attributable to a State (Separate Opinions of Judge Kooijmans, ICJ Reports 2005, para. 26-30 and of Judge Simma, ICJ Reports 2005, para. 7-12).
[190] Robert Gilpin, War & Change in World Politics (New York: Cambridge University Press, 1990)

liberty, peace, stability, and increasing prosperity."[191] This renewed interest in Africa was spurred by what it had in its belly mainly "energy supplies, a possible safe haven for terrorist groups, a transit node of illegal trafficking in drugs, arms, and people, and a growing voice in multilateral institutions."[192] Fighting war has produced mixed results for the U.S. government with success not the ultimate goal in terms of improved relationships with the world's people. It forced the U.S. government to change focus from fighting to war prevention due to the costs involved in waging a war. The U.S. military adjusted, and continues to adjust, its policy, doctrine, and strategies to include an emphasis on proactive peacetime engagement as a way to achieving national strategy objectives.[193] This transition is what brought forth the formation of U.S. European Command (USEUCOM) with its headquarters in Stuttgart Germany with AOR including all of Europe, Israel, Russia, and Africa.[194]

Due to the recognition of Africa's growing the need for a unified response to Africa's growing "military, strategic, and economic importance," the U.S. government on February 6, 2007[195] established U.S. Africa Command (USAFRICOM) which focuses on war prevention as a first line anti-extremism methodology rather than fighting wars.[196] With the formation of AFRICOM some concerns were ignited as African countries have had a not so good relationship with

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[191] George W. Bush, *The National Security Strategy of the United States of America*, (Washington, D.C.: The White House, March 2006)

[192] Armitage, Richard Lee, and Joseph S. Nye. *CSIS Commission on Smart Power: a smarter, more secure America*. Washington, D.C.: CSIS Press, 2007.

[193] Gregory J. Dyekman, *Security Cooperation: A Key To The Challenges Of The 21st Century*. (Carlisle: U.S. Army War College, Strategic Studies Institute, November 2007)

[194] Charles F. Wald, "New Thinking at USEUCOM: The Phase Zero Campaign," *Joint Forces Quarterly, issue 43* (4th quarter 2006)

[195] U.S. Department of State, "U.S. To Establish New U.S. Africa Command (AFRICOM)," 9 February 2007; available from http://fpc.state.gov/fpc/80454.htm; Internet; accessed 17 September 2013.

[196] William E. Ward, "Questions And Answers "ABOUT THE COMMAND | United States Africa Command." United States Africa Command. http://www.africom.mil/africomFAQs.asp (accessed September 17, 2013).

foreign occupation of their lands. There were concerns of "support for repressive regimes" and "reintroduction of Cold War-era arms sales."[197] A report by the World Policy Institute in its reports "Weapons at War - January 2000" stated in its findings that due to continued cold war legacies propagated by the U.S. towards Africa, some responsibility for the current state of violence and economic problems found in Africa can be put on the U.S. This is evidenced by the fact that during the cold war (1950-1989), over $1.5 billion in weapons was delivered to Africa by the U.S. Countries like Somalia, Sudan, Liberia and Zaire who were the main beneficiaries have now turned to be the basket cases in terms of instability, economic collapse and overt violence.[198] The current civil war in Congo (the former Zaire) exemplifies U.S. arms legacy in Africa. Weapons worth more than $300 million and military training to the tune of $100 million was given to dictator Mobutu Sese Soko in by the U.S. thereby prolonging his rule.[199] With this he furthered his repressive ways and plundered his nation's resources for three decades till his rule was ended by a coup led by Laurent Kabila in 1997. After this the Clinton administration provided further military assistance to the new presidency.

This as is shown in the report's finding, is a true concern by the African countries as concerning past U.S. actions on the continent and the HOA region. As shown even in the event of exit of one dictator it immediately formed relationship with the next government to continue providing military support through training and arms supplies. It kept repressive regimes in power through its military support and weapons supplies.

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[197] Robert G. Berschinski, *AFRICOM's Dilemma: the "Global War on Terrorism," "Capacity Building," Humanitarianism, and the Future of U.S. Security Policy In Africa,* (Carlisle: U.S. Army War College, Strategic Studies Institute, November 2007).
[198] Report: U.S. Arms to Africa and the Congo War - World Policy Institute - Research Project ARMS TRADE RESOURCE CENTER http://www.worldpolicy.org/projects/arms/reports/congo.htm
[199] Ibid

### 4.1.3 Neo-Imperialism and Resource Exploitation

Another concern raised was the idea of "neo-imperialism and resource exploitation" due to what was referred to as "years of colonial subjugation"[200] from the West. Neo-imperialism refers to domination of one state by another through unequal or unfair economic exchange. The U.S. has a history stretching back in history of intervening in foreign nations perfecting the art of getting access to other nations human, natural and capital resources through diplomacy, unfair trade policies, and international law and where all fails the use of their mighty military. The African advance is no brainer as the consequences are open to all. According to an article by Ashahed and Brian of the finallcall:

> Africa has surpassed the Middle East as the greatest supplier of oil to the United States responsible for 24 percent of the oil used here. Over 80 percent of the coltan used by companies like Nokia, Motorola, Ericsson and Sony for many of the world's electronic devices such as cell phones, computers and DVD players comes from Africa. Additionally, 80 percent of the cobalt used in lithium ion batteries—a key component in the future development of green technology—including cars—comes from Africa.[201]

Nigeria, the continent's largest oil exporter, now ranks as America's fifth leading supplier, while Angola and Algeria rank sixth and seventh.[202] Africa's oil reserves are expected to rise in coming years: Ghana's president declared his country "an African tiger" given the oil discoveries made there; Sierra Leone's too has is on the verge of finding oil, Uganda has discovered substantial deposits as well as Kenya.[203] These new discoveries coupled with America's desire to be dependent of its suppliers from

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[200] Berschinki, 8

[201] "The exploitation of Africa's land and people"
http://www.finalcall.com/artman/publish/world_news_3/the_exploitation_of_africa_s_land_and_peopl e_5661.shtml

[202] U.S. Department of Energy statistics as of July 2007. Available online at
www.eia.doe.gov/pub/oil_gas/petroleum/data_publications/company_level_imports/current/import.htm l.

[203] "Ghana 'Will be an African Tiger'," BBC News Online, June 19, 2007, available online at
news.bbc.co.uk/2/hi/africa/6766527.stm; "Sierra Leone's Leader Hopes for Oil as He Steps Down,"
Agence France-Presse, June 19, 2007, available online at
ca.news.yahoo.com/s/afp/070619/world/sierraleone_politics_oil.

Middle East have been seen in recent trends given that oil imports from Africa to the United States increased to 22 percent in 2006, from 15 percent 2 years earlier.[204] According to Central Intelligence Agency (CIA) projections in this percentage is set to over 25 percent by 2015.[205]

These concerns over militarisation were also raised from within the U.S. with claims that its military could "overestimate" its capabilities as well as its "diplomatic role" in Africa through the USAID.[206] The Business Daily penned that "It is therefore disturbing to note that democracy; health, education; economic growth and development are being tied to military interests."[207] This showed the suspicion with which the entrance of AFRICOM was viewed majorly as an American Proconsuls plying a militarised foreign policy.[208] African countries view the entrance of AFRICOM through the CJTF-HOA into their territories with a lot of suspicion as has been headlined in many papers:

> "A Scramble for the Continent We May Not Gain From"; "New U.S. Command Will Militarise Ties with Africa"; "World's Biggest Military Comes to Town"; "SADC Shuns Spectre of U.S. Africom Plans"; "AFRICOM: Wrong for Liberia, Disastrous for Africa."[209]

The U.S. has over 737 military installations around the world. This is designed to influence their host and neighbouring states as well as protecting their interests all the

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[204] Wafula Okumu, "Africa Command: Opportunity for Enhanced Engagement or the Militarization of U.S-Africa Relations?" Testimony Before the House Committee on Foreign Affairs, Subcommittee on Africa and Global Health, August 2, 2007.

