UNIVERSITY OF NAIROBI

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

EFFECTS OF ILLEGAL IMMIGRATION ON SECURITY IN AFRICA:

A CASE STUDY OF KENYA

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Declaration

I, **Alicent Kambura Muthaara,** hereby declare that this research project is my own original work and has not been presented for any award of a Degree or Diploma in any other University.

Signature…………………………………..……Date………………………….……

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REGISTRATION NUMBER. R.50/9967/2018

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

Signature…………………………………..……Date………………………….……

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Dedication

This study is dedicated to my husband Bildad Odipo and our children Michele and Ian for their immense support, understanding and encouragement.

Acknowledgement

I wish to sincerely thank God for having seen me thus far. My sincere appreciation go to my supervisor Dr. Anita Kiamba for her

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patience as she guided me through this critical journey. It is a process that has shaped me both as a person and as a researcher.

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Even with these appreciations, I remain responsible for this work.

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List of Abbreviations

APRM   African Peer Review Mechanism

ASEAN   Association of South East Asian Nations

AU   African Union

CAK   Communication Authority of Kenya

DCI   Directorate of Criminal Investigations

EAC   East Africa Community

EU   European Union

IDP   Internally Displaced Person

IOM	International Organization for Migration
INGOs	International Non-governmental organizations
KEPHIS	Kenya Plants and Health Inspectorate Services
KRA	Kenya Revenue Authority
NGOs	Non- governmental organizations
OECD	Organization for Economic Co-operation and Development
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
US	United States

CHAPTER ONE
INTRODUCTION

1.1 Background of Study

Migration is always present, despite the physical, cultural and economic obstacles. Immigration or the movement of people from their place of domicile to settle in new countries is as old as mankind. The process of immigration is currently a global phenomenon that is growing in scope, complexity and impact. Immigration is both a cause and effect of broader development processes and an intrinsic feature of the ever globalizing world, therefore immigration, both legal and illegal, is becoming an ever more important element in international relations.

International migration is a phenomenon that is now expanding: the increase in global mobility, the increasing complexity of migration patterns and their impact on countries, migrants, families and communities have contributed to the emergence of global migration becoming a priority for the international community.[1] Therefore, migration can be a positive force for development when it is supported by the right set of policies, so the management of migratory flows and the prevention of illegal immigration is a key domain of the state. International immigration can be defined as the permanent movement of individuals or groups from one place to another. [2] Immigration is at the head of the European politicy agenda, in addition to its intrinsic importance, in

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1 Reports of the Secretary General. *The report summary of the 2013 High level Dialogue on International Migration and Development*, United Nations, October (2013), p. 7.

recent years it has become an aspect of European relations with the outside world.

In recent years, international migration gained recognition as an important security agenda of several states, particularly in Europe, America and North Africa.

The perception by nations that migration is a threat to security has developed as population increased rapidly. Whereas about 191 million persons were living outside their countries of origin in 2005, this number increased in 2010 to about 214 million.[3] This increase could be due to increased favorable migration policies in different countries. Another way in which immigration has been argued to pose a threat to a state's national interest is through its impact on the state's economy.[4] Immigration has, and will continue to have, a significant economic impact on both the receiving country and the country of origin.

Pooley and Turnbull reveal that, to migrate; or to engage in migration means to move from one place or country to another either temporarily or permanently. It can also include a pattern of entry, re-entry and exit from nations. Emigration involves leaving

2 International Organization for Migration. *Glossary on Migration*, International Migration Law Series No. 25, (2011), p. 13.
3 Lim, Timothy. *South Korea as an 'ordinary' country: a comparative inquiry into the prospects for 'permanent' immigration to Korea.* Journal of Ethnic and Migration Studies 38, no. 3, (2012):pp. 507-528.
4 Weiner, Myron. *International Migration and Security*. (Boulder CO: Westview Press, 1993): p.89.

one's country and moving to another country.[5] Immigration, on the other hand, is moving towards a nation that is not one's own. [6] The Second High-Level General Assembly Dialogue on International Migration and Development, Preparations for the UN Post-2015 Development Agenda and the 2014 General Assembly Special Session on the Implementation of the Conference's Action Program International population and development beyond 2014 is an important opportunity for Member States to address immigration challenges and improve global governance of migration.[7] Emerging research currently addresses the question as to whether immigrants are a security threat or whether they add value to both sending and receiving state.

Illegal migration inside and outside the Horn of Africa and its neighbors is widespread and

Illegal migration inside and outside the Horn of Africa and its neighbors is widespread and growing. The region spans Ethiopia, Eritrea, Djibouti, Somalia, Yemen, Kenya, South Sudan, and Republic of Sudan. Illegal migration in the region is mixed, and comprises undocumented migrants, irregular migrants, asylum seekers and refugees who are driven to move by multiple, related factors, including conflict, political and ethnic persecution, poverty, scarce resources, environmental degradation, labor market conditions, family and community ostracism, domestic subsistence strategies (such as reliance

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5 Colin Pooley and Jean Turnbull, *Migration and Mobility in Britain since the Eighteenth Century*. (New York: Routledge, 2005): pp. 257-263.

6 Rubin, Rachel, and Jeffrey, Paul Melnick. *Immigration and American popular culture: an introduction*. (New York, N.Y: New York University Press, 2006):pp. 7-11.

7 Ibid, p. 15.

on remittances) and social expectations of emigration.[8] Caught up in these flows are victims of human trafficking.

The Kenyan Constitution (2010) does not explicitly classify Department of Immigration Services as a security agency. According to Government of Kenya, the department of immigration has often been considered as a facilitation agency – the face of the country when visitors seek to enter or depart from a given country.[9] It is noted that despite the key role played by the department of immigration in national security, it is still considered as a facilitation department. To this end, hardly is the immigration agency considered a security agency in the strict sense of the word. The Department of Immigration is not recognized as a security agency, despite the wake of Westgate attack – the majority of the perpetrators foreigners, the cybercrime, kidnappings and Runda Chinese cyber ring, are all migration and security issues.

Although some migration may be irregular while some may perpetuate crime, it is often the discourse that immigration should incorporate aspects of security so that immigration practice can fit within the safeguards of national security. Illegal immigration is a serious security threat in Kenya, and as such most of the literature still remains both speculative and prescriptive.

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8 Shaw, William. "Migration in Africa: a review of economic literature on international migration in 10 countries." *World Bank, Memo*, (2007): p.76.

9 *Kenya Constitution*. (Nairobi: Government Printing Press, 2010).

It is further noted that national security is comprised of various components, which include physical security of the citizens and economic security among others, and therefore an influx of immigrants trigger security concerns on the receiving states primarily based on these two elements.

1.2 Problem Statement

Migration has fostered cooperation between African states; however, the process of coordination has gone through difficulties and disadvantages that have witnessed the distance between the aspirations of East Africa and the real conquests. Furthermore, the security framework in which migration policies have been envisaged has shown that cooperation can strengthen rather than dissolve the capacity of the state to resist. Because of its connection to security, migration management is slowly taking a strategic position in the country and continues to shape Kenya's external relations.

The strategic security aspects of migration are often juxtaposed with the facilitative aspects of migration which often takes the assumption that all people who migrate do so with good intentions. Studies show that migration carries equal dangers as it carries good tidings. Whereas people travel to invest, transfer skills, share technology and utilize human capital; there exist a category that travel to spread diseases, engage in crimes such as credit card fraud, terrorism, cross border and other transnational crimes.

Because of the connection between security and migration there has been a consistent narrative implying that any cases of insecurity can be explained by citing illegal foreign nationals as the source of insecurity. A good number of security lapses have been predicated on the presence of illegal foreign nationals.

The 2014 Westgate terror attack in Kenya, as in other terror attacks, numerous cases of drug trafficking and motor vehicle thefts – all serve as examples where fingers have pointed at illegal foreign nationals' involvement.

Subsequently, a number of descriptive and prescriptive studies undertaken radically opposed views on this narrative. These studies are all contextualised in the America and United Kingdom. A lot has been written about migration and in particular the push and pull factors. However, attention has not been given to illegal immigration as a threat to security in Africa. It is against this foundation that this study investigated the effects of illegal immigration on security in Africa using Kenya as a case study.

1.3 Research Questions

i. What are the causes and effects of illegal immigration on security?

ii. What is the profile of illegal immigrants in Kenya?

iii.   What are the strategies for effectively addressing illegal immigration in Kenya?

1.4 Objectives of the Study

The study aimed at assessing illegal immigration on security in Africa using a case study of Kenya. The study specifically aimed:

i.   To examine the causes and effects of illegal immigration on security

ii.   To determine the profile of illegal immigrants in Kenya

iii.   To establish the strategies for effectively addressing illegal immigration in Kenya.

1.5 Literature Review

This section reviewed the empirical and theoretical literature. A series of theoretical propositions are questioned against empirical data from recent studies. Based on the data examined, the study is assigned to the conceptual framework that is offered to the world view for this study.

1.5.1 Globalization and immigration

Migration is a global phenomenon that is expanding in scope, complexity and impact. Migration is both a cause and an effect of wider development processes and an intrinsic characteristic of the world. The increase in global mobility, the increasing complexity of migration patterns and their impact on countries, migrants, families

and communities have contributed to making global migration a priority for the international community.[10]

Heisel states that the root cause of the voluntary movement of populations between and within national borders in recent years is rooted in the initial and growing disparity in development between states. [11] The causes and consequences of this movement have economic, political, social and demographic dimensions.

Immigration is a variable that responds to social, political and economic events which trigger an upsurge in the movement of persons or slows it down. This is well illustrated by the economic recession that the world experienced in 2008 and 2009. Bimal Gosh captures it as follows: "The corrosive effects of the great recession, the worst since 1930 on labour markets and labour forces are not well known.These in turn are driving changes in policy and migration patterns, changes that can significantly influence social peace, interstate relations and the pace of global economic recovery. However, these immigration problems have received little attention so far."[12]

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10 Markaki, Yvonni and Longhi, Simonetta. *What determines attitudes to immigration in European countries? An analysis at the regional level, Migration Studies.* (Swiss: International Organization for Migration, 2010): pp. 987-990.

11 Heisel, D. F., 'Theories of international migration'. In *International Migration in the Arab World. Proceedings of an ECWA Population Conference in Nicosia.* (Beirut: UNECWA, 1982): pp. 67-70.

12 Bimal, Ghosh. "The global Economic crises and Migration. Where do we go from here?" *International Organization for Migration.* (2010): pp. 9-12.

Compared to other demographic phenomena, migration is a difficult process to ignore. This phenomenon is becoming increasingly important compared to births and deaths.[13] Furthermore, political debates and events like elections tend to focus on migration. The 2016 elections the Brexit referendum in the United Kingdom has made migration one of the main topics for discussion. The concept of migration involves both space and time. To be precise, the space is linked to the place of departure and, secondly, to the place of arrival. The same applies to the time when the length of stay must be defined in at least one of these places. In general, in all human movements, the study can define those of migration as one or more movements that determine the change in the place of residence of an individual.

1.5.2 Securitization of Immigration

The 9/11 terrorist attack in the USA revealed that the perpetrators were all temporary or illegal immigrants as a case that reaffirms the role migration including refugees inflow can play in national security. The events of 9/11 resulted in United States of America to treat immigration services as part of their national security apparatus and made other western states to accept that public policy process should treat immigration and security as intertwined and also securitize matters of control and management of population movement.

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13 Lucas, Robert. *International Migration and Development: Lessons from Low-Income Countries*. Edward Elgar: Cheltenham, 2005.

Failures in immigration system may threaten governments and the citizenry in both sending and receiving states. An example would be terrorism which may lead to weakening existing power structures. Williams argues that where migrants become citizens of the host country they form a racially distinct minority within the state which whether viewed in the traditional sense of security of state or from security in wider sense of social stability has a substantial impact on national security.

Large scale refugee flow by their very nature are the result of conflict, social, political upheaval and turmoil in their former country and may sometimes transfer that instability to host nation.[14] According to Williams the effects of large scale refugee inflow to a state, may force the receiving state to try and bring a change in the situation or policies of sending country that led to the exodus which may bring conflict between the two countries. Williams also argues that where large numbers of refugees settle in an environment within receiving country where they are ethnically similar to their hosts, or speak common language, they can act as a driving force for change within the receiving country.[15] Ibrahim et al, argue that refugees' influx in the Horn of Africa is as a result of instability and conflict.

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14 Williams, Paul. *Security Studies: An Introduction*, (Milton Park Abingdon, Oxon: Routledge 2 Park Square, 2013): p. 523

15 Ibid., p. 525

The authors argue that there is no adequate framework of refugee-sensitive security in the region that addresses the social and physical well-being of refugees. [16] Academics point out that the current refugee security framework between humanitarian agencies, agencies and government focuses on physical protection rather than on human needs. Mwagiru argues that the current international refugee debate simply revolves around achieving "permanent refugee status" rather than their human well-being.