[205] Ploch, "Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa."

[206] Lauren Ploch, "Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa," *CRS Report for Congress*, 7 December 2007.

[207] Michele Ruiters, "Africa: Why U.S.'s AFRICOM Will Hurt Africa," *Business Day*, 14 February 2007, available from http://allafrica.com/stories/200702140349.html; Internet; Accessed on 29 August 2013.

[208] Priest, Dana. *The mission: waging war and keeping peace with America's military*. New York: W.W. Norton, 2004.

[209] Fred Mbugua, "A Scramble for the Continent We May Not Gain From," The East African Standard, March 27, 2007; Salim Lone, "New U.S. Command Will Militarise Ties with Africa," Daily Nation, February 9, 2007; Greg Mills, "World's Biggest Military Comes to Town," Business Day, February 9, 2007; Peter Fabricius, "SADC Shuns Spectre of U.S. Africom Plans," The Sunday Independent, July 15, 2007; Ezekiel Pajibo and Emira Woods, "AFRICOM: Wrong for Liberia, Disastrous for Africa," Foreign Policy in Focus, July 26, 2007.

way from Colombia to Korea, from Ecuador to Uzbekistan.[210] This overuse of the military as a means of foreign policy has changed due to a new look at Africa as a strategic interest to the U.S. This is due to rise of other superpower nations namely Russia and China in terms of access to resources.

This is further evidenced through China hold on world's rare earth output standing at around 95% the total deposits and its stranglehold on the of the same which has seen international consumers left short in 2010 by over 20,000 tons.[211] Africa's preference for Chinese assistance has been due to favourable terms for aid packages including debt recanting, job training and loans with no strings attached.[212] According to President Abdoulaye Wade of Senegal:

> "China's approach to our needs is simply better adapted than the slow and sometimes patronizing post-colonial approach of European investors, donor organizations and nongovernmental organizations. In fact, the Chinese model for stimulating rapid economic development has much to teach Africa. With direct aid, credit lines and reasonable contracts, China has helped African nations build infrastructure projects in record time—bridges, roads, schools, hospitals, dams, legislative buildings, stadiums and airports. In many African nations, including Senegal, improvements in infrastructure have played important roles in stimulating economic growth."

Another pointer to neo-imperialism is the agreement which the U.S. entered with Djibouti in the establishment of the CJTF-HOA at Camp Lemonier which stated among others diplomatic immunity for U.S. personnel, U.S. jurisdiction for crimes committed by its personnel while in Djibouti, U.S. personnel carrying arms in a

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[210] Johnson, Chalmers, "737 U.S. Military Bases = Global Empire," Global Research , March 21, 2009. Mr. Johnson continues: "The Pentagon continues to omit from its accounts most of the $5 billion worth of military and espionage installations in Britain, which have long been conveniently disguised as Royal Air Force bases. If there were an honest count, the actual size of our military empire would probably top 1,000 different bases overseas, but no one — possibly not even the Pentagon — knows the exact number for sure."
http://www.globalresearch.ca/index.php?context=va&aid=12824
[211] Zhang, Yajun, Vincent, Lee, and Jung-Ah, Lee, "China Dangles Rare-Earth Resources to Investors, The Wall Street Journal , August 16, 2010,
http://online.wsj.com/article/SB20001424052748703321004575427050544485366.html
[212] In Angola, for example, China secured future oil production rights by offering $2 billion in loans "for Chinese companies to build railroads, schools, roads, hospitals, bridges, and offices; lay a fiber-optic netword; and train Angolan telecommunications workers." Hanson, Stephanie, "China, Africa, and Oil," Council on Foreign Relations , June 6, 2008,
http://www.cfr.org/publication/9557/china_africa_and_oil.html

foreign nation Djibouti unfettered, U.S. importing any military hardware or software unrestricted to Djibouti, free entry and movement for its personnel and hardware in Djibouti and the killer in the deal a disclaimer for any loss of life or damage to property committed in Djibouti by its personnel.[213] This agreement is lopsided and in favour of the U.S. who can now maintain a permanent presence uncontrolled in Djibouti stock up weapons and carry out any operation in Africa as needed without any liability while in Djibouti. This despite the objectives of the CJTF-HOA does not augur well with African leaders as it still points to some unbalanced form of control with an African country on the negative end. There was some resistance politically due to introduction of the Terrorism Suppression Bill with claims that it was introduced to meet U.S. demands and not tailored to meet local security needs in Kenya.[214] KANU the opposition party at that time quipped that the 2003 Bill was "a step along the way to the setting up of a US military base in Kenya".[215] The Kenyan parliament at that time dismissed it basing their dismissal on the argument that it was "American priority".[216] All this shows the perception of the U.S. advent to Kenya as a neo-imperialistic policy in the HOA region.

### 4.1.4 The Mutating Nature of Terrorism and Transnational Terrorism

As earlier discussed in this chapter, terrorism mutates and takes on other nationalities among other forms. Terrorists acts in the HOA region have mutated from those acts

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[213] "Agreement Between The Government Of The United States Of America And The Government Of The Republic Of Djibouti On Access To And Use Of Facilities In The Republic Of Djibouti," February 19, 2003,
http://www.state.gov/documents/organization/97620.pdf

[214] "House Team Dismisses Revised Anti-Terrorism Bill" The East African Standard (6 June 2006)

[215] "Kenya's Terror Bill Rejected: A Kenyan Parliamentary Committee has Opposed a New Draft Bill Aimed at Combating Terrorism in the East African Nation" BBC News (15 July 2007); See also, Law Society of Kenya, "Report on the Public Forum Held on 4th July 2003 to Discuss the Suppression of Terrorism Bill 2003" (containing a number of comments by participants that the proposed legislation was a US priority and Kenya "under pressure" from the US to enact it).

[216] "House Team Dismisses Revised Anti-Terrorism Bill" The East African Standard (6 June 2006)

committed by organisations based outside this region to home grown organisation, against targets from without this region to targets originating from the region and there are those instigated by insurgent groups against targets occupying their countries to targets within their own countries. The Black September (Palestinian terrorist group) assassination of a Belgian diplomat and an American Deputy Chief of Mission in 1973 is an example of groups emanating from outside the region. The Al-Shabaab attack on 11/07/2010 in Uganda during the World Cup finals is an example of attack by a terrorist group from within the region. The Kikambala and Paradise hotel attack are examples of attacks against targets from without the region while the September 23rd 2013 attack at Westgate Mall in Kenya is an example of an attack against the region's members. The Al Qaeda is a foreign group while the Al-Shabaab is a terrorist group from within the region that has attacked targets within the HOA region.

All these go to show that terrorists modus operandi, and area of attack is mutating and thus the need for regional approach to counter-terrorism if any positive results are to be achieved. The 1998 bombing of the U.S. embassy in Kenya was instigated by Al Qaeda (foreign) whilst the 23/09/2013 attack on the Westgate mall in Kenya too was carried out by Al-Shabaab (indigenous). The group that attacked the U.S. embassy in 1998 was composed of individual of different nationalities all belonging to the Al Qaeda group. Other indigenous groups that have carried out terrorists' attacks include the Allied Democratic Front (ADF) and Lord's Resistance Army (LRA) in Uganda and the Ogadeni National Liberation Front's (ONLF) militant wing and Oromo Liberation Front (OLF) in Ethiopia. These groups have operated from neighbouring states like the LRA from Southern Sudan and the ADF from Eastern Congo. They have also had sponsorship in various forms from the neighbouring states like the OLF Eritrea, Somalia, and Sudan. These organisations

have targeted governments in their states and not necessarily civilians.

## 4.2 Other Issues

Africa has been plagued by terrorism at various levels domestic and international. The war on terrorism in the HOA region begun in earnest in 1995 after the attack on Hosni Mubarak (the former Egyptian president) by Osama bin Laden led Al Qaeda. Soon after in 1998 Al Qaeda detonated truck bombs in the Kenyan and Tanzanian American embassies. Following this attacks the U.S. government bombed a factory in Sudan on suspicion of manufacturing chemical weapons for Al Qaeda. The U.S. government also sent out its agents to Somalia to search capture or kill the perpetrators of these attacks who they believed to have escaped there. The establishment in 2002 CJTF-HOA in Djibouti saw the U.S. deploy over 2000 troops and a counter-terrorism initiative valued at $100 million for East Africa and the HOA. Other initiatives included the EUCOM holding a number of trainings for the region's militaries including support operations. These translated into Trans-Sahara Counter terrorism Initiative involving North African and Sahelian state targeting the Great Lakes Protection Fund. In 2006 after the ICU took power in Somalia, the U.S. government supported Ethiopian troops in bringing them down in a bid to stop extremism in the HOA region. In 2007 the U.S. government formed AFRICOM to initiate various programs due to its refocus on Africa as a strategic partner.

Since the terrorists attacks started in earnest in the Sudan ambassador killing in1995, the Al Shabaab has been able to establish themselves in weak states like Kenya than in failed states like Somalia. This may be attributed to the clan structure that permeates the very fabric of Somali culture. An outsider is not easily accepted despite Islam being a uniting factor. Kenyan efforts at counter-terrorism although

supported by Western nations have been ineffective and at the worst counterproductive. This is why despite being a sovereign nation the Al Qaida was able to plan and execute the 1998 bombing of the U.S. embassy and Paradise hotel bombings. These efforts have even had a backlash with the profiling and harassment of the minority Muslim population creating a fertile ground for recruiting more terrorists. The government continues to suffer from travel advisories given by the Western nations that hurt its economy. Given this situation Kenyans are even likely to ignore foreign terrorists operating within their midst or even sympathise when the targets are Western due to anger. Despite the cases that have occurred, the threat of terrorism is considered low in comparison to other issues. The government considers the military assistance it gets out of the terrorists attack more beneficial than the effects in terms of loss of tourism revenue.

Just like other countries in the Horn of Africa Uganda had to come up with counter-terrorism strategies due to the rise in terrorists' attacks within their borders. Uganda has been the centre of various conflicts internally and externally. Uganda hosts the Lord's Resistance Army which is classified under the (OGC) Other Groups of Concern.[217] This is sponsored by Sudan and employs terrorism in its struggle against the Ugandan Yoweri Museveni led government. This is to keep the Ugandan government resources trained on fighting the LRA and therefore unable to support the SPLM/A which the Sudan government claims Uganda is assisting.[218] Uganda was the first country to send its troops to Somalia. On 11/07/2010 during the world cup two bombs went off in Kampala at locations where fans were watching the finals killing 64 people and injuring 70 more. The Somali militants claimed responsibility citing the

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[217] Source: US: Department of State, Country Reports on Terrorism 2006, Washington DC: 2007.
[218] Ofcansky. T, "Sudan: Recent History", Africa South of the Sahara (36th Edition), Routledge:London and New York, 2007, p. 1141

Ugandan intervention in Somalia and promised more attacks. Through PREACT, (the Partnership for Regional East African Counter-terrorism) the U.S supported Uganda through provision of 100 Marines to advise in the search and capture of Joseph Kony the LRA (Lord's Resistance Army) who having been flushed to CAR (Central African Republic) continues attacks on Uganda.[219] The international terrorism attacks within Uganda have been subdued since no Al Shabaab attack has been reported since the world cup attack.

Just like Kenya, Ethiopia's counter-terrorism policies, methodologies and tactics are U.S influenced and directed. Thomas C Mountain[220] in an interview with Max Keiser of PRESS TV claims Ethiopia's counter-terrorism strategy of invading Somalia was an American idea and not Ethiopian generated. It was as a result of American strategy of creating a crisis which they would then manage in the process preventing any nationalist from taking over and forcing the Americans to pay market price for Somalia's resources.[221] The US and Ethiopia between 2002 and 2005 engaged a tactic of kidnapping and assassinating key Somali personalities suspected of involvement in terrorism and this increased the popularity of anti-American sentiments and popularised the Islamists.[222] This in any capacity did not help reduce the conflict in Somalia.[223] In fact this incursion led to a fatwa[224] being issued in January 2007, by Ayman al Zawahiri through an audio-message, urging all muslims around the world especially those in the Arabian Peninsula, North Africa, Egypt,

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[219] http://www.marinecorpstimes.com/article/20111016/NEWS/110160306/U-S-troops-won-t-fight-Ugandan-president-says Accessed on 12/09/2013

[220] Journalist working and living in Eritrea interviewed on 17/12/2010

[221] Ibid

[222] Marchal, Roland, 2007: 'Somalia: A new front against terrorism' (http://hornofafrica.ssrc.org/marchal/printable.html), p. 5.

[223] Rabasa, A., Chalk, P., Cragin, K., Daly, S. A., Gregg, S., Karasik, T., O"Brien, K. and Rosenau (2006), W., Beyond Al-Qaeda: Part 1, The Global Jihadist Movement, RAND Corporation, Santa Monica, California.