This author reckons that the willingness of hosting states to accept refugee inflow in the Horn of Africa is fading especially because of national security concerns for fear that among arriving refugee populations are armed combatants.[17]

There are discounting claims that immigration is a major threat to national security. Security in this case includes internal security, economic security and societal security.[18] Whereas these claims, especially if perpetuated by government agent and the media are aimed at controlling migration flows, they may have a negative effect in that immigrants bring new skills which are essential to economic growth.

Long-term migration exists when the period of stay is at least more than a year. To be precise, long-term international immigration

16 Ibrahim Sirkeci, Jeffrey H. Cohen, Pinar Yazgan. *Conflict, Insecurity and Mobility*. (London: Transnational Press, 2016): pp. 2-11.
17 Makumi, Mwagiru, *et al,. Human Security: Setting the agenda for the Horn of Africa* (Nairobi, Africa Peace Forum, (2008): p. 91
18 Ibrahim Sirkeci, Jeffrey H. Cohen, Pinar Yazgan. *Conflict, Insecurity and Mobility*. (London: Transnational Press, 2016):pp. 2-11.

is recorded when a person enters a country and establishes his usual place of residence there for a year or more. Likewise, long-term international migration is registered for anyone leaving the country and establishing their place of habitual residence abroad for at least one year.[19]

Lim observes that for the definition of international migration, the places of departure and destination belong to two distinct countries and that, consequently, the movement which forms the basis of the change of place of habitual residence is carried out at least once across a national border. [20] Lim also argues that international migration appears to be a change from the usual country of residence.

If for any reason the individual cannot or does not declare his new place of habitual residence in the country of destination, there will be no registration of this change of country of administrative residence and the individual will not be included in the *de jure* population of the country of destination.[21]

Therefore, despite the existence of international agencies and governmental institutions for the protection and care of refugees, the structures on which they work do not address the aspect of human security in protecting refugees as a priority and, therefore,

19 United Nations, *Recommendations on statistics of international migrations. Revision 1*, Statistical Papers, series M No. 58,Rev. 1, New York, (1998): p. 90.
20 Lim, Timothy. "South Korea as an 'ordinary' country: a comparative inquiry into the prospects for 'permanent' immigration to Korea.*" Journal of Ethnic and Migration Studies* 38, No. 3, (2012): 507-528.
21Lim, Timothy. *Ibid:* pp.507-528.

the need to formulate a security framework that informs the policy on refugees among the states of the Horn of Africa. Therefore, this implies that the lack of a legal framework and the coordination between the various actors in the management of refugees in the Horn of Africa is the main cause of violation of their human security, which in itself is national insecurity.

Payne argues that agencies working with immigrants want more sustainable responses to the growing refugee problem. This impetus come from donors wanting to encourage self–sufficiency as a cheaper alternative to high - input relief programmes and from non-governmental organizations (NGOs) efforts to strengthen the fragmented refugee communities from the grassroots up.[22] Payne further argues that refugee settlement programmes are attractive to donors since they offer cheaper longer-time option than the traditional care and maintenance 'transit' camps. For Payne, African governments and international donors are tired of supporting endless transits, where money seems to be poured down a bottomless pit. There was thus need to make major savings in provision of food and other aid, in refugee crisis with no end in sight such as the south Sudan and Somalia cases.

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22 Ibid., p. 67.

1.5.3 Causes and effects of Immigration

Shaw notes that while immigration has economic advantages and disadvantages, the expansion of the definition of security to encompass the economic sector has brought increased attention to the economic challenges caused by immigration and as a result, been labeled as a security issue.[23] It is economic migrants as well as refugees and asylum seekers that are perceived to threaten the food, health, environmental, national and economic security of a state. The supposed danger of illegal immigration to the societal security of a state is not an objective and universal threat, but rather a subjective threat, dependent on the ways in which the receiving state defines itself.[24] For instance, while some states may view multiculturalism as undesirable, other states may pride themselves on their cultural diversity.

Migration has had an impact on development in Kenya in various ways, both positively and negatively. Much of the available literature on the relationship between migration and development has drawn attention to the positive impacts of immigration at the expense of the negatives. Williams attributes population movement to rapid increase in world population, globalization and to turmoil's and uncertainty which motivate people to move to escape and/or search for better life.[25] Lina argues that according to International

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23 Lina Payne Op Cit., p. 71.
24 Weiner, Myron. *International Migration and Security*. (Boulder CO: Westview Press, 1993): p. 91.
25 Williams, Paul. *Security Studies: An Introduction*, (Milton Park Abingdon, Oxon: Routledge 2 Park Square, (2013): p. 128.

Organizations for Migration (IOM), international migrants in the world has increased from just 75 million in 1960 to 214 million people in 2010 which forms about 3.1 per cent of global population among which 15.4 million are refugees.

Williams cites exodus of starving Somalis to Kenya in search of nutrition in mid-2011 as an indicator that drought and political instability can combine to cause large scale refugees movements.[26] Lina relates exercise of sovereignty by state as a justification of states to implement a system of border controls, with policies regarding who may enter, for how long and the conditions.[27]

Many governments especially those in Africa have identified refugees and Internally Displaced Person (IDP) camps as the source of insecurity and arms availability. He cites Northern Kenya, where newspapers locally have repeatedly pointed to Kakuma and Dadaab refugee camps as doubling as weapons trans-shipment points where illegal firearms are alleged to have been stockpiled by Somali and Sudanese refugees after which they are smuggled to urban centers especially Eastleigh, in Nairobi.[28]

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26 Lina Payne. *Rebuilding Communities in a Refugee Settlement: A Casebook from Uganda*, (Oxford, Oxfam Print Unit, 1998): p. 7.
27 Weiner, Myron. *International Migration and Security*. (Boulder CO: Westview Press, 1993), p. 107.
28 Ibid., *p.* 104.

1.6   Justification of the Study

1.6.1 Academic justification

From literature reviewed, immigration has a facilitative and security aspect. Securitization of immigration has dominated discourse especially where immigration is used to explain insecurity in any region.[29] The study made claims that insecurity is contingent on the presence of illegal immigrants. In assessing illegal immigration as a security threat in Africa, using the case study of Kenya the study contributed to new knowledge and deeper appreciation of the security as part of immigration.

1.6.1 Policy justification

In seeking to better understand the implication of illegal immigration on security in Kenya, this study contributed to the study of efficient immigration management. In addition the study helped identify current policy successes and short falls for review and amendments. The study informed policy makers on emerging trends for countering the threats and challenges associated with immigration, thus the findings can be used to formulate future policies and regulations.

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29 Kenya National Assembly. *Report of the Joint Committee on Administration and National Security and Defense and Foreign Relations on the Inquiry into the Westgate Terrorist Attack and other Attacks*. (Nairobi: Government Printing Press, 2013).

1.7 Conceptual Framework

The concept of securitization is generally associated with the Copenhagen school of security studies, which is generally taken to include Ole Wæver, Barry Buzan, and a range of other, more loosely associated, researchers.[30] According to Ole Wæver, the concept of securitization provided a fresh take on the increasingly tiresome debate between those who claimed that threats are objective (that is, what really constitutes a threat to international security) on the one hand, and those that maintained that security is subjective (what is perceived to be a threat) on the other.[31] In an attempt to evade this debate, the Copenhagen school suggests that security should instead be seen as a speech act, where the central issue is not if threats are real or not, but the ways in which a certain issue (troop movements, migration, or environmental degradation) can be socially constructed as a threat.

A socially constructed concept invites assessments on the myriad of interpretations that can be a reality when an issue is securitized. The concept has an analytical goal which is to offer an avenue for theorists to practically analyze security. The movement of people undoubtedly provoke anxiety and apprehension. Increasingly, migration is being securitized.

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30 Balzacq, Thierry. *Constructivism and Securitization Studies. In The Routledge Handbook of Security St*udies. Edited by Myriam Dunn Cavelty and Victor Mauer, 56–72. (Abingdon, UK, and New York: Routledge, 2010): pp. 17-19.
31 Buzan, Barry, Ole Wæver, and Jaap de Wilde. *Security: A New Framework for Analysis*. (Boulder, CO: Lynne Rienner, 1998): p. 4.

States around the globe, especially in Europe are putting more emphasis on migration for security reasons.[32] Indeed, migration is now listed as a security concern by almost all Organization for Economic Co-operation and Development (OECD) member countries. The concept of Securitization has become common among the constructivist studies of International Relations- refers to the social construction by employing the *speech act* as seen by Balzacq or rather announcing of an issue as one which is henceforth a threat and which in the opinion of the elites is a national security problem.[33]

Security and migration became a topic of discussion in the end of the twentieth century. The issue becomes more a public policy issue than private. As a result, migration influenced the way social order was conceptualized. Subsequently, immigration issues became a matter of concern for politicians as they allocated resources and formulated regulations.[34]

The increasingly strong link between security and migration produces relevant consequences on the Euro-African border: a progressive militarization of the external border as well as a displacement of the latter towards the African continent. At the southern borders of the European Union (EU), the external

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32 Buzan, Barry et al. *Op Cit.*, p. 9.
33 Balzacq, Thierry, ed. *Securitization theory: how security problems emerge and dissolve*. Routledge, 2010.

34 Huysmans, Jef. *The Politics of Insecurity. Fear, migration and asylum in the EU*. (London: Routledge, 2008): p. 90.

dimension of European immigration policies focuses on the delegation of migration control towards transit spaces in the African continent.

This effect creates a number of "buffer-zones" in the continent and displacing the Euro-African border farther south.[35]

The immigration-security nexus presents a perspective that there are security consequences when people move across borders. In Europe, states should fear the "coming anarchy" associated with mass migration. Others view the world as divided into two camps, the rich and the poor, and predict that the poor will either fight the rich or simply overwhelm them.[36] Despite these provocative arguments, security studies have, for the most part of the second half of the twentieth century, remained silent on the linkage between immigration and security. This does not mean that no effort has been made in the past decades to study their relationship. Hence, the concept of security has to encompass, for instance, "humans", "environment", and "space". The efforts to widen security conceptual devices have proven to be quite influential on the link between immigration and security.

The relationship between international relations and migration has been studied from various perspectives and with mixed results-

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35 Buzan, Barry et al. *Op Cit.*, p. 9. p. 4.
36 Lutterbeck, Derek. *Policing Migration in the Mediterranean*. Mediterranean Politics 11(2006): pp. 59–82.

over the past two decades. Five predominant arguments have been advanced regarding this linkage: arguing that immigration is a significant factor influencing world politics, showing that diasporas have an effect on the foreign policy of the home and/or host countries, illustrating that immigration has profoundly transformed the global economic system, tracing and highlighting the predominance of cultural factors in world politics, or pointing to regional consequences of the movement of people.[37] Lutterbeck notes that these contributions serve as a base for two-way relationship between immigration and international relations.

This illustrates that as a function of immigration studies, international relations scholarship is increasingly "interested" in such questions. Notwithstanding these initial attempts, the immigration-security nexus has been under analyzed and unelaborated. [38] On the other hand, the immigration-security nexus appears at the level of the state practices at the border as well. At the same time, the delegation of immigration flows control towards African third countries pushes an externalization of expulsions and repatriation between transit and origin countries.

1.8 Hypotheses

1.8.1 Illegal immigration in Kenya is on the increase

1.8.2 Illegal immigration is a national security threat to Kenya.

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37 Buzan, Barry, Ole Wæver, and Jaap de Wilde. *Security: A New Framework for Analysis*. (Boulder, CO: Lynne Rienner, 1998): p. 4.
38 Lutterbeck, Derek. *Policing Migration in the Mediterranean*. Mediterranean Politics 11(2006), pp. 59–82.

1.8.3 Strategies for effectively addressing illegal immigration in Kenya are uncoordinated.

1.9 Methodology of the Study

The study applied case study as a research design to assess the impact of illegal immigration on security in Africa using a case study of Kenya. Case studies are often done in the subject's real-world context, which gives researchers a good view of what they are really like. Case studies provide rich raw material for advancing theoretical ideas.

The main research material for the study was sourced from key actors in the field of immigration, and therefore qualitative and quantitative data analysis method was used for data analysis which involved a detailed and systematic analysis of the collected information.

Purposive sampling of immigration experts was used to capture the target population for the study.

An interview using a structured questionnaire was conducted with key actors namely the United Nations High Commissioner for Refugees (UNHCR), National Police Services, and Department of Immigration Services. Questionnaires were administered to a sample of 80 immigration officers drawn from Jomo Kenyatta International Airport, Moyale, Lunga Lunga and investigation section at the headquarters.

Qualitative and quantitative data analysis methods were used for data analysis which involved a detailed and systematic analysis of the collected information. SPSS was be used to analyze data collected from questionnaires. Qualitative data was analyzed through content and document analysis. In using document analysis, the researcher was interested in the motivation, intent and purpose of a document within a particular historical context. The final results or outcomes of the data analyzed was presented in the form of narrative, frequency tables, bar graphs and pie charts.

Data analysis was done using content and document analysis, through a review of literature and reports available on immigration and human security issues in foreign policy with a sharp focus on the Republic of Kenya. Document analysis was a key skill in historical interpretation. It was the analysis of the motivation, intent and purpose of a document within a particular historical context. The final results or outcomes of the data analyzed were presented in the form of narrative, frequency tables, bar graphs and pie charts.

1.10 Chapter Outline

Chapter 1: This chapter is an introduction to the study. It is a background to the study and located immigration as an active component of security. Within the stated problem, objectives and research questions were advanced. The chapter also includes the academic and policy rationale for the study. The broad methodological and conceptual framework is presented in the chapter.

Chapter 2: The causes and effects of illegal immigration on security are discussed within the thematic areas of social, political and economic reasons. In the chapter, greater perspectives of the global migratory causes are advanced. Typically, the chapter seeks to answer the following question: why do migrants seek to beat the law and migrate to other countries? Finally, the chapter interrogates the causal relationship between immigration and insecurity.

Chapter 3: This chapter focuses on the profile of illegal immigrants. Specifically the chapter draws from the profile parameters in the conditions of entry. The chapter seeks to answer whether nations can systematically identify an illegal immigrant or can create a checkbox that can help immigration authorities identify red flags that could lead to curbing illegal immigration.

Chapter 4: The chapter considers the current and prospective strategies that can be employed to counter illegal immigration in Kenya. An evaluation of the law and policy; interagency cooperation; stringent immigration policies; and management of the alert list was probed. Are these strategies effective in curbing illegal immigration? Data is presented in tables, graphs and charts from data collected through interviews and from questionnaires.

Chapter 5: In the final chapter, a summary of the study, a number of recommendations and conclusions are drawn from the study. The aim of this chapter is to inform policymakers and the academia of the contributions of the study and propose a number of pointers

that both groups could attest to and help create a secure continent through properly managed migratory policies.

CHAPTER TWO
AN OVERVIEW OF THE CAUSES AND EFFECTS OF ILLEGAL IMMIGRATION ON SECURITY

2.1 Introduction

In this chapter, an assessment of the causes and effects of illegal immigration on security were discussed. About 75 million people have migrated and even settled in a different country. Migration is either motivated by factors within the country of origin – also called push factors or the move could be motivated by factors in the country of destination – the pull factors. In this study, migration means the changing of:

> "Place of residence by crossing a specified administrative or political boundary. It is movement of a person or a group of persons, either across an international border, or within a State. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification."[39]

The UN estimates in 2001 that about 75 million people have their habitation in countries other than their origin is proof enough that migration is a major concern for any forward looking country[40]. The numbers shared by UN indicate that about 3% of the world's population has migrated from their country of origin and these

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39 Balayneh Abire & Sagar G. (2016).The Determinant factors of illegal migration to South Africa and its impacts on the society in case of Gombora District, Hadiya zone in Ethiopia: A Bayesian Approach. *IOSR Journal of Mathematics*, (2016): 51-65.

40 Jan Lidak. International Migration, Europe and Migration from Africa. *Journal of Asian and African Studies,* (2014): 226-254.

numbers include the African population. In fact the African statistics indicate that 2.4 million people have migrated for reasons that influence on their security. Largely, this number relates to refugees who are running away from their country for fear of persecution or death[41]. In 2006, the ILO report noted that illegal immigration was a 7 billion USD business after drug and firearms trafficking.

The report indicates that of the 14,000 Ethiopian migrants in Lebanon, only 5533 had immigration papers. A good number of causes can be apportioned as a vivid explanation for illegal immigration. Mohamed defines migration as involving "localities, which are areas of origin and destination involving change in residence for short or long periods of time."[42] Different reasons for migration have been advanced. In Ethiopia, some of the causes of migration include: traditional push factors such as famine, drought, low agricultural productivity and unemployment- or natural calamities and associate reasons; to ecological pressures, economic incentives, psychological motivations, political situations and the fear of overpopulation. Population growth is better manifested in food shortage, land disputes and bad traditional cultures[43]. Whereas

41 Marie-Laurence Flahaux & Hein De Haas. "African Migration: Trends, Patterns, drivers." *Competitive migration studies* 4, no. 1, (2016): 1

42 Mohamed Ya. "Cause and Consequence of Cross Border Illegal Migration from South Wollo, Ethiopia." *Arts and Social Sciences Journal* 7, no 2 (2016): p. 2

43 Jan Lidak. International Migration, Europe and Migration from Africa. *Journal of Asian and African Studies,* (2014): 226-254

this dichotomy served a purpose, Mohamed avoids the broader categorization of causes of illegal migration in Africa.

2.2 Political causes of illegal immigration

The 1950s and 1960s marked the years of the struggle for independence in many African countries. A good number of the states in Africa recorded significant steps towards the *Africanization* of leadership during this period. The struggle for independence marked the baby steps of migration – years after the continent had reached notoriety for slave trade. During the struggle, a good number of leaders would leave the country in search of military and political support. The subsequent attainment of independence presented new complexes for the young nations.

Within the context of seeking to govern themselves and the reality of a marginalized population, the need to move across the continent and out of the continent became increasingly pertinent.

The post-independence governments toughened their positions contributing to a better part of illegal migration. Offor argues that between the 1960s and 1990s, Africa was a theatre of coups. He further contends that "A few months after the independence of most African countries, the continent became a theatre of coups. The military stuck in Zaire [now DRC] in January 1961, precisely six months after independence. Togo and Benin

Republic had theirs in 1963, Central African Republic in 1965, Burkina Faso and Nigeria in 1966, Mali in 1968, Niger Republic in 1974, Mauritania in 1978, Equatorial Guinea in 1979, Liberia and Guinea Bissau in 1980."[44]

These protracted conflicts in Somalia also resulted in their exclusion from other East African countries thus making the life of its people difficult. This made the people to seek alternatives from other countries. These civil conflicts were not only experienced in Somalia. Uganda and Eritrea are not exceptional. In Uganda, they experienced a war where two groups: the Lord's Resistance Army (LRA) and the Alliance of Democratic Forces (ADF) fought Ugandan government that resulted in the death of many people and displacements of people who moved to different countries neighboring them for safety. In Eritrea, it experienced political instability that was triggered by political differences between the Prime Minister and the President; that also had the same impact as witnessed in Uganda[45].

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44 Francis Offor. Civil disobedience, moral autonomy and the quest for sustainable democratic culture in Africa. *Journal of sustainable development in Africa* 9, no. 1, (2007):133-140.

45 Kimunguyi, Patrick. "Terrorism and Counterterrorism in East Africa." *Global Terrorism Research Centre, Monash University, Australia* (2011): 2

Charriere and Fresia[46] captured some of the troubling political situations that contributed to justifiable illegal migration. The Biafra war in Nigeria between 1967 and 1970); the liberation struggle in Guinea-Bissau between 1963 and 1973; and Senegal's Casamance Independence movement of 1980. In African war and conflicts seems the best categorization of the continent.

Among the countries going through a tough political period include: Senegal, The Gambia, Cote d'Ivoire, Sierra Leone, Togo, Benin, Guinea, Liberia, Ghana, Somalia, DRC, Nigeria, Mozambique and Angola among others. Conflict in Africa is well manifested in politics of transition. Interesting parallels can be drawn in many African countries. In Zimbabwe, President Mugabe has had long standing dispute over polls with Morgan Tsvangirai. This conflict led to migratory concerns as emigration trends from Zimbabwe to South Africa – in a study by Dumba and Chirisa[47]. In this study, the number of Zimbabweans in South Africa astronomically rose in 2006 due to political and economic conditions.

Kenya has had its issues following the 2007 disputed elections results that pit Raila Odinga supporters against Mwai Kibaki's which led Kenya to a volatile post-election conflict. Some internally displaced persons and refugees fled to Uganda for safety

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46 Florianne Charriere & Marion Fresia. West Africa as a migration and protection area (2008)

47 Smart Dumba & Innocent Chirisa (2010).The plight of illegal migrants in South Africa: A case study of Zimbabweans in Soshanguve Extension 4 and 5. *International Journal of Politics and Good Governance*, (2010):1-20

and have not returned to Kenya. Schmid captured a similar predicament during the Arab spring where the political situation in the country led to a good number of people to seek safety in Europe. The most plausible route was through the Mediterranean Sea. This route has been perennially marked as the illegal route of safety and employment.[48]

Governments struggle with the best ways to actualize policies put in place to ensure that states develop. In Africa, the fact that most of the policy statements are never actualized seems to contribute to pushing a sizeable population to leave the government's jurisdiction. Failure to actualize policies encourages migration as they search for greener pastures. Government policies on security and employment though social and economic, are nonetheless contextualized in political overtures.

Government decisions on socio-political and economic issues may have implications on the cost of living and this may result in some citizens opting to leave the country to favorable destinations[49]. The disparity between the rich and the poor is political in the sense that political leaders take a better chunk of the list of the rich. Their riches are largely explained in terms of economic crimes and corruption. A frustrated nation will push its citizens to destinations outside their country's boundaries. The fact

48 Alex Schmid. Links between Terrorism and Migration: An Exploration. *ICCT Research Paper*, (2016): 1-6.

49 Jan Lidak. International Migration, Europe and Migration from Africa. *Journal of Asian and African Studies,* (2014): 226-254.

that governments have a responsibility to provide an environment that can create employment opportunities and yet do little to play in this space may be a cause for migration – legal or illegal.

Abire and Sagar agree that good governance and political goodwill are instrumental in creating formal or informal employment. In Africa, the worrying number of youth who remain unemployed partly explains why the quest to move to dream land cannot be satiated. They seek to establish determinant factors of illegal migration to South Africa and its impacts on the society in Ethiopia. It was established that 49% cited poverty; 29.1% unemployment; 12.1% family pressure; while agricultural land security had 5.4%.[50]

This study argues that the policies of the government on migration were essential as most of the time these policies determine what would be considered as illegal migration. For most of the countries and as indicated in ICAO Annex 9, the conditions of entry leveled on every migrant seem to take the format that there must be a valid and acceptable travel document; the physical presence of the traveler; a known physical address; not on the alert list; proof of financial sustainability; and possession of a requisite

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50 Balayneh Abire & Sagar G. (2016).The Determinant factors of illegal migration to South Africa and its impacts on the society in case of Gombora District, Hadiya zone in Ethiopia: A Bayesian Approach. *IOSR Journal of Mathematics*, (2016): 51-65.

visa[51]. The annex mandates immigration with the facilitation of movement of persons in a legal manner and intercept and charge in court persons who illegally move from one country to another.

Terrorism seeks to destabilize the political environment and pass a clear message to those in authority. To fan the activities of terror and knowing that terrorism is a crime, most terrorists, would rather enter any territory unnoticed. It is therefore conceivable that terrorism will be associated with illegal immigration. Acts of terror are in direct defiance to sovereignty opposing statehood. Whereas terrorism does not have a single definition, scholars agree that it is communication to the government to the extent that certain things have not been done in the correct manner.[52]No terrorist wants to perfectly fit within the framework that government officials are looking at. A number of ways are used to conceal the clandestine movement of these groups.

Illegal migrants tend to abuse travel documents – generally, the use of passports, visas and other travel documents to carry out an act of deception. Travel document abuse may include: the use of genuine documents fraudulently obtained, where someone uses forged or stolen documents to process a document issued by a legitimate government agency; impostors – look alike persons seeking to enter or depart a country on someone else's travel

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51 ICAO Anne 9 on facilitation.

52 Alex Schmid. Terrorism- the definitional problem. *Case Western Reserve Journal of International Law* 36, no. 2, (2004): 375-419.

document; genuine documents that are altered; use of counterfeit documents; fantasy and camouflage documents- documents purported to be issued by countries that are nonexistent such as East Samoa passport or the World Service Passport; invalid/duplicate passports; and arrival without travel document.

The second avenue would be cross border crimes where migration could be with the sole purpose of facilitating a number of crimes such as: money laundering, tax evasion, financing of terrorism, credit card fraud, financing of illegitimate business, child prostitution, human and child trafficking/smuggling, drug trafficking, cattle rustling, illegal arms trade, vehicle theft, contraband goods, and general theft. Where there is a failed state or where there is tumultuous political instability, terrorism would thrive.

Tighter immigration rules have been initiated to counter many offences. A country has to decide the goals of immigration – something that has been missing in many countries. Most countries, Kenya included have immigration laws that posit that any movement should be to the benefit of the country[53]. The argument is informed by the fact that immigration impacts the economy of the country.

In short, policies focus on where migrants come from and how long they should ordinarily stay in the country. In the final analysis,

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53 Muus, Philip. "International migration and the European Union, trends and consequences." *European Journal on Criminal Policy and Research* 9, no. 1 (2001): 31-49.

two lessons are underscored: (a) how well should immigration be managed? Is it possible that under the political reasons we can look at the structural and systemic failures of immigration to stem illegal migration? Kenya for instance has a long border with Somalia which for strategic reasons has remained unmanned due to the military operations in Somalia. (b) What is the role of immigration data and what does the analysis of this data help in the management and information consumption of what is happening in a country? Related to this second lesson, how does the government integrate views of the wider community as far as immigration issues are concerned? Can Kenyans for instance relate with the benefits of migration whether social or economic?