[224] Islamic religious decree

Sudan and Yemen to join and participate in a Jihad against Ethiopia and also to offer finance, advice and fighters to defeat "the slaves of America" in reference to Ethiopian troops.[225]

One cannot talk of a counter-terrorism policy, methodology or strategy in Somalia without looking at the state of the country itself. The insurgency in the country Somalia led by Al Shabaab forms the backbone of terrorism in the Horn of Africa. According to Riz Khan from CNN Somalia is a failed state due to massive corruption, Al Shabaab insurgency in the Southern regions among other militant groups.[226] Professor Said S. Samatar of Rutgers University claims the AU forces have no will to roll back Al Shabaab and are corrupt[227]. He further suggests leaving Somalia to its own devices which will ensure the Al Shabaab win which cannot be sustained as they have barbaric and autocratic rule including shunning everything from the West and therefore will be their downfall eventually paving way for democratisation. Abdulkadir Abdulrahman[228] attributes the failure by the international community in crafting a successful counter-terrorism policy on Somalia on their own conduct of siding with varying groups in the conflict.[229] According to the Al Shabaab terrorists, despite the group controlling most of Somalia, the West found it hard to accept them due to their Islamic background.[230] According to Sheikh Abdukadir Mumin formerly based in the UK the Al Shabaab decided to formerly unite with Al Qaeda so as to fight the infidels anywhere and everywhere. Sheikh Ai Dhere (Al

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[225] SITE Intelligence Group (2007), „Audio Message from Dr. Ayman al-Zawahiri Issued by as-Sahab Addressed to Muslims: Set Out and Support Your Brothers in Somalia" SITE Intelligence Group.
[226] http://www.aljazeera.com/programmes/rizkhan/2010/07/2010721851595617.html Accessed on 29/07/2013
[227] Ibid
[228] From an NGO Somali Cause
[229] http://www.aljazeera.com/programmes/rizkhan/2010/07/2010721851595617.html Accessed on 29/07/2013
[230] http://www.youtube.com/watch?v=kM5mbKpNzMY Accessed on 30/07/2013

Shabaab spokeperson) confirmed[231] that the Al Shabaab would give western led efforts a wide berth and further warned that if the West did not leave the group alone the West would not live in peace too. Rabasa contends that external interventions from actors with divergent agenda have done little to ensure the peace and stability of Somalia.[232] Their different policy approach towards Somalia has been the greatest contributing factor to the rise of insurgent groups like Al Shabaab.[233]

Eritrea has largely been spared the scourge of terrorism from outside but its government repressive rule and battle with Ethiopia could well result in terrorism from within. A group known as the EIJM (Eritrean Islamic Jihad Movement) is the known terrist group operating in Eritrea and operates from Sudan and Ethiopia and is believed to receive assistance from Al Qaeda too.[234] It seeks to establish an Islamic caliphate in Eritrea though it claims to only target the Eritrean government and not western targets. It claimed responsibility in 2003 for the bombing of a hotel and an ambush on the Eritrean military killing 46 soldiers.[235] International human rights bodies, and media watchdogs, monitors of religious persecution among others place Eritrea among the top suppressive governments world over.[236] It is governed by a small clique of presidential advisers who dominate all aspect political, social, and economic life. Cabinet posts are figurative with no actual powers to direct motion in any issue. In such a regime if the dominant institutions and leadership falters

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[231] In an interview by Somali journalist Jamal Osman on 23 Feb 2012.

[232] Rabasa, A., Chalk, P., Cragin, K., Daly, S. A., Gregg, S., Karasik, T., O"Brien, K. and Rosenau (2006), W., Beyond Al-Qaeda: Part 1, The Global Jihadist Movement, RAND Corporation, Santa Monica, California.

[233] Ibrahim, M. (2010), „Somalia and global terrorism: A growing connection?" Journal of Contemporary African studies, Volume 28:3, pp.283-295.

[234] "Eritrean Islamic Jihad Movement (EIJM)." MIPT Terrorism Knowledge Database. <http://tkb.org> Accessed 19 July 2013

[235] "A Military Statement of the Islamic Eritrean Reform Movement to the Islamic Nation and a List of Five Operations Executed in Eritrea." SITE Institute. <http://siteinstitute.org> Accessed 21 July,2013.

[236] Markakis, John. "The Nationalist Revolution in Eritrea." The Journal of Modern African Studies, Volume 26, (1) 1998: pp. 51-70.

acquiescence will rapidly deteriorate to violence dissent. The Eritrean government has in recent times made appearance in terms of relations with its neighbours by rejoining IGAD on July 28, 2013.[237]

A terrorist group in Sudan calling itself "The Black September" assassinated the US ambassador to Sudan, Cleo A. Noel Jr., killing his deputy chief of mission, George Curtis Moore, in 1973.[238] From this time there have been a considerable number of attacks that have been termed terrorism emanating from Sudan. Sudan's president Omar al-Bashir even publicly indicated that his government would support the mujahedeen (Islamic fighters) who sought refuge within her borders thus assuring them of diplomatic support.[239] This included provision of travel documents and diplomatic protection when on travel overseas like during the failed New York City terrorist attack in February 1995, the suspect convicted of the crime a Sudanese national told investigators the Sudanese mission was to provide access to the UN building.[240] Sudan has been associated with states sponsoring terrorism since August, 1993 with allegations that it offered refuge to international as well as local terrorists inclusive of Osama bin Laden.[241] Sudan was listed due to its relations with states like Iran who support known terrorists' organization like Hezbollah.[242] However after the September 11 attacks, the Al Bashir government condemned the attacks and even proceeded to ratify all the 12 international terrorism instruments by the end of 2000.

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[237] http://www.reuters.com/article/2011/07/28/eritrea-ethiopia-idAFL6E7IS17A20110728 Accessed on 10/09/2013

[238] Long. A, "Sudan: A Survey of Terrorism and Human Rights", Human Rights and Human Welfare: Review Digest: Human Rights and the War on Terror, 2007, p. S-40

[239] US: Department of State, "Overview of State Sponsored Terrorism", Patterns of Global Terrorism 1993, Washington DC, 1994, p.7

[240] US: Department of State, "Overview of State Sponsored Terrorism", Patterns of Global Terrorism 1998, Washington DC, 1999, p. 2

[241] Kitissou. M, "Political Violence, Terrorism and Counterterrorism in Africa in the Global Context", *African Renaissance*, Vol. 2, No. 1, 2005, p. 21

[242] Greater Horn of Africa: An overview from Uganda under the Movementocracy", African Journal of International Affairs, Vol. 7, Nos. 1&2, 2004, pp, 35-56

In August 1998 Sudan was bombed by the US while targeting a pharmaceutical plant in Khartoum Al-Shifa, suspected of developing chemical weapons associated with Al Qaeda terrorist network.[243] Towards 1995 after the failed attempt in Addis Ababa Ethiopia, Sudan began its journey in counter-terrorism with a denial of any involvement in the attack, tightening of its visa laws (with the exception of Libya, Iraq and Syria) and dismissal of its head of the National Intelligence and Security Service. These were considered superficial as the three exemptions were considered state sponsors of terrorism.[244] Further Al Bashir dismissed Hassan al-Terabit in 1999 who had been the de facto leader of Sudan in an attempt to assert his authority and redeem the image of Sudan as a pariah state.[245] After the 9/11 attacks, Sudan was among the first nations to condemn the attacks promising to cooperate with the U.S. to bring the culprits to book.[246]

In 2003, the Sudanese government ratified the international legal instruments on terrorism and also signed counter-terrorism agreements with Algeria, Ethiopia and Yemen.[247] It also conducted operations within its territory arresting dozens of extremists and terrorists training there leading deportation of Saudi nationals to Saudi Arabia for trial. To enhance its image further, it hosted an international three day workshop organised by the UNODC (UN Office on Drug Control) on international cooperation on counter-terrorism and the fight against transnational organised crime. It was attended by IGAD countries adopting the Khartoum Declaration on Terrorism

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[243] UN: UN Security Council Resolutions 1044, 1054, and 1070 1996.
[244] Long. A, "Sudan: A Survey of Terrorism and Human Rights", Human Rights & Human Welfare: Review Digest: Human Rights & The War on Terror, 2007, p. S-40
[245] The Associated Press, "Judge: Sudan liable in USS Cole attack", 14 March 2007
[246] BBC, Timeline: Sudan: A Chronology of Key Events, 3 August 2007
[247] US: Department of State, "Overview of State Sponsored Terrorism "Patterns of Global Terrorism 1995, op cit, p. 6

and Transnational Organised Crime.[248] The Sudan government in August 2004 conducted an operation that led to the arresting, prosecution and conviction of a team of Eritreans who had hijacked a Libyan plane forcing it to land in Khartoum. The signing of the CPA and the referendum that followed six years later indicated the Sudanese government willingness to end its support of terrorism. This is because it had used the terrorists as part of its fighting plan against SPLM/A and the signing of the CPA indicated an end to the war. The fact that Sudan has made all this effort has enabled the UN in September 2001 to remove sanction placed against it in 1996 despite the fact it still is in the US list of state sponsors of terrorism.