2.3 Social-economic causes of illegal migration

Africa is an immensely prosperous continent. Ayedemo addresses the contradiction in the fact that the continent is blessed yet riddled with much conflict. In his opinion, the resources include: land resources that tally about 22% of the world's land area; the African people - a population in the continent covers about 12% of the world's population; minerals- 75% of the world's gold is from Africa and list of mineral would include tanzanite, oil and copper.[54] Could these resources be the contributor of the problems that the continent goes through?

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54 Adeyemo, Tokunbo. *Is Africa Cursed?* (Nairobi: World Alive Publishers Limited, 2009).

The social aspects have also been a significant contributor of illegal migration. One factor is that of population growth[55]. Since the attainment of independence, most countries in Africa had adequate resources that matched their population. Continued increase in birth has thus lowered the quality and even adequacy of social services such as health facilities and schools. For example, a typical African politician when sick will never go to hospitals that are in his country but rather he/she will go to the country that colonized his/her country such as England, Portugal, Spain and France. This lack of urgency by politicians to improve social services have left the available ones with lack of equipment and knowledgeable manpower that has led to witnessed referrals of patients with difficult illnesses such as cancer, heart complications and illnesses that require surgery.

This has in turn triggered illegal movements of people to countries they deem have these services for help. In addition, population increase with no jobs created will also result to limited job opportunities thus encourage the migrations to countries that have job opportunities.[56] This mostly serves as a boost especially to those young Africans who completed their higher education and are

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55 Mohamed Ya. "Cause and Consequence of Cross Border Illegal Migration from South Wollo, Ethiopia." *Arts and Social Sciences Journal* 7, no 2 (2016): 1-20.

56 Dumba, Smart, and Innocent Chirisa. "The plight of illegal migrants in South Africa: a case study of Zimbabweans in Shoshanguve extension 4 & 5." *International Journal of Politics and Good Governance* 1, no. 1.2 (2010): 1-18.

skilled but with no jobs[57]. This explains why between 33% and 55 % of Africans with higher education qualifications left Burundi, Angola, Ghana, Kenya, Mauritius, Mozambique, Nigeria, Sierra Leone, Uganda and Tanzania to seek for greener pastures abroad. Most of these innocent searches for academic pursuit turned out to be illegal migration as the students overstayed their visas as they sought employment. It has been argued that also points out at the health and clinical diseases such as HIV/AIDS that has turned out to be a disaster in Africa[58].

This has been triggered by limited social services such as the health care facilities and schools. This disease has left many Africans to die with no help thus facilitating the migration of the people to other countries seeking for adequate and quality social services. This inadequate availability of social services is also noted such that 32 out of 48 poorest countries were located in the sub Saharan Africa with most of its population living in deplorable conditions. There has also been the issue of social pressure among many youths particularly those who are single to attain certain economic status in life. The youth who are single end up going out of their way to new countries in search of jobs as they do not have the family burden.

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57 Dirk Kohnert (2007).African migration to Europe: Obscured Responsibilities and Common Misconceptions. GIGA working paper.

58 Harris, John R., and Michael P. Todaro. "Migration, unemployment and development: a two-sector analysis." *The American economic review* 60, no. 1 (1970): 126-142.

Irregular migrations in sub Saharan Africa with focus on the causes and consequences of young adult migration from southern Ethiopia to South Africa, found that over 54 percent of the sampled migrants' marital status was single and were youths while the married were 36.9 percent.[59]

These findings thus shows the way the single youths are more curious to explore new ventures. The existence of social networks seems to aid in the use of fake documents by migrants so as to circumvent immigration procedures. Most migrants are desirous to join their native family members, friends and their peers in foreign countries. This has been fastened through sharing of information about the host countries which if positive increases illegal migration in order to be at par with their friends and relatives abroad[60] The socialization process in West Africa, for instance, puts pressure on the boys to be responsible and take leadership roles in their families[61]. The end result has been the birth of an extremely aggressive boy child who will stop at nothing including migrating irregularly to fend for the family.

In West Africa, as has been noted as the case in other parts of the continent, polygamous families help multiply the pressure put

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59 Teshome Kanko & Charles Teller. Irregular Migration in Sub Saharan Africa: Causes and Consequences of young adult migration from Southern Ethiopia to South Africa, 2010.

60 Mohamed Ya. "Cause and Consequence of Cross Border Illegal Migration from South Wollo, Ethiopia." *Arts and Social Sciences Journal* 7, no 2 (2016): 1-20.

61 Florianne Charriere & Marion Fresia. West Africa as a migration and protection area (2008)

on the boy child. Africa tradition is not left out in the migration process as Charriere and Fresia[62] argue that it is not unusual to see boys consult witchdoctors to help them migrate without security detections. This would be an interesting aspect to look at as illegal migration will have security connotations whether it is noticed and intercepted or unnoticed.

The occurrence of natural disasters such as population pressure and occurrence of floods, drought has immensely contributed to increased migration in Africa[63]. This has been attributed to the increased dependence of Africans on the natural resources for food, shelter and even contribution to their economies. The continued experience of drought and flooding in certain regions in Africa such as northern Africa has led to increased migration; with people moving to areas with favorable conditions for living. The famine in South Wollo region of Ethiopia has witnessed some of the worst drought effects between the years of 1962/3, 1972-74 and 1984/5[64]. The resultant effect was loss of over 1 million people. The surviving population had to migrate in search of food. Natural disasters have an overall impact on the environment and hence

62 Ibid.,

63 BICC. Migration and Displacement in Sub Saharan Africa. *The Security-Migration Nexus II*, Bonn International Centre for Conversion, 2009

64 Mohamed Ya. "Cause and Consequence of Cross Border Illegal Migration from South Wollo, Ethiopia." *Arts and Social Sciences Journal* 7, no 2 (2016): 1-20.

cause reduced job opportunities. If agriculture does not thrive, there is every reason to worry of the fate of many people who depend on agriculture and consequently, those in the production, processing and industrial sector.

Another aspect on the economic front revolves around the status of most families and individuals financially. Majority of Africa population remain glued to the world of impossibilities in the West. The income accrued in the west is not comparable to the ones paid locally[65]. In European countries they also embrace the culture of diversifying their employment thus reduces the strain and problem of getting a job in Africa.

To the contrary, Africa as a continent faces a great challenge of increased poverty levels among its people who cannot afford to make payments for legal documentation before they migrate abroad.

This has been witnessed as most people in Africa are living with a daily expense of less than two dollars a day[66].This has thus made them to save money for several years which has not been adequate hence have turned to smugglers for cheaper fees and thus facilitate their illegal migration. In a survey that was conducted in Burkina Faso in its rural areas, it exhibited that international migration is within those families that are rich who wanted to

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65 William Shaw.Migration in Africa: A Review of the Economic Literature on International Migration in 10 countries, (2007): 77

66 BICC. Migration and Displacement in Sub Saharan Africa. *The Security-Migration Nexus II*, Bonn International Centre for Conversion, 2009

increase their income while migration within Africa was conducted by Africans who are poor in search of employment and favorable living conditions[67].

The level of education of an individual can be a push or pull factor in as far as migration is concerned. In Africa most of the educated people prefer working in white collar jobs that are limited and therefore they opt to move beyond the borders of a country. The greater number of persons who are educated migrated to other African countries partly because they get information on the availability of opportunities that their professions allow them to pursue. Kenyan doctors and lecturers who moved to Botswana in pursuit of better opportunities serve as a classic example. In the survey, the data showed that migrants from Ghana were highly qualified than the non-migrants and hence prepared to use the education skills elsewhere.[68]

Brain drain has been associated with the continent where Africans move from one country to another purely motivated by the availability of employment opportunities. In the 1970s, Nigeria offered job opportunities in the extraction industry.

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67 William Shaw. *Op Cit.*, p. 77.

68 Adepoju Aderanti. Linkages between Internal and International Migration: The African situation. *International Social Science Journal, 50, no. 157 (1998):* 387–395

As a result, in 1982, there were 2.5 million migrants – a good number of whom were irregular[69]. Things are not different in Eastern Africa. With a people who share common language, culture and colonial experience, illegal migration goes unnoticed.[70]

In developed countries such as in Europe there has been a number of job opportunities which cannot be accomplished fully by their native people. This has resulted to the increased demand of both the skilled and unskilled laborers in those developed countries. With regards to the unskilled labor, they are normally preferred because of the less cost that is involved in getting them that is, they agree to work in jobs that are perceived unfavorable to people of the host country and their pay is low. This has in turn led to increased migrations in Europe since most of the unskilled labor is readily found in Africa. The presence of minerals in some countries in the continent has been instrumental in providing employment to most of the jobless people across Africa.

For instance Gabon and Equatorial Guinea have been instrumental in providing employment to immigrants from other countries in Africa that include Central Africa Republic, Congo and Nigeria[71]. A unique country in Africa is Botswana that has a small population though it has limited labour supply. This has opened doors to other nationals to occupy those positions. They include

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69 Adepoju Aderanti. Linkages between Internal and International Migration: The African situation. *International Social Science Journal, 50, no. 157 (1998):* 388
70 Ibid., p.389

71 Adeyemo, Tokunbo. *Is Africa Cursed?* (Nairobi: World Alive Publishers Limited, 2009).

Africans and those from Europe an equivalent to a quarter of the employed staff. As indicated in the political causes of migration, the presence of the minerals in Africa has also been described as a blessing and a curse at the same time.

Most countries that have these minerals have ended up fighting amongst themselves in the struggle to share their benefits in terms of profits.[72] This has been the case in Sierra Leone, Liberia, Cote d'Ivoire, Sudan, Democratic Republic of Congo and Libya. Disparities in economic clusters has moderated the quest to migrate and thereby determined whether the movement is to be legal or illegal. In most African countries, they have divided them into two that is, urban and rural areas. As a result, there has been population pressure on the urban areas that has been rocked with challenges such as high rates of unemployment.

Other resultant problems include limited social amenities such as schools and health facilities. The rise of slums has led to the rise of the miserable and yearning to leave population. Given that a majority in slum live in deplorable conditions, many slum dwellers would take the option to migrate even if this means doing so through illegal means. The unfortunate reality is that some of the opportunities offered to migrants turn out to be torturous. Take the

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72 Patrick Kimunguyi (2011).*Terrorism and counter terrorism in East Africa*

migrant workers in the mines in South Africa as an example who receive meagre pay, work for hours in poor conditions.[73]

2.4 Effects of illegal immigration on security

Conversations are rife that Illegal migration is the major if not the only catalyst for insecurity. Illegal immigrants and insecurity are therefore not contradictories as every case of uncertainty in a country is explained away in terms of foreign nationals present in that country. This thinking – popular as it is – must be interrogated to elucidate clear and distinct propositions on the effects of illegal migration on security. In this chapter, we move beyond speculation and postulations as we argue likely concrete effects of illegal migration.

In the exercise of its mandate and strategic intent, the Department of Immigration serves its arriving clients through three types of port of entry: land borders, seaports, and airports. People will migrate to transfer skills, technology, capital, finances — which are admirable attributes for the growth of the economy. If managed well, then this would help Kenya in its attainment of Vision 2030.[74]

The second consideration of immigration puts security as a sufficient condition to migration management. Whereas the positive attributes of migration encourage the facilitative roles, the negative

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73 Adepoju Aderanti. Linkages between Internal and International Migration: The African situation. *International Social Science Journal, 50, no. 157 (1998):* 387–395

74 Government of Kenya. *Kenya's Vision 2030*. Nairobi: Government Printing Press (2007)

elements such as cross border offenses are propagated, terrorists advance their territories, people disguising as asylum seekers end up being economic refugees, human trafficking and smuggling, drug smuggling and other related serious crimes posits a security component.

2.4.1 Government operations

The Department of Immigration in Kenya has a mandate of contributing to the socio-economic development of the country by regulating entry, stay, residency and exit of persons. Framed as such, the department falls in the larger government Ministries, Departments and Agencies (MDAs) which takes the form of bureaucratic institutions. To unearth how the governmental institutions run helps understand the effect of illegal migration.

Some of the tasks crafted for immigration officers set them as one of the security agents in the country. Immigration laws and policies envisage an immigration officer who is: Working closely with other law enforcement agencies to maintain effective screening process of travelers, streamlining the storage and retrieval of entry and exit records of all persons, computerizing migration processes, including collecting and analyzing data at ports of entry, enhancing the ability to detect forged or fake identity travel document through continuous training of officials and provision of specialized forensic equipment, introducing forensic Mobile Border Processing Units along risky porous borders, detecting and removing unlawful

persons as soon as practicable, and protecting borders. Other functions would include the harmonization of regional migratory policies as well as embracing international best practices in border management. These tasks need to be situated in the general operations of the government. This study finds the exploratory inquiry of the Norwegian immigration as eye opening. From the study one can underscore the semblance between the Kenyan and Norwegian immigration authorities.