John Philips[249] in an interview on terrorism in Algeria, AQIM, and counter-terrorism confirmed that counter-terrorism is currently an issue for Djibouti as a part of the larger Sahel region spanning South of Mauritius to the Sudan with a population of about 118 million.[250] AQIM and the Salafists use tactics like provision of education and healthcare to buy the loyalties of the region's people. They engage tactics like arms trade, hijackings, skyjackings, spreading extremists Islamic ideologies. Partnerships have been made with international partners have been formed, early warning mechanisms have been initiated, enhanced communication have been put in place to intercept terrorist communication, use of international policing organisations like Interpol has been initiated, border control is enhanced in Djibouti to prevent infiltration by terrorists, sharing of border control among neighbouring countries, support from France on judicial terrorism police, counter-terrorism specialised prosecutor unit, enhanced investigation joint investigation teams and regional warrants of arrest, regional arms control agreements, enhanced prevention of illegal

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[248] US: Department of State, "Overview of State Sponsored Terrorism", Patterns of Global Terrorism 2003, Washington DC, 2004, p. 7
[249] A member of UN taskforce on Sahel, former legal officer with the UN.
[250] www.youtube.com/watch?v=zBqvYRmVfPw

immigration, enhanced cooperation between government and its people in counter-terrorism. Other tactics include observance of human rights, enhanced partnerships to enable maximising resources and harnessing vast resources as well as experiences, community policing, links with the civil society.

Djibouti borders Arabia at the corner of the Horn of Africa and thus a strategic point a necessary passage to the Suez Canal. The gulf of tajura has been a key trade transit point dating back to the history to the 12th century.[251] It is susceptible to arms smugglers, illegal migrants and militants. Due to its strategic nature it is used by terrorists seeking to enter other countries in the Horn of Africa. The government of Djibouti has taken significant strides in recent years to combat terrorism, including an aggressive immigration campaign to remove illegal aliens from Djibouti, closing down terrorist-linked financial institutions, and sharing security information on possible terrorist activity in the region.[252] A change in the arrival of the Counter-terrorism Joint Task Force Horn of Africa (CJTF HOA) based in Djibouti changed its status as a safe haven to a target for terrorism.[253] The CJTF HOA was created around October 2002 with a responsibility to battle terrorism in Ethiopia, Djibouti, Sudan, Eritrea, Somalia, Kenya and Yemen inclusive of the Indian Ocean, coastal waters of the Red Sea, the Aden Gulf.

Overall there has been mixed results due to the counter-terrorism policies already adopted. These have been mostly U.S. generated and not in tandem with local realities. They have served to alienate the minority Muslims further creating sympathisers and enabling easy recruitment of extremists. The governments have cared more for the military assistance due to regime survival than to the effect of

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[251] www.youtube.com/watch?v=aXcT-ojVv9s
[252] 2 U.S. Department of State, "Patterns of Global Terrorism Report 2003," Washington, D.C. (2004), 8, http://www.state.gov/documents/organization/31912.pdf.
[253] Ibid

adopting wholesale and blindly the counter-terrorism measures created outside and without their input.

In a failed state situation like Somalia, government is none existent giving rise to a ripe ground for recruiting militant and setting up terrorists training camps. This is due poverty, warlordism, scarce food, lack of central authority, lack of security among other reasons. The terrorist organisation like Al Qaida or Al Shabaab would come into fill this void due to non-existent state structures. For a counter-terrorism policy to be effective in such an environment, it must address the issues of governance, poverty, lack of social systems including education, recreation, and disaster management among others. The tactics being used in Somalia involving capture and targeted killings only serve to foster animosity in the region due to collateral damage. The sponsoring of other states to invade Somalia also does not recognise historical relationships between states as the two have never fought before. Providing military training to some clans as a means of creating a standing army as has been done means taking sides which further alienates the other clans which enhances already formed hostilities. This as was done without any means of sustaining this army resulted in defections when salaries were not paid or the warlords and terror groups offered more money.

Kenya's counter-terrorism policy is guided mostly by the U.S. significantly since the embassy bombing.[254] This has led to joint military training exercises in North Eastern and Coast Provinces (Lamu Distric). These areas of U.S. led counter-terrorism efforts include: the National Security Intelligence Service establishment with support from the U.S. ATA Program; creation ATPU in 1998, the JTTF and the

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[254] Beth Elize Whitaker, "Reluctant Partners: The United States and Kenya in the War on Terror," paper presented at the International Studies Association Annual Conference, Chicago, February 28-March 3, 2007; Carson, *op. cit.*, 176-80.

NCTC in 2003;[255] and the NSAC in 2004. These were geared towards improving Kenya's capacity to incident investigations, identifying terrorist operatives and coordinate of work in agencies involved in counter-terrorism.[256] Other measures participation in the U.S. TIP, a technology based immigration screening program at all border crossings. This has led to the harmonization of the regional aviation security regulations with Uganda and Tanzania with the Federal Aviation Administration's support. All the twelve UN conventions on terrorism have been ratified or acceded to with regular reports submitted to the UN Counter-Terrorism. At the regional level Kenya is an active AU member and committed to the Convention on Preventing and Combating Terrorism of 1999 and was part of the establishment of the African Centre for Studies and Research on Terrorism.

Despite these impressive happenings, the counter-terrorism policies failed to recognise a number of causative factors including the minority Muslim Arab population at the coast who still maintain more contact with their parent countries. Kenyan government focus on terrorism is misplaced according to many Kenyans as there are other more pressing issues like corruption.[257] Kenya has been ranked in the top five most corrupt nations worldwide for a considerable time now with T.I. claiming "corruption costs the Kenyan economy about US $1 billion per year, this

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[255] The JTTF basically ceased to function after the Kenya Commissioner of Police, General Hussein Ali, removed the Anti-Terrorist Police Unit from it in 2005, to the dismay of American and several other diplomatic missions. Author interview, Nairobi, March 24, 2007.

[256] It is likely that absent these steps, the planned June 2003 attack on the U.S. Embassy would not have been foiled. A Western diplomat who has followed more recent anti-terrorist efforts of the Kenyan government was unimpressed with them, though he was unable to explain their general failure in terms of a single factor. "More likely," he said, "it is a combination of (1) turf-struggles between competing bureaucratic (and thus financial) interests and thus an inability to concentrate decision-making authority effectively in one place, (2) incompetence in terms of insufficient resources, and (3) corruption." Author interview, Nairobi, February 9, 2007.

[257] Beth Elize Whitaker, "Reluctant Partners," 23.

even when half the population lives on less than US $2 per day."[258] Abdallah Ocalan, the former Kurdistan Workers Party (PKK), (a Kurdish rebel group) leader was arrested in Nairobi by a foreign security team on his way to board a "safe flight" with reports alleging that two senior Moi government officials received $40 million from the Turkish government to allow this.[259] Even the ATPU is faltering as capture and conviction of known terrorists has not been as forthcoming as was expected in its inception. Elijah Karia, head of the ATPU in Mombasa in an interview confirmed the support terrorist suspects receive from locals saying that "only the sympathizers who are keeping him from being arrested."[260]

The HOA region greatest concerns as regards to security is disease, governance, lax criminal justice system, corruption, food security and in addressing these especially at the most affected populations will help the locals more to resist extremist influence. The explosion at the Bakaro market in Mogadishu Somalia and a simultaneous grenade attack on Westgate mall in Nairobi Kenya on 21st September, 2013 are proof enough that the counter-terrorism policies employed in the HOA region have not worked. This led to the deaths of 2 Somali businessmen and others wounded in Mogadishu. The Kenyan attack claimed 61 civilians, 5 security official and 5 attackers. This is a clear indication that the counter-terrorism policies in place have failed and there is a need to relook the methodologies being employed. A strictly counter-terrorism approach has been seen as not working thus a need to develop tactics that take into cognisance of the causative factors. With development the targets

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[258] *Transparency International Corruption Perceptions Index 2006*, 3 (6 November 2006). Available at:
http://www.transparency.org/policy_research/surveys_indices/cpi/2006.
[259] Author interview, Nairobi, October 12, 2006. Another analyst claimed that Turkey paid an unnamed private mercenary group to capture Ocalan. Eric Margolis, "Freedom, Not Fake Autonomy for Kosovo," September, 2013. Available at www.ericmargolis.com/archives/1999/02.
[260] McCrummen, Stephanie. 2008. Hunt for Suspects In Embassy Bombings Elicits Anger in Kenya. Washington Post Foreign Service. Accessed on 28 September, 2013

for radicalisation are hardened and thus with no recruits terrorism in the region will die a natural death.

## 4.3 The Impact of Counter-terrorism in the Horn of Africa Region

The key organisations leading the counter-terrorism in the HOA region are the individual states and the U.S. government. For Kenya and the U.S. has dynamics that each of the players has had to be part of. For U.S. in Kenya, their focus has been on undermining Al-Qaida and affiliated partners in the region. This has been through taking up American led counter-terrorism objectives. This has proven to be a difficult move for Kenya as it has to balance between the needs of the country and the benefits to be derived from cooperating with the U.S government.[261] A study by the Military Academy Combating Terrorism Center supported the argument of the perception of risk of terrorism rather than Kenya's effectiveness of handling terrorism is the key factor that U.S. considers in providing aid to Kenya giving the Kenyan government an incentive not to act decisively to frequent attacks.[262]

This has led to various issues including loss of support for the government in an environment that is competitive electoral situation. This has mainly occurred in the Kenyan coastal region that has had a history of land disputes and also profiling of the region's Muslim population. This is due to the propensity of attacks in the region which has shown it has sympathisers to extremists. This has led the government to focus its counter-terrorism methodologies to the Coastal region creating discontent in

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[261] Kenya was one of only 5 states to receive special training through the Anti-Terrorism Assistance Program in the 2005 budget. The program divided $88 million among these states in 2005 and $122 million was requested for the program in the 2006 budget. Kenya was the only country in the Horn to receive these funds. See http://www.state.gov/documents/organization/60647.pdf [accessed August 31, 2013]. On this phenomenon more generally in Third World states, see, Christopher Clapham, *Third World Politics: An Introduction* (London: Croom Helm, 1985).
[262] Harmony Project. 2007. Al-Qaida's (Mis)Adventures in the Horn o  A rica . West Point, N.Y.:CombatingTerrorism Center at the U.S. Mi itary Academy.

the local populations. After the 1998 attacks the Kenyan government enforced stringent regulations on passports for citizens of Arab, Swahili and Asian descent demanding that they present their grandfather's birth certificate before having their passports renewed or new ones issues.[263]

This was definitely discriminatory because even for the other Kenyans it is almost impossible to find someone who has their grandfather's birth certificate. The other impact has been due to Kenya's continued relations with Israel, U.S. and other Western states. This has led to increased targets for Al Qaida and Al Shabaab with collateral damage of Kenyans like what happened in the 1998 U.S. embassy bombing.[264] While the terrorists were targeting the American embassy only 13 Americans were killed with over 200 Kenyans dying in the process.

Counterterrorist action by the Kenyan government going after the terrorists in Somalia after it kidnapped tourists form Kenyan soil have been continuous. There has been an increase in attacks with the latest being an attack on the upmarket Westgate mall in Nairobi targeting Kenyans as well as other foreign national who frequented the area. This led to the death of 71 people and injuring 175 others. This has been due to Kenya's uptake wholesale of counter-terrorism methodologies and tactics as passed by the U.S. which has resulted in a decrease in tourism a revenue earner for the country.[265] The 2002 attacks in Kenya and the travel advisories issued thereafter by U.S. and Western states embassies cost Kenya's revenue from the vital tourist

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[263] Kalyegira, Timothy. 2001. Kenya's Muslims Protest New Passport laws. United Press International . Accessed on 30 September, 2013.

[264] Compare this to Somalia; a war torn country, with hardly any infrastructure to speak of and no certainly no edifices tied to the U.S. or Israel. Kenya provides the richer target environment.

[265] It's not clear that close U.S. allies are targeted more often, but this is certainly the perception in Kenya, especially in light of the Madrid and London attacks which appeared to be clearly linked to support for U.S. policies.

industry one million dollars daily.[266]

Another impact is that the government efforts at the U.S. led counter-terrorism measures, has led to Muslim leaders seizing this issue to enhance their status as defenders of Islam. This is due to the fact that appearing to be crusaders for Muslim rights and defenders of Islam attracts sympathy and hence funding from Muslim organisations even Islamic governments.[267] This shows that the government actions that are provocative to the Muslim minority at time is beneficial to its leaders who use this opportunity to shore up their followers and even recruit for extremists.[268] Some of the counter-terrorism policies have been humanitarian in nature like the CJTF-HOA civil military programs that target school construction, drilling wells, community outreach programs among others.[269] This has paid dividend as most Muslims appreciate the assistance given.[270] The frequency of travel advisories coming from Western nations each time a terrorist attack occurs in the HOA region has led to countries like Kenya turning East (China) for aid.[271] This is quite disheartening given that counter-terrorism is mostly Western driven yet when the HOA region (Kenya) suffers as a result the U.S. and its allies punish through travel advisories which destabilise the economy. Other forms of assistance include better computer tracking

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[266] Wax, Emily. 2003b. Kenya to Charge Four in Mombasa Bombing Move Follows Criticism by U.S. Envoy, Warning of Planned Al Qaeda Raids. Washington Post Foreign Service.
24 June. http://www.washingtonpost.com/wp-dyn/articles/A24241-2003Jun23.html.
[267] Not all such philanthropists feel this way. One group in the Gulf was hesitant to help fund a new Islamic
University at the coast without U.S. Embassy assurances that this would not be seen as support for "Islamic radicalism" in Kenya. Author interview, Nairobi, August 4, 2006.
[268] See Appendix C-IV for a copy of a letter from the Council of Imams in Mombasa to the Kenyan Minister of Defense.
[269] Most recently, this involved arranging discussion-meetings between New York Times analyst and author Thomas Friedman and various Muslim leaders. Author interview, April 3, 2007.
[270] Several civic leaders and other respondents in Lamu recently expressed nothing but satisfaction with the projects undertaken by U.S. Marines in the area which mainly involve physical
repairs/improvements to local schools and health centers. Author interviews: Mombasa, March 8, 2007; Lamu, March 5, 2007.
[271] Sean McFate, "U.S. Africa Command: A New Strategic Paradigm?" *Military Review* (January-February 2008).

systems for tracing suspects by the immigration departments so as to confine the extremists in one area making finding them easier.