Eggebø has conducted a phenomenological study looking at the lived experiences of immigration officials albeit with methodological challenges. From the study, notable semblances can be adduced.[75] First, the two departments have an almost equal workforce. Secondly, for most of these employees, serving as an immigration official is their first job after university education. Relatedly therefore, immigration service is a launching pad for other endeavors – both in government and private sector. Third, both agencies have a sizeable fraction of employees holding a Master degree in social science and humanities.

Beyond similarities, the study underscores the study's explication of ethics as the cornerstone at the decision making processes. Although serious methodological lapses are evident such as the lack of phenomenological reductionism, the unwillingness of staff to participate (as they were reserved anxious and at times

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75 Eggebø, Helga. "'With a heavy heart': Ethics, emotions and rationality in Norwegian immigration administration." *Sociology* 47, no. 2 (2013): 301-317.

hostile), one notes that the department of immigration in Norway springs to life because of the challenges bedeviling the country because of asylum seekers and more specifically family migrants.

Do emotions play an important role in decision making processes? Officers revealed their vulnerabilities in as far as emotions help them reject or approve a case. The same argument can be pushed to the enforcement element of the immigration officer's role. What constitutes a crime punishable in court? Are there standing principles that stand the deferring emotional preconditions? In mitigating the effects of illegal immigration, it was the recommendation of Eggebø 's study that enforcers of law should distance themselves from emotional involvement to prevent a burnout.

In Kenya, immigration is a very emotive issue. Even where a decision is reached on public interest, aspersions are cast on the morality of officers. The proliferation of illegal immigrants has been blamed on immigration. The case of terrorism and the audit by the national assembly post Westgate seems to point in the same direction. Indeed the Kenya Anti-Corruption Commission (KACC)[76] now renamed Ethics and Anticorruption Commission (EACC) had done a systemic and procedures audit on immigration and

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76 Kenya Anti-Corruption Commission. "An Examination Report of the Systems, Policies, Procedures and Practices of the Ministry of Immigration and Registration of Persons." (Nairobi, 2006).

established that untamed discretionary powers held by immigration officers is potency for amoral behavior.

The operations of the department have been a subject of discussion in the media. Amidst fear of emotions and the feelings around the topic, world over, immigration officers hide behind the well regulated sector. Instead of seeking autonomy, most immigration officials "tend to seek clear guidelines and coordinated practices."[77] Typically, the operations of MDAs is guided by policies and procedures and these are adduced to anyone who inquires about them. Operations at most immigration offices bear an element of human face. Officers are guided by situation ethics where situations alter cases.

2.4.2   Illegal migration: A cause or correlation of crime and insecurity

Eggebø has purposed to clear the air as to whether illegal immigrants cause insecurity by manifesting crime or the fact that crimes and insecurity abound in the society regardless of the presence of foreign nationals.[78] Whichever position is adduced, there is no way illegal migration will be defended. A defense for illegal migration is self-defeating as it presupposes actions to the exclusion of the law.

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77 Eggebø, Helga. "'With a heavy heart': Ethics, emotions and rationality in Norwegian immigration administration." *Sociology* 47, no. 2 (2013): 301-317.

78 Laura Chappell, Alex Glennie, Maria Latorre & Sarah Mulley. The Impacts of Irregular Migration. Background paper for the ETUC, 2011

Security is a paramount role of the state and having situations that work against security harms the state and depending on the situation, the neighboring states may suffer loss including personal security and human rights abuses.[79] Human trafficking in the horn of Africa is deemed to contribute to the insecurity in the host, destination and transit countries. Ethiopia for instance will have illegal immigrants use Kenya as a transit country on route to Yemen, Israel, South America or South Africa.[80]

The veracity of illegal immigration and security is perhaps dimmed by the studies in the US. Two are highlighted here; the study by Treyger, Chaflin and Loeffler[81] on immigration enforcement and policing; and the one by Kubrin[82] on secure or insecure communities. The context of these two studies was to evaluate the role of secure communities in reducing crime. Secure communities is a program established by the federal government of the US aimed at refining the efficiency of immigration enforcement and "to enhance the capacity for targeting deportable individuals with criminal convictions, referred to as 'criminal aliens.'"[83]

79 Mantoo Ahmad. Bangladesh Illegal Immigration: Effects and consequences. *Journal of Eurasian Studies* (2012): pp.38-53

80 Mohammed Ya. (2016). "Cause and Consequences of Cross Border Illegal Migration from South Wollo, Ethiopia" *Arts and Social Sciences Journal* 7, no. 2 (2016): 1-20

81 Treyger, Elina, Aaron Chalfin, and Charles Loeffler. "Immigration enforcement, policing, and crime." *Criminology & Public Policy* 13, no. 2 (2014): 285-322.

82 Kubrin, Charis E. "Secure or insecure communities?" *Criminology & Public Policy* 13, no. 2 (2014): 323-338.

83 Ibid., p. 323

Using the secure communities program, immigration authorities are able to compare the criminal aliens profile and compare the biometrics of those arrested against a list of wanted criminals. Secure communities would be something similar to what in Kenya is *nyumba kumi* (ten homesteads) – where activities within the ten homesteads are monitored closely by all the members. Each set of ten is expected to work closely with the police. All these programs promise that the detection and removal of criminal aliens will "improve public safety. Treyger et al found very little evidence for this. The authors argue that the detection and enforcement under the new program would have been undertaken without much fuss. Further, the study found out that whereas the removals increased after 2008 when the secure communities programs was launched, those removed had committed lesser crimes – not fitting the category of felonious crimes. Not much evidence may support the implementation of the secure communities program, illegal immigrants participate in crimes. Pursuant to the arguments raised by Treyger et al, Kubrin proposes seven reasons why the secure communities ought to be abandoned.

First, the assumption upon which the secure communities were founded was flawed. The idea was to get undocumented migrants out of the US. Having looked at the different studies conducted, Kubrin argues that the crime –immigration link is not supported by data. In fact, natives are more crime prone than the

migrants.[84] The presumption is that cities with migrants have less crimes. This argument erroneously suggests that we make sweeping generalizations on crimes. Crime will exist even where there are no illegal immigrants and arguing that such immigrants are responsible for crime is but fallacious.

The second argument fostered by Kubrin further augments the position raised in the first argument, namely: secure communities do not target the right offenders. Whereas the program aimed at fishing out serious 'criminal aliens' Treyger et al had established that the program did not pick out even one so called dangerous 'criminal aliens'. Serious crimes that can be framed from an immigration perspective and such crimes are a threat to national security.[85]

The third argument is drawn from three reasons advanced by Kubrin. The creation of secure communities creates insecure communities for migrants often get defined in the context of harassment each time they interact with natives. In his study, Kubrin writes of immigration authorities interviewed: immigrants are less likely to contact police as victims of, or witness to a

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84 Kubrin, Charis E. "Secure or insecure communities?" *Criminology & Public Policy* 13, no. 2 (2014):p. 326

85 Treyger, Elina, Aaron Chalfin, and Charles Loeffler. "Immigration enforcement, policing, and crime." *Criminology & Public Policy* 13, no. 2 (2014): 285-322.

crime."[86]What may happen in the long run is a situation where the communities end up profiling foreign nationals.

Additionally, there are human costs. Where a migrant is deported, the family is left behind and has to fend for themselves. Studies show that delinquents are mostly a result of separated families.[87] The third argument then revolves around the security consequences of immigration removals. Whereas Kenya has made proposals on how to deal with families of illegal migrants who have been removed, it is an issue that needs to be looked at from a practitioner's point of view. A sovereign state is one that has the capacity to manage migration of people. The presence of illegal migrations makes it difficult for the country to take account of the people who migrate out of the country and some scholars associate this with crime.[88]

The argument that illegal immigrants contribute immensely to the existence of insecurity has led to many foreign nationals being victims of xenophobic attacks. The argument has been, the foreign nationals bring in their bad behaviors in the host country. Some scholars argue that citizens are likely to engage in a defense

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86 Kubrin, *Op Cit.*, :p. 331

87 Treyger, Elina, Aaron Chalfin, and Charles Loeffler. "Immigration enforcement, policing, and crime." *Criminology & Public Policy* 13, no. 2 (2014): 285-322.

88 Mohamed Ya. "Cause and Consequence of Cross Border Illegal Migration from South Wollo, Ethiopia." *Arts and Social Sciences Journal* 7, no 2 (2016): p. 7

mechanism in reaction to the foreign nationals which in itself may be a source of insecurity. Take the case of forming outlawed groups to protect citizens against foreigners – which has led to societal insecurity. Other likely reactions may include engagement in cross border crime.[89] A classic case of xenophobic attacks occurred in South Africa. South Africans felt that foreigners in their country would fight for the limited resources in the areas of housing, labor, education and healthcare.[90]

Illegal migration is partly pushed by economic conditions. Kohnert[91] carried out a study on the irregular African migrants in Algeria and established that about 75% of the participating migrants perceived themselves as slaves, poor wretches or sub-human beings. From such a lowly perspective, migrants are likely to engage in violence and crime. It is also possible that any social disturbance can be explained by citing the migrants as principal suspects. Dumba and Chirisa reached a similar finding when they looked at the plight faced by illegal migrants from Zimbabwe in South Africa.[92]

89 Ceccorulli, Michela. "Migration as a security threat: internal and external dynamics in the European Union." In *Forum on the Problems of Peace and War*. 2009.

90 Chivurugwi, Josphat. "Rethinking xenophobia in the wake of human insecurity in South Africa." (2016).

91 Dirk Kohnert. African Migration to Europe: Obscured Responsibilities and Common Misconceptions. GIGA working paper (2007)

92 Dumba, Smart, and Innocent Chirisa. "The plight of illegal migrants in South Africa: a case study of Zimbabweans in Shoshanguve extension 4 & 5." *International Journal of Politics and Good Governance* 1, no. 1.2 (2010): 1-18.

The study established that there existed social exclusion and marginalization of Zimbabwean illegal migrants in Soshanguve areas that made them vulnerable to risks such as not being able to access social services like healthcare, education and security. This thus meant that they were insecure in terms of matters of their health in an event of a disease. The study did not explore whether these marginalized migrants opted to crime as a result of marginalization or that the area witnessed more crime unlike before. In general, illegal migration is conceptualized as a threat to the security of the citizenry including xenophobia.[93]

In South Africa, studies show a correlation between crime and presence of illegal migrants. South Africa Police Service (SAPs) arrested 700 illegal migrants in 2009/2010 for various crimes including motor vehicle theft, possession of illegal firearms, drug trafficking, human trafficking and smuggling. So whereas host countries can see business sense in employing foreign nationals because they are a cheaper resource, the repercussion as far as security is concerned will take route in the near future. The situation in Africa is one where one rich state will be surrounded by a number of economically struggling countries. The temptation to cross over for greener pastures is more vivid.

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93   Chivurugwi, Josphat. "Rethinking xenophobia in the wake of human insecurity in South Africa." (2016).

2.4.3 Asylum seekers, criminals and terrorists

Asylum seekers and the refugee problem is a contemporary problem in the continent. As countries in the African region continue to face political challenges, a good number of asylum seekers seek help from Kenya. Whereas this is an international practice for Kenya to allow such people safe haven as they await UNHCR vet their applications, there has been reservations on taking on asylum seekers. Kenya government has for instance indicated that the Garissa University attack was orchestrated by asylum seekers at the Daabab Refugee camp. Criminals of different shades are a threat to the national fabric. Cross border crimes such as motor vehicle theft, contrabands and rustling are just but examples.

Since 9/11 when the twin towers at the World Trade Centre were blown up together with other strategic installations, the mind of the world has been dichotomized into pro-terrorism and anti-terrorism. The war against terror has remained a focus of both practitioners and academicians for a considerable period of time. How these three categories are related to migrants was the focus of this study.

2.4.3.1 Asylum seekers and the refugee crisis in Africa

Africa is an immensely rich continent. This blessing has turned into a curse.[94] Conflicts in Africa are almost a norm as different parts

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94 Adeyemo, Tokunbo. *Is Africa Cursed?* (Nairobi: World Alive Publishers Limited, 2009).

of the continent fight to get a share of the wealth embedded in the land, minerals, political establishment etc.

International practice demands that persons running away from well-founded fear of persecution because of their religious, ethnic or political affiliation should not be returned to the same place. This is the principle *of non-refoulement*. The just concluded 2017 Kenya elections begun on a discussion as to whether the Daadab refugee camp should be closed. The argument put forth by the government was that the camp was being used to fun Al Shabaab activities.