## 4.4 Conclusion

Counter-terrorism policies in the HOA region don't seem to be working and this raises a key question as to what the reason for this might be. Despite the assistance from Western partners, terrorism is still a security threat to the region with attacks still taking place in the region. This can be attributed by the failure of the U.S. government to honestly approach the security issue in the region with a solution devoid of conditions and hidden agenda. The quest for the region's natural resources including oil and rare earth are a huge attraction for Western powers including the Chinese. The CJTF-HOA is a noble step towards addressing a continuously military first approach of the U.S. government. This however fails as it beats logic that a military commander still leads a civil program and this continues to undermine the efforts of the initiative. It is almost impossible to believe that the military approach has been scaled down given the military's role in the CJTF-HOA methodology against counter-terrorism.

Without addressing the causative factors of extremism including corruption, poverty, poor governance, illiteracy, lack of healthcare among others then terrorism will continue to be a part of the regions security threats. The issue of profiling of the minority Muslims in Kenya also continues to shore resentment towards the government thus providing ripe grounds for terrorists' recruitment.

Definitional issues also make terrorism eradication difficult as most Middle Eastern countries do not conform to given definitions of terrorism as they have among their friends anti-western states. The issue of the mutating nature of terrorism was looked into as terrorists are the invincible enemy who attacks when least expected, with

changing tact always aiming to melt within the masses and hit hard and fast without being detected. Given they are not visible, and with changing tactics of attack, their capture has proven to be a challenge to law enforcement worldwide. The issue of transnational terrorism also came up as it is a dilemma on whether to attack a terrorist group residing in a given country without being considered an act of war against a sovereign state. State sponsorship of terrorism is also difficult to prove beyond offering refuge to terrorist.

The assumptions of this study have shown the failure of the counter-terrorism policies employed in the HOA region which have failed to take into consideration wholly the root factors that cause terrorism. Africa continues to enjoy its new found democracies and for this reason any initiative that may appear to demean their sovereignty will be resisted. This has seen a very slow uptake and response to the U.S. led counter-terrorism efforts especially in the target areas. The second assumption on reduction of terrorism is negated due to the fact that as recent as 21st of September, 2013 a terrorist attack occurred in the Kenyan capital Nairobi at the Westgate Mall. The responsibility for this was claimed by the Al Shabaab a terror group operating from Somalia. The third assumption touches on impact of actions like the CJTF-HOA despite being well thought out have failed to convince given that they are military led. It raises serious question and creates a perception of continued militarization of the U.S. foreign policies concerning Africa especially the HOA. In general the war on terrorism has served to further exacerbate historical injustices, social and political issues especially the Muslim population at the coast of Kenya without achieving much of their intended goals.[272]

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[272] Kresse, Kai. 2009. Muslim Politics in Postcolonial Kenya: Negotiating Knowledge on the Double-Periphery. *Journal of the Royal Anthropological Institute*

The HOA governments' dalliance with U.S. led counter-terrorism has brought minimal benefits to the locals despite continuously bearing the brunt of terrorists' attacks. Towards remedying the HOA region states need therefore to relook at the policies failures and focus on the causative factors needs to be the guiding factor in policy formulation.

# CHAPTER FIVE

# CONCLUSION

## 5.0 Summary

Chapter One defines counter-terrorism and the attendant key topics. It gives a background of the counter-terrorism thus placing it in context and providing the statement of the problem we hope to dissipate. It then gives a justification, looks at the counter-terrorism in light of a conceptual framework, provides a literature review, hypotheses to be proven or not, and finally the methodology of the study. Chapter Two provides a history of terrorism and the background of the counter-terrorism globally. It also looks at issues of women in terrorism and how they affect the direction terrorism takes in the Horn of Africa. It closes with the theoretical review lending credence to counter-terrorism from an academic point. Chapter three localises the issues at hand through focusing on the Horn of Africa region. It looks at issue due to counter-terrorism approaches in the region. It looks at the CJTF-HOA and its activities in the region concentrating on Kenya. It closes with a look at challenges and lessons learnt from the mandate of the CJTF-HOA and its application to the region. Chapter Four is an analysis of emerging issues from data collected in the chapter two and recommendations from chapter three using the conceptual framework developed and basing them on the hypotheses posed. Chapter five provides a summary, key finding from the study, recommendations and provides scholarly suggestions on areas for further study.

## 5.1 Key findings

Counter-terrorism in the HOA region has been majorly U.S. led and due to various reasons the impacts of these policies have been felt in positive and negative ways.

CJTF-HOA has led these efforts in the region in an effort to curb terrorism and protect U.S. interests in the region. It had a specific role of preventing and countering extremism. To achieve this it used civil military programs geared at enhancing U.S. image among the locals so as to prevent attack on their interests in the region. Countries in the HOA region have been empowered through military trainings and other civil affairs projects including drilling boreholes, medical, dental and veterinary programs, schools were built and others renovated. A civil military program means it has the ability to engage terrorists and offer support to partner nations.

Various issues as relating to counter-terrorism were looked into including rising Chinese influence in the HOA region. This is due to challenges this rise poses to the objectives of U.S. in the region. China is seen as offering protection to rogue states including Sudan and Zimbabwe through offering non-conditional aid to these states despite a record of human rights violations. China also seems the easier option to turn to for financing due to its foreign policy of non-interference in the internal affairs of its trading partners. This in effect counterbalances the pressure the U.S. and other Western nations apply on rogue states in the region. China operates quasi public institutions with a lot of government support thus offer cheaper services thus the U.S. firms cannot compete favourably.[273] The other issue is the Al Qaeda influence in the region. Due to the war against terror targeting Muslim nations like Yemen, Afghanistan, Somalia among others, anti-American sentiments have grown and the Al Qaeda have taken advantage of this situation to recruit and radicalise in these nations as much as possible.[274]

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[273] More than Humanitarianism: A Strategic U.S. Approach Toward Africa p 49-50.
[274] Al-Qaeda leader's Ayman al-Zawahiri's word to fighters in Somalia implores them to stay strong, "I also send my greetings and those of my brthers to our brothers, the Mujahideen in Somalia, and I remind them that their duty to Somalia is to defend the honor of Islam and Muslins on the Horn of Africa against the Crusaders and Zionistts, and to know that what is happening in Somalia is another

The traditional counter-terrorism strategies include intelligence, antiterrorism, counter-terrorism, and consequence management. Intelligence involves collection of information, analysis of the same then disseminating to relevant parties for action. After this cycle is complete, evaluation is done to ensure that credible intelligence is kept coming to be able keep ahead of extremists. Antiterrorism refers to "Defensive measures used to reduce the vulnerability of individuals and property to terrorist acts, to include limited response and containment by local military forces".[275] This methodology involves hardening targets thus preventing attacks from occurring.[276] Counter-terrorism is a methodology that involves going after terrorists and extremists to neutralise them or disable their ability to attack. This can be done through precision missile attacks, demolition of suspects' homes among other tactics. Intelligence research and analysis involves use of analysis tools to find trends, predict occurrences and prevent attacks. This usually falls within the realm of government forces like the Military intelligence, National Intelligence Service and Directorate of Criminal Investigations in Kenya.