2.4.3.2   Terrorism

Terrorism is a popular word on the news front yet so often a misunderstood concept. Part of the misunderstanding as to what terrorism is manifested in the many definitions of the term. Schmid and Jongman[95] synthesized close to 100 definitions of the term. Hoffmann, one of the most respected scholar in terrorism studies- argues that part of the reason why many definitions exist is because we lack a "precise, concrete and truly explanatory definition."[96]

It must be noted that the first debate that scholars in terrorism studies engaged in was about the definitional problems of

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95Schmid, Alex P. (2013). Introduction. In Alex P. Schmid (Ed.). *The Routledge Handbook of Terrorism Research*. (London: Routledge):1-37.

96 Hoffman, B. (2012). The changing face of Al Qaeda and the global war on terrorism. In John Horgan & Kurt Braddock (Eds.). *Terrorism studies: A Reader*. (pp. 392-402). London: Routledge.

terrorism. The concept was first used in 1789 during the Jacobins' "Reign of terror"- where the government unleashed political violence "against citizens and political opponents."[97] In this paper, the definition by Gupta is appropriate to capture the subject matter. Gupta avers that terrorism is:

> A political act by non-state actors, where the participants, in contrast to common criminals, see their acts as a way of achieving public good, such as independence, social justice, or the establishment of a theocratic state...should be viewed instead as a strategy used by dissent organizations and their leaders to achieve their political ends.[98]

This study was interested in terrorist groups that make it possible for the terrorists to travel and cause mayhem in second or third countries. Some terror groups like Al Qaeda and ISIL have cell groups which are activated in countries other than their location. In such circumstance, trainers and logisticians are forced to travel through illegal means to offer support, supply bomb materials and offer technical support.[99]

2.5 Conclusion

In this chapter, the causes of illegal migration in Africa were identified. From a people sharing boundaries, aspirations and similar challenges, identified causes beyond natural disasters and classified

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97 Newman, Saul. "War on Terror." *The Wiley-Blackwell Encyclopaedia of Globalization* (2012).

98 Gupta, Dipak K. "Terrorism, History, and Historians: A View from a Social Scientist." *The Journal of American History* 98, no. 1 (2011): 95-100.

99 Schmid, Alex P. (2013). Introduction. In Alex P. Schmid (Ed.). *The Routledge Handbook of Terrorism Research*. (London: Routledge):27.

them into socio-economic and political causes. The chapter identified that there exists push and pull factors that propel migration.

Whereas the causes identified may seem a justifiable reason for migrating illegally, this study tried to establish how this movement impacted on the lives of migrants and particularly what this movement meant in terms of the laws of the host country. What these causes do to a migrant and subsequently introduce the security angle to this movement will be the discussions in the next chapter.

Debate on whether illegal migration causes crimes or that the two are just correlated is bound to run for a long time. Studies would want to explore the different leads that may emerge in this debate. Specifically, this chapter sought to discuss the engagement of illegal migrants in the bigger concerns of national security without forgetting the fact that citizens may be led to criminal elements because of the implosion of migrants in an area. Yet it is possible that a collaboration between citizens and illegal migrants can cause untold instability in the country. There is need for a watchful immigration to avert criminal elements among migrants. History is dense with unforgettable events where foreign nationals were part of the organization and execution.

CHAPTER THREE
PROFILING ILLEGAL IMMIGRATION IN KENYA
3.1 Introduction

In this chapter, the study provided an understanding of the profile of illegal immigrants and discussed some of the historical contradictions and how such events can help profile, intercept and mitigate against illegal immigration. The history of the department of immigration marks out a governmental agency that exists to protect citizenry interests in contradistinction with the interests of foreign nationals. Profiling in this context is not the selection of persons on the grounds of race, gender or religion. Profiling is "the judicious use of a select group of specific criteria designed to reduce as much as possible the universe of subjects (people or things) to be identified for increased scrutiny."[100] For a terrorist to be removed, a behavioral model has to be put in place to help the enforcers to

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[100] International Organization of Migration. *Kenya Immigration border procedure manual: Guidelines on policies and procedures for immigration officers*. Nairobi: IOM, 2006; p. 57

identify and prevent entry. In attempting a profile one needs to look at the physical appearance, behavior (body language), gender, social background, nationality, travel history and route, and arrival patterns.

One of the reasons for profiling is that nations congregate to form a state and that a state has a number of factors that determine its statehood. Some of the factors include defined territorial boundaries, legitimate government, common language, recognized currency and the capacity of a country to control those entering and leaving their territorial boundaries. Immigration control is shaped by the last determinant – the control of entry and exit of persons leaving within the borders.

3.2   Illegal immigrants in Kenya

Kenya has been identified as a hub for illegal immigration, a destination and as a transit location.[101] Kenya receives immigrants from a good number of countries. The profile could include investors, students, researchers, employees, retirees, specialized professionals and visitors. In most cases these categories may be accompanied by dependents. In compiling a country profile for Kenya, International Organization for Migration (IOM) has identified a

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101 International Organization of Migration. *Migration in Kenya: a country profile 2015.* International Organization for Migration, 2009.

typology of international immigrants in Kenya. These include: asylum seekers, illegal immigrants, labor migrants, migrant flow, migrant stock, mixed flows, permanent residence, permanent settlers and refugees[102]. The strategic location of Kenya as a launching pad to the rest of Africa makes it an attraction for immigrants. Secondly, the strategic location allows immigrants in all sectors to engage in business. As a major hub in the East African region coupled with the spurred economic development in the country continually attracts movement of foreign nationals into the country. Finally, Kenya posits itself as a center of academic excellence. Good education – comparative to other countries in Africa.

Whereas the data on foreign nationals working in Kenya remains available at the department, this information is confidential. A table of work permits issued to foreign nationals between 2012 and 2017 are tabulated below:

Table 3. 1: Number of work permits issued 2012-2017

Period	2012	2013	2014	2015	2016	2017
Work permits issued	18,915	17,907	22,458	22,535	23,030	22,065

Source: Department of immigration records[103]

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102 Ibid., pp 28-29

103 Department of Immigration. Work permits issued 2012-2017.

From the table, there has been an increase in the number of permits given between 2013 and 2016 due to the government's acceleration of infrastructural development and the boosting the ICT sector-aspects that take center stage in the attainment of Kenya's vision 2030. The decrease in 2017 is partly attributed to the political climate in Kenya. Many companies shy away from foreign countries during an election year. Even with these data where foreign nationals seek authorized means to enter and stay, using the recognized borders and arriving at the designated time, there are cases where illegal immigrants use ungazetted borders or those overstaying their immigration status.

3.3   Enforcing immigration: policies, relations and crimes

Immigration laws provide an environment where a legal migrant can enter, transit, stay and exit to given state. Kenya immigration operates under the legal guidance of the constitution[104] and the Immigration Act.[105] In seeking control or management of borders, Kenya immigration is not only guided by the Constitution and the Immigration Act but also other legal and policy documents. Kenya's *Vision 2030* spell out the need to industrialize as a middle income country providing high quality life to its citizenry by 2030. Incidentally, immigration is called upon albeit impliedly to facilitate the movement of persons at official ports of entry. Other policy documents include the migration and the national diaspora policies.

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104 Government of Kenya. *Kenya Constitution*. (Nairobi: Government Printing Press, 2010)

105 Ibid.,

Legal documents would include: *the Kenya Citizens and Foreign Nationals Management Service Act, the Refugees Act, the Security Laws Amendment Act, the Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act*, and the *Counter Trafficking in Persons Act*. International instruments ratified by Kenya give guide to immigration practice.

Some of the treaties relevant to immigration include: International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, Optional Protocol to the International Covenant on Civil and Political Rights, Convention on the Prevention and Punishment of the Crime of Genocide, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, Convention Relating to the Status of Refugees, Protocol Relating to the Status of Refugees, International Convention for the Suppression of Terrorist Bombings, International Convention for the Suppression of the Financing of Terrorism and International Convention for the Suppression of Acts of Nuclear Terrorism.[106]

In expounding the legal expectations of the government on any traveler, we are introduced to an illegal immigrant who is defined as going against the expectations of the law. In this study,

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106 Rohn, Peter H. *World Treaty Index: Chronological section. Party section. International Organization section. UNTS self-index section*. Vol. 4. ABC-Clio, inc., 1974.

an illegal immigrant is a foreign national who changes residence to a host country by contravening relevant multilateral or bilateral instruments in agreement or national laws.[107]IOM defines an illegal immigrant as "Someone who, owing to illegal entry or the expiry of his or her visa, lacks legal status in a transit or host country.[108]

Among the conditions of entry that a legal migrant must observe include: first, the physical presence of the immigrant as proof that someone immigrated. Physical presence helps the immigration official determine whether such a person can be allowed entry into Kenya.

It is at this moment that the immigration official can profile the passenger and use discretionary powers and make a decision that is to the benefit of Kenya. It is during the physical immigration that an official can make comparison between the person and the photo embossed on a travel document. It is possible that a disparity could occur when the comparison of the photo and the person claiming to be the holder of the passport is done. At this point, a number of offences associated with illegal immigration can be deduced. Some of the offences include: imposters, use of fraudulently acquired or altered documents.

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107 OECD. "Annual Report on the Trends in the International Migration." Organization for Economic Cooperation and Development (1999).

108 International Organization of Migration. *Migration in Kenya: a country profile 2015*. International Organization for Migration, 2009:p 28

Secondly, the migrant must be medically sound[109]. This precondition is pegged on the need to contain the spread of contagious diseases. Third, the immigrant must have a known physical address. Immigration laws demand that foreign nationals staying in the country for more than 30 days must register their presence with the department of Immigration.[110]

Fourth, the immigrant must have a travel document. Such a document needs to be valid and acceptable document.[111] Validity of a travel document is important – perhaps a necessary condition of travel yet the travel document should be acceptable in the international circles. Acceptability is the sufficient condition.[112] Finally, the passenger should not be on the immigration's alert list – a list containing profiles of persons being sought for arrest. Thus, illegal migration is a journey made across an international border without proper documentation.[113]

109 Government of Kenya. *Kenya Citizenship and Immigration Act*. (Nairobi: Government Printing Press, 2011)

110 Ibid.,

111 Choi, Yoon-Jeong. "Balancing Facilitation and Aviation Security." *Research Paper Incheon International Airport Corporation* (2009): pp 1-16

112 ICAO Annex 9

113 Bedanta Dutta & Das S. "An Inquiry into the problem of Illegal migrations from Bangladesh and its impact on the security of India. *International Journal of Research in Social Science and Humanities* (2013).

In ensuring that a person on the alert list is not allowed entry or exit, immigration official need to effectively manage the alert list. An alert list has an official list containing details of persons who ordinarily should be prevented from entering the country.[114]

A typical alert list contain: a list of prohibited immigrants, watch list, court stop orders and list of reported lost passports. Briefly, persons who the cabinet secretary has declared as prohibited immigrants and in some cases deported will have their profile on the prohibited list. Deportation of persons is guided by immigration laws and the prohibited immigrant is ordinarily not supposed to enter the country.

A watch list is meant for monitoring people whose activities require further scrutiny. The court may order that some persons should not leave the jurisdiction of the court. In such a case, immigration officials will be ordered not to allow such persons leave the country. The last part of the alert list is list of passports that have been reported lost.

3.4   Functions of Immigration Officers

In understanding the conditions of entry, one needs to juxtapose these conditions with the functions of immigration officers. The operations manual[115] for immigration officers outlines

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114 International Organization of Migration. *Kenya Immigration border procedure manual: Guidelines on policies and procedures for immigration officers*. Nairobi: IOM, 2006.

115 International Organization of Migration. *Kenya Immigration border procedure manual: Guidelines on policies and procedures for immigration officers*. Nairobi: IOM, 2006.

five major functions, namely: Facilitation of genuine travelers, detection and prevention of entry of mala fide travelers, assessment and management of border risks, enforcement of migration entry and exit laws and related regulations, collection and management of migration data, promotion of inter-agency and cross border cooperation and coordination in migration related issues.

Section 4(2) of the Immigration laws show immigration officials assisting the Director discharge the following functions:

> (a) advising the Cabinet Secretary on matters relating to grant and loss of citizenship; (b) the issuance of passports and other travel documents; (c) designating ports and points of entry and exit; (d) border management including the control and regulation of entry and exit of all persons at ports and points of entry and exit; (e) the control and regulation of residency; (f) advising the Cabinet Secretary on declaration and removal of prohibited immigrants and undesirable persons; (g) provision of consular services at missions abroad; (h) advising the Service on citizenship and immigration matters; (i) conducting research, collection and analysis of data and management of records.[116]

In actualizing the immigration function, immigration officials are expected to work closely with other government officials at the ports of entry. Some of the agencies include: Port Health, Anti-narcotics police unit, anti-terrorism police unit, Kenya Revenue Authority, National Intelligence Service, Kenya Plants Inspectorate Service (KEPHIS) among others.

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[116] Government of Kenya. *Kenya Citizenship and Immigration Act*. (Nairobi: Government Printing Press, 2011)

3.5 Profiling illegal immigrants

Securing data from illegal immigrants is a difficult assignment given that majority of such immigrant will prefer a low profile. The America story is never complete without reference to immigrants. As Singer argues:

> The history of immigration to the United States is intertwined with the American narrative. This story is often cast as the movement of people in search of economic opportunity, political and religious freedom, and a better life for their children. These desires have not changed over time, but the U.S. locations where opportunity unfolds have been altered by industrial restructuring, changes in transportation and new technology. No longer are immigrants confined to urban ethnic neighborhoods; rather, they are a strong presence in many suburbs. In this way, the history of immigration also parallels the history of American urbanization.[117]

Studies on the US show that most of the undocumented persons have low levels of education and are employed in sectors focused on unskilled labor- mostly in the agricultural sector, nannies or work in sweetshops; a majority are Mexicans; such Mexicans cross the border illegally[118] Illegal immigrants in the US are compared on the basis of their Mexican or non- Mexican nationality, one gets a picture that a considerable number of illegal immigrants in the US are highly educated. Why would Mexico carry the highest number of

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117 Singer, Audrey. "Contemporary immigrant gateways in historical perspective." *Daedalus* 142, no. 3 (2013): p. 89

118 Rivera-Batiz, Francisco L. "Illegal immigrants in the US economy." *International Migration: Trends, Policy and Economic Impact* (2005): 1-36.

illegal immigrants? It would appear that Mexico had and continues to exhibit a number of push factors as Pfeffer writes:

> Conditions in Mexico, particularly in Mexico's poor and distant rural areas, have led increasing numbers of its nationals to seek work in the United States. In Mexico, more than 25 million people live in rural areas (defined as areas with populations under 2,500 people). Mexico's economic policy changes in the 1990s uniquely affected rural Mexicans...In addition, sluggish growth in the Mexican economy meant that the prospect of urban employment could not effectively detract Mexicans from moving north of the border in search of better income.[119]

On its part, Canada is projected as an attractive country to immigrants especially those seeking to work in Canada. Canada has put in place a number of measures that make the country attractive. Some of the pull factors include: favorable policies towards workers, permanent immigrants can access opportunities as citizens, immigrants are treated equally regardless of their race, ethnicity and tribe, universal access to education for children in the country, the immigrants' profile is put on ranks- something that allows such immigrants obtain visas.

3.5.1   Trends in Immigration

In examining profiles of immigrants – both legal and illegal, it is imperative that recent immigration trends are examined. The

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119 Pfeffer, Max J. "The Underpinnings of Immigration and the Limits of Immigration Policy." *Cornell Int'l LJ* 41 (2008): 83.

parameters to examine and interrogate trends are varied. Here, four parameters outlined by Camarota and Zeigler[120] will concretize the study purpose. First, the total numbers of foreign nationals in the country. This number includes all foreign nationals who have come into the country together with their spouses (if they are foreign) and all children below the age of 18 years. Significantly, the parameter of foreign nationals needs to feature prominently when national data is collected. For the Kenya situation, it will be good for such a trend to be picked by the Kenya Bureau of Statistics (KNBS). One effective measure of how a country is doing is to compare numbers representing immigration and emigration – and most importantly how that comparison reflects the foreign nationals in the country.

The second parameter is the flow of new immigrants. With secure data on the current numbers of immigrants, what is the current situation? In which season are we looking at the highest number of immigrants? If the situation was propelled by the tourism or festive season, are the departure statistics reflective of the heightened period? Thirdly, the mortality among foreign born needs to be a factor of consideration. Unlike in the US where citizenship is by being born in the country, Kenya will have statistics of birth of foreign nationals occurring in Kenya but such persons retain the citizenship of their parentage and not necessarily of Kenya. Studies seem to suggest that the number of foreign nationals who die and

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120 Camarota, Steven A., and Karen Zeigler. "Immigrants in the United States: A profile of the foreign-born using 2014 and 2015 census Bureau Data." *Washington, DC: Center for Immigration Studies* (2016).

those who return to their countries is approximately 1.5% of the immigrant population.[121]

The fourth parameter is the net immigration. Questions here are abound on whether there is significant number of new immigrants. With this information, it is easy to assess whether the number of immigrants is growing or decreasing. Where there are policy and legal control measures, one may want to examine the veracity of such policies using the statistics as such data will help determine the number of illegal immigrants in Kenya.

3.5.2   Illegal immigration in Kenya

The number of illegal immigrants in Kenya keep increasing for a number of reasons. First, the country has porous borders which make it easy to enter and depart undetected. The Kenya Somalia border has over 700 kilometers of unmanned border. Related to the fact that border porosity is a disturbing phenomenon is the reality in the countries neighboring Kenya. Internal conflict coupled with the international responsibility to accept people running away from danger has partly contributed to the number of illegal immigrants in Kenya.

Not every asylum seeker will follow due process and be recognized as a refugee. As people use the principle of non

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121 Camarota, Steven A., and Karen Zeigler. "Immigrants in the United States: A profile of the foreign-born using 2014 and 2015 census Bureau Data." *Washington, DC: Center for Immigration Studies* (2016): p. 7

refoulement, criminal elements take advantage of conflicts in the region to enter Kenya. Third, the seeming overlap in laws managing entry of foreign nationals helps create an avenue for illegality. Section 11 of the Refugee Act gives a protection clause that renders immigration officials powerless in dealing with criminal elements taking advantage of the provisions of asylum seekers. The section reads in part:

> Any person who has entered Kenya, whether lawfully or otherwise and wishes to remain within Kenya as a refugee in terms of this Act shall make his intentions known by appearing in person before the Commissioner immediately upon his entry or, in any case, within thirty days after his entry into Kenya. (2). In the case of a person who is lawfully in Kenya and is subsequently unable to return to his country of origin for any of the reasons specified in section 3(1), he shall, prior to the expiration of his lawful stay, present himself before an appointed officer and apply for recognition as a refugee in accordance with the provisions of this Act. (3). Without prejudice to the provisions of this section, no person claiming to be a refugee within the meaning of section 3(1) shall merely, by reason of illegal entry be declared a prohibited immigrant, detained or penalized in any way save that any person, who after entering Kenya, or who is within Kenya fails to comply with subsection (1) commits an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding six months, or to both. [122]

Other reasons for the increase of illegal immigrants include the limited number of enforcement officers in Kenya. The immigration officers' population of about 1, 000 is not sufficient to counter all immigration offences in Kenya.

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[122] Government of Kenya. *The Refugee Act*. Nairobi: Government printing Press, 2012[2006].

3.5.2   Analysis of illegal immigrants

It is imperative for this study to attempt a profile of an illegal immigrant. One way to succeed in this endeavor is to rely on data. Different methodologies have been used to secure data on illegal immigrants. Using the data of migrant stock – the number of migrants residing in a country and having secured data on legal migrants, one can secure a balance of illegal immigrants. This method is called residual methodology.[123] In the US such information is available after a population census.

The typical undertaking here is to secure the profile or characteristic of an illegal immigrant. There is often a temptation to think that illegal immigrants are those who have entered the country through illegal ways. Countries where the pull factors outweigh the push factors such as in the US, studies indicate that illegal immigrants are those who entered legally but have outstayed their visas.

In a 1994 study in the US, 50% of the illegal immigrants had entered legally – put differently, it is easy for an illegal immigrant to walk past a border control meet all the obligations of a traveler yet their intentions are to overstay the visa being issued at the port of

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[123] Rivera-Batiz, Francisco L. "Illegal immigrants in the US economy." *International Migration: Trends, Policy and Economic Impact* (2005): p.4

entry.[124] At the expiry of immigration status, illegal immigrants blend with the citizenry and avoid any detection by immigration officials.

The critical question is whether immigrants whose entry is illegal can compare to the visa overstayers. In this study, the reason for removal will help us understand whether the entry of the immigrant was illegal or that such a person overstayed their visa in Kenya. Normally, enforcement officers will have data to the effect that the reason of removal (either through escort, repatriation, extradition or deportation) will be contained in the removal orders.

Another interesting category to check is the geographical distribution of the immigrants. Is there a preference of residential areas where we can secure illegal immigrants? Hall, Matthew, Singer, Jong, and Graefe argue that given the geographical positioning of certain industries and skill types, it is possible to map where migrants may be residing based on their levels of education.[125]

The profile of the illegal immigrant shows that: skills map a geographical settlement- with low and high skilled immigrants preferring different settlement patterns; metropolitan areas with foreign born populations are attracting high skilled immigrants in comparison to the low skilled immigrant and low and high skilled

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124 Ibid., p.5

125 Hall, Matthew, Audrey Singer, Gordon F. De Jong, and Deborah Roempke Graefe. "The geography of immigrant skills: Educational profiles of metropolitan areas." *State of Metropolitan America Series* (2011).

immigrants have different labor market positions compared to the citizens. In the end, most immigrants are overqualified for their current jobs.

It would appear that immigration compensates for brain drain. In Kenya, this would be an interesting take since immigration often gives work permits on the assumption that the skills are not locally available.[126] Is it possible that certain areas remain the reserve of illegal immigrants such that a raid by immigration officials will net a maximum number of immigration offenders and thus mitigate against this securitized problem?

The age of illegal immigrants is another characteristic worth noting. Are illegal border crossers and visa overstayers within the same age group? Is the age significantly reflective of the purposes of visit such as education, employment or settlement? Capps, Fix and Nwosu seem to confirm the geographical placement of immigrants in Houston of the USA. In all the centers, Harris was the preferred destination by the immigrants. Majority of these immigrants came from Mexico, El Salvador, Vietnam, India and Honduras among many. In the study, immigrants from Nigeria in Houston topped the African continent.[127]

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126 Government of Kenya. *Kenya Citizenship and Immigration Act*. (Nairobi: Government Printing Press, 2011)

127 Capps, Randy, Michael Fix, and Chiamaka Nwosu. "A profile of immigrants in Houston, the nation's most diverse metropolitan area." *Washington, DC: Migration Policy Institute* (2015).

Malkin has defended the profiling based on nationality where the security of a state is under threat. The idea is to prevent crime rather than deal with the after effects. Profiling on the grounds of nationality has been supported by the assumption that everyone will hold their state in high regard.[128] Arguments have been advanced as to why profiling should be handled from the basis of nationality. In one school of thought, institutional aspects are cardinal in adopting the model. For a while scholars have focused on the advantages of using profile as long as it is legitimate.[129]

At the heart of this school of thought, the quest is whether the duties performed by enforcers should be regulated by law. Technical concerns could arise: when a nationality of the preferred alert arrives or is intercepted at the port of entry, it is legitimate to lock such a person (regardless of their innocence status) till material facts are established? For terror attacks, one may want to include interrogational torture on the list of ways to secure information.

Yet the other school of thought is one that shifts focus to effects – away from institutional basis of profiling. Proponents of this second school of thought such as Barak-Erez argue that the most important practice ought to be one where immigration officials

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128 Malkin, Michelle. "Racial profiling: A matter of survival." *USA Today* 17 (2004).

129 Barak-Erez, Daphne. "Terrorism and profiling: Shifting the focus from criteria to effects." *Cardozo L. Rev.* 29 (2007): 1.

develop profiles of people they will accept entry and that which guides those who will be denied entry. It is important to note that although profiling in general has been a neglected area of study partly because the decision to profile was either executive or ad hoc, profiling on the grounds of nationality ought to be treated as red flag that requires keen follow up. Intelligent profiling is the guide of all the operations of an immigration enforcement officer. All standards of human rights must be observed and the presumption of innocence till proven guilty will be the epitome of rule of law in such an endeavor.

3.6   Conclusion

In this chapter a depiction of the parameters used to profile an illegal immigrant were discussed. Studies indicate that it is possible to profile and use the information so gathered to make a decision. Having discussed the causes and effects of illegal immigration on security in the previous chapter, this chapter explored the model upon which illegal immigrants have a consistent profile outlined so that officials at the department of immigration can make use of this information.

This chapter formed a basis upon which the generation of data was undertaken in chapter four. The next chapter concentrated on the different strategies employed by immigration officials to counter illegal immigration.

CHAPTER FOUR

STRATEGIES FOR EFFECTIVELY COMBATING ILLEGAL IMMIGRATION IN KENYA

4.1   Introduction

This chapter discusses the strategies for effectively combating illegal immigration in Kenya. It also discusses the interpretation and

presentation of the data. Both qualitative and quantitative analyses have been used for this purpose.

Illegal migration has overtime been a menace that has been affecting most countries across the globe. This has been attributed to globalization that has made the world to be a global village that enhances the easier flow of information, services, capital and people.[130] This has led to the introduction of negative activities such as smuggling, terrorism, kidnappings, drug and human trafficking that has been transferred across different boundaries of the world. IOM has postulated a number of reasons why immigration into Kenya is on the rise.[131]

4.2   Strategic position of Kenya

Some of the reasons advanced include: Kenya's strategic location as a regional hub for the African continent. Here a number of companies have Pan-African roles for both Kenyans and foreign nationals. Nairobi remains a preferred location for INGOs, AFPs under the United Nations family. Secondly, Kenya has a demonstrable growth in economy seen through the booming industrial development in the country. The construction and efforts

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130 Chumba C., Okoth G. & Were E. (2016). Effectiveness of Border Surveillance Strategies in the Management of Transnational Terrorism in Kenya and Somalia. *International Journal of Political Science* 2, no. 2 (2016): 39-53.