The CJTF-HOA came up as a result of analysis of the traditional counter-terrorism methodologies application and results. It was realised that for success to be achieved more engagement with the public and civil society is necessary. Case in point is the Somali peace process that required efforts from Somali's neighbours to establish a government of national unity. If this failed it meant only a matter of time

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installment of th Zionest Crusade which is assaulting the Muslim Ummah everywhere. Brothers in Islam and Jihad in Somalia: Know that you are on the southern garrison of Islam…don't lose heart..even if your enemies posses thousands of tons of iron an explosives, in their chests lie the hearts of mice." – Per transcripts of al-Zawahiri's speeches documented by Intel Center, in their 2008 publication, "Words of Ayman al-Zawahiri Volume 1." Pages 192 – 193.
[275] http://www.terrorism-research.com/glossary/ Accessed on 20/08/2013
[276] Ibid

before militants mounted attacks against her neighbours.[277] Kenya is susceptible to terrorism, due to the government's cooperation with western states and the hosting of a large number of Somali refugees in the country. Given that counter-terrorism processes in Kenya are U.S. led it suffices to say that the U.S. considers Kenya a key ally in East Africa. This is due to her strategic position along the Indian Ocean and also due to holding Western interests in the region.[278] After enduring several attacks the Kenyan government developed a multi-sectoral approach to countering terror involving the government and the public sector. Kenya has proven to be a terrorist destination due to four factors namely its rich environment, ethnic diversity, weak state capacity within marginalised areas and its sovereignty.

Despite the terrorism threat in Kenya, other issues take center stage; run away corruption, weak state structures including the criminal justice system, tribalism, political patronage among other issues. Kenyans therefore don't place terrorism highest on their list of concern. The CJTF-HOA objectives were to improve crises management, corrode criminal intent and confidence of terrorists, promote regional cooperation, and counter extremism by improving the image of the U.S. through provision of material and medical support in humanitarian assistance programs. This was received well even among the Muslim dominated coastal Kenya and should serve as the benchmark for U.S. HOA relationship in the future. The counter-terrorism efforts have been fraught with challenges including issues of perception of militarisation of American foreign policy in Africa especially the HOA region through AFRICOM.[279] Other challenges include issues of resource exploitation

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[277] International Crisis Group, Countering Terrorism in Somalia: Losing Hearts and Minds?, Africa Report Number 95, July 11, 2005, p ii.
[278] Kagwanja, 2007
[279] "Despite the reality that the State Department and USAID have greater area expertise and experience in diplomacy and development, the funneling of authority and resources from civilian

whereby the CJTF-HOA is seen as a means of establishing permanent presence in Africa with a view of exploiting her resources; the training of militaries of despotic Presidents has also been in question as helping them to stay in power. Other key findings of this study include the fact that a military approach to terrorism is counterproductive. Facing off violence with violence only serves to enhance the situation. The issue on definition of terrorism is also a challenge as in some cases pinning terrorism to a fight for a people's liberation is difficult more so where states support such activities. Al Shabaab claims they are fighting a foreign occupation by the AU forces yet to others they are terrorists. Many Middle East countries do not ascribe to the counter-terrorism instruments put forth by the UN due to definition issues.

## 5.2 Recommendations

Without looking at the root causes and addressing land issues at the coast of Kenya, Muslim rights issues countrywide, corruption within the public service, political tribal patronage, providing job opportunities for the youth, enhancing literacy in marginalised areas as well as opening them up to development then there can be no way military approaches will end terrorism.

The Coastal region and North Eastern Kenya have since independence been marginalised by successive governments. This has resulted in resentment towards any government initiatives in the region which are seen only during elective years. The youth in these regions have nothing else to turn to when they transition to adults due to high illiteracy levels occasioned by few schools where there are any and lack of

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agencies to the military undermined their ability to be effective in their mandates. With AFRICOM the militarization of aid becomes a natural evolution." – From The TransAfrica group Policy Brief 2008, "AFRICOM: The Militarization of U.S. Diplomacy and Foreign Aid".

resources in the schools. This leaves them vulnerable to recruitment and radicalisation by extremists to serve as jihadists for Al Qaeda or Al Shabaab the dominant terrorist groups in the region. Political patronage has ensured this region is backward in development and thus low job opportunities for the youth. This too makes them vulnerable for terrorist recruitment. The government needs to adopt counter-terrorism policies that incorporate the coastal communities into government and develop these areas so as to destabilise conditions that support terrorism. These should be human rights based counter-terrorism policies as these address fundamental rights of all people and touches the root causes of terrorism.

Public communication on the elitist nature of Al Qaeda and Al Shabaab terrorists need to be publicised to show their disrespect for Muslims everywhere. Incidents where innocent Muslims are killed through actions of these groups need to be highly publicised to create a backlash for these extremists and hence make their survival difficult. This will deter recruitment and radicalisation of young Muslims into these organisations.

Empowering local authorities in marginalised areas to spur growth would enhance development and create jobs for idle youth. With the help of the local authority in passing the counter-terrorism message to the locals this would be a fight taken up by local leaders and therefore be won in a easier more cost efficient way. Therefore as a policy move, such decision should involve the local leadership so as to generate acceptance in the grassroots.

Aid agencies should only reward demonstrated efforts to combat terrorism as this deters tolerance of low level terrorist activities. These efforts should be directed at the source of incentives to tolerate terror. These include efforts to reduce corruption and lethargy among the security agents, enhancing criminal justice system and

systems that improve efficiency amongst state and public officers. Further, it would be better to contain the terrorists in one region thus limiting their reach and undercutting their objectives. In the case of Al Shabaab this can be done through enhancing capacity (economic, infrastructure, social among others) in neighbouring states in the HOA region to ensure locals have no incentive to house extremists. The next thing would be enhance border controls at vulnerable points on each countries border, beefing up security in border towns.

Finally would be to grant partial recognition to Puntland and Somaliland thus enable them to receive aid and strengthen their capability to fight terrorism. This would eventually box out the terrorists forcing them out of the region or exposing them to capture easily. With the implementation of the above recommendations a definite drop in terrorism will be felt and resources can then be diverted to other areas of need. This is not an end to this issue as other areas of future study that can be looked at including how the local indigenous groups and the civil society can enhance the counter-terrorism fight. Another area of interest would be a look at the legislation in place and how it affects efforts by civil society to engage insurgents in a bid to end extremism. A look at the terrorist organisation given their mutational nature with a focus to developing counter-terrorism techniques based on the organisational structure.

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