131 International Organization for Migration. Migration in Kenya: A country profile 2015. International Organization for Migration, 2015.

to make the industries operational open avenues for transfer of skills – an element that depends on the foreign nationals' expertise.

Migrants are likely to coalesce around such enterprises and the possibility of illegal immigrants following that train may be unavoidable. Thirdly, Educational facilities in Kenya comparative to those in the region endear many foreign nationals to seek such services in Kenya. Finally, Kenya has attractive tourism scenery that helps position tourism as one of the country's economic boost. These aspects make the country a hotbed for tourism and related counterproductive activities such as terrorism.

4.2.1 Immigration related crimes

Kenya has been hit by several terrorist attacks that include but are not limited to: the bombing of the United States Embassy in Nairobi on 7th August, 1998, the 2001terror attack on Kikambala paradise hotel near Mombasa and more recently, terrorist attack at Garrisa University College and the attack of the Westgate Mall in Nairobi[132].

In addition ,the presence of porous borders and illegal migrations have brought forth the issue of human trafficking that has seen most youths being taken to illegal recruitment agencies and given unlawful jobs such as prostitution, drug and firearms trafficking.[133] Kenya being a signatory of the United Nations Convention on Human Rights has the responsibility of ensuring the

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132 Chumba, Christopher et al. *Op Cit.*

133 Odhiambo, E. O. et al. *Op Cit.*

safety of its citizens both in the country and those that are outside its borders against terrorism or acts that violates their human rights. With the presence of terrorism, illegal migrations and kidnappings, it clearly shows that there exists a void which has to be filled in order to minimize these illegal movements in Kenya[134].

This calls for proper measures to ensure that the country's borders are protected such as through formulation of proper legislation, use of modern technologies to manage border movements, fighting corruption challenges among border agencies and putting in place proper accreditation and documentation of individuals at the border points. Further, the construction of physical walls at the border points to regulate movements and solving social changes facing the people such as unemployment, limited access to social services such as education and healthcare.[135]

4.3   Immigration strategies to combat illegal immigration

The push factors that make people move out of the country to other countries include employment opportunities, security and the respect of human rights. Illegal migrations have been associated with negativity world over. For instance, US President Donald Trump

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134 Chumba, Christopher et al. *Op Cit*

135 Africa African Union. African Union Strategy for Enhancing Border Management in Africa, 2012

has been against immigrants entering the United States of America and has even labeled them rapists and criminals. To address the issue of illegal migrations, it is also prudent to address the question of borders of countries. Borders serve as instrumental components that enhance political, social, economic and cultural interactions without external influx. The management of these borders is generally tasked to the governments of the respective states.

4.3.1 The concept of lead agency in border management

In most countries, immigration authorities are seen as the protagonists at the border points. Effectively, immigration officials are charged with the duty of manning the borders, guiding and leading efforts at the border as well as processing resident permits for foreign nationals and passports for nationals. Subsequently, scholars have continuously made attempts to interrogate the concept of border management.

This concept has been examined in contradistinction with border control which has arguably been the assumed role of immigration authorities' world over.[136] Border control entails a bureaucratic process that captures the 'show of power' by any government agency. Entry, transit and exit from any border post thus has to be subjected to the government pre-approved processes. Many who are tired of the red tape may opt for corruption practices.

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136 Taylor, Savitri. "From border control to migration management: the case for a paradigm change in the Western response to transborder population movement." *Social policy & administration* 39, no. 6 (2005): 563-586.

As processes become subjected to the scrutiny of the masses and as states continually seek to cooperate with each other, there is need to humanly man the borders and allow a collaborative approach to the handling of issues at the border. In this context then, one would be reading about concepts such as integrated border management. Instead of border control, the immigration function becomes more of management. Through effective border management, immigration officers can be able to collaborate and eradicate use of fake and camouflage document, identity fraud, entry of undocumented persons as well as cross border crimes such as terrorism, money laundering, human smuggling and trafficking among other reasons.

4.3.2 Inter-agency Cooperation

Interagency cooperation has been approached in various ways. There are efforts to tap into the different laws and put a synergized strategy. The presidential circular[137] argued the case for immigration as the lead agency- attempts to consolidate all the efforts of government agencies at the border points. In all entry points, the following agencies have a presence: the Kenya Police Service (and its different formations- DCI, Antinarcotic police unit), Immigration, Port Health, National Intelligence Service and KEPHIS.

A decision to allow a visitor entry is thus a factor of the many considerations of the different agencies. The lead agency role meant

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137 GoK. Presidential circular No. 1 of 2008. Nairobi: Government Printing Press. 2008

that immigration would take a coordination role effectively rallying all agencies to make decision with the best interest of the country. Border committees were established under the chairmanship of immigration officials, the lead agency concept was practiced. Whereas this concept worked prior to 2013, a number of challenges were encountered. It turned out that petty interdepartmental rivalry hindered the process.

There have been cases where an agency presented the work of a different agency as its own. The question of who owns the border meant that the lead agency on border infrastructure would automatically be the lead agency on immigration management. Even with these challenges, a good number of collaborative efforts such as joint patrol have helped reduce entry of illegal immigrants.

4.3.3 Immigration laws and policies

The government of Kenya has to deal with immigration led problems through legal and policy related modes. The existence of increased illegal migrations in Kenya has partly been made possible by the presence of its porous borders[138]. Border porosity has contributed to the exit and entry of illegal immigrants. According to IOM[139] it notes that approximately 30,000 Kenyans living in the United States have

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138 Odhiambo, E. O. S., J. Kassilly, L. T. Maito, K. Onkware, and W. A. Oboka. "Kenya's Constitution and child trafficking as a security threat." *Journal of Defense Resources Management* 3, no. 2 (2012): 75-88.

139 IOM *Op Cit*

an irregular status. These illegal migrations have been associated with vices such as terrorism and human trafficking.[140]

The presence of proper and tough laws and regulations can be of help in deterring people from conducting illegal migrations. This can be achieved through ensuring that the illegal migrants do not access vital services such as healthcare, education and employment opportunities. For instance the United Kingdom proposed the removal of all aid to asylum seekers who had overstayed and denied them health services except in emergency situations. This applied to illegal migrants as well.[141] Kenya's immigration laws have put in place measures to minimize illegal immigrants entering the country. Entry, transit, stay and departure procedures are put in place to ensure that all migrants have the proper immigration documentation. In acting under the law, immigration officials ought to be cognizant of the international treaties that Kenya is a signatory.

To effectively manage immigration, it is important for a country to have a migration policy. In the USA, the national policy ensures that all migrations are done legally and respect human rights. The policy has set some standards such as: (a) to access employment, you ought to have an eligibility qualification of the

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140 Cannon, Brendon J. "Terrorists, Geopolitics and Kenya's Proposed Border Wall with Somalia." *Journal of Terrorism Research,* (2016): 23-37.

141 Chappell, Laura et al. *Op Cit.*

country; (b) all the companies conducting businesses within the country ought to be licensed; and (c) that all registration of companies and employment are pegged on citizenship.[142] Kenya has a migration policy that then gives the legal aspects of immigration law the socio-cultural and economic grounding to the many provisions in law.

4.3.4 Immigration operations

It is also critical for the government to invest heavily on border surveillance and security. This can only be attained through enhancing proper border surveillance through the use of modern technologies and trained immigration officers.

Border surveillance refers to the process of gathering information about individuals passing through the border points and includes biographical, biometric and transactional data by immigration officers with the main objective of preventing crime and illegal migrations.[143] Generally, border surveillance and security encompasses the geographical patrols by the military force, controlling of the migrations within and across the country's borders, use of the stipulated migration laws in screening immigrants at the border; and use of technology in detecting any illegal persons or weapons that are passed across the borders.[144]

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142 Tancredo, Thomas G. "A New Strategy for Control of Illegal Immigration." *The Heritage Foundation* 26 (2006).

143 Opon, Dan Odhiambo. *Op Cit*.

Chumba, Okoth and Were explore the effectiveness of surveillance strategies at the border in relation to transnational Terrorism in Kenya and Somalia.[145] It was established that it is imperative to undertake border surveillance to minimize terrorist attacks and the use of modern and advanced technology is also pivotal in monitoring the borders. This comes at a time when Kenya has had the challenge of porous borders which have made Kenya to be susceptible to illegal migrations, terrorism, and passage of illegal weapons.

The government should thus endeavor to work closely with international and regional bodies such as the United Nations (UN), European Union (EU), African Union (AU), and the Intergovernmental Authority on Development (IGAD) in relation to promoting cordial relation in the fight against terrorism and to a larger extend illegal migrations.[146] Therefore, to obtain a successful border surveillance and security, it is imperative to appreciate the need of having a Joint Border posts between the two neighboring countries in order to increase cross border communication and access to vital intelligence information necessary to crack down illegal migrants.

Kenya neighbours some countries that are anarchic in terms of governance and thus expose the country to increased cases of

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144 Okumu, Wafula. "Border Management and Security in Africa." *Assessed at https://www. researchgate. net/file on June* 15 (2011): 2016.

145 Chumba C., et al. *Op Cit.*

146 Ibid.,

illegal migration with an example being Somalia. This state poses a threat to the general security of the people of Kenya through its borders; illegal items may be brought into the country. The country's efforts to fight against terrorism have led to constant attacks and thus the need to invest in new technologies that will enhance the surveillance of the borders.[147]

The state thus has to take charge in the movement of individuals across the borders and ensure effective border controls through strict securing of the integrity of identity papers and documentation that include passports and visas. This has not been the case due to the lack of sufficient national identification systems that have tied the hands of law enforcers in fighting against terrorism and illegal migrations. Through the use of this technology, they have been critical in providing screening at the Kenyan ports of all cargoes that are brought in the country; and secondly they have also been installed in tourist hotels along the coast to monitor any illegal migrants that may seek refuge or accommodation. These technologies should thus be installed in all the country's border points that include the land, sea and air to monitor the cross border migrations.[148] These efforts will help in curtailing illegal migrations in the country.

In our contemporary set up, there have been also the challenges of increased terrorism that have constantly mutated their

147 Cannon, Brendon J. *Op Cit*

148 Chumba C. et al. *Op Cit*

strategies through the use of social media and internet. The government thus has to partner with relevant stakeholders such as the Communication Authority of Kenya (CAK), the Criminal Investigation Department (CID) and the National Intelligence Service (NIS) in monitoring the misuse of the said platforms in mobilizing youths to join terrorist groups.

The monitoring will minimize the probable illegal migrants. There is also need to increase staffing and invest in training of the military personnel and immigration officers to keep up with the new trends and tactics being employed by terrorist and illegal migrants. Opon, Okoth and Onkware established that staffing, integrity, corruption and data management as challenges and opportunities that thwarted efforts towards counter-terrorism strategies in Kenya.[149]

Refresher courses for military officers and immigration officers helps equip then to better manage the borders. In addition, the challenge of understaffing has to be addressed as it poses both qualitative and quantitative work overload to the staffs at the borders thus enhancing illegal migrations[150].

4.3.5   Fighting corruption

One of the ways which can be employed in the fight against illegal migrations by the Kenyan government is to fight the menace of corruption among the agencies working at the country borders. It is

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149   Opon, Dan Odhiambo, et al., *Op Cit.* p. 309

150 Ibid

also imperative to conceptualize the concept of corruption. Corruption refers to ways in which individuals obtain financial favors or opportunities for personal gains through ways that violates the established rules and regulations.[151] In Africa and specifically Zimbabwe, deported illegal migrants found their way back in the country as a result of corruption.[152] This was caused by the immigration officers at the border points who received bribes from the illegal migrants to allow them in and out of the country. To strengthen this argument on the negative impacts that is brought about by corruption, the African Union states:

> Corruption is a curse in Africa, and it flourishes wherever there is a crisis. Border areas are particularly ideal places for the spread of corrupt practices because of the prevailing difficult social and economic circumstances which encourage border control agents to compromise security in exchange for illegal benefits. The problem of corruption requires a broader understanding and a more appropriate response by all stakeholders, for any degree of control achieved in this area will have corresponding positive implications against the border related problems. This is due to the direct linkages between corruption and crime, whereby the former routinely facilitates an environment conducive to the sustainable of criminals and their activities, including those related to national borders.[153]

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151   Dike, Victor E. *Op Cit*

152 Ngomane, Thandi Suzan. "The socio-economic impact of migration in South Africa: a case study of illegal Zimbabweans in Polokwane Municipality in the Limpopo Province." PhD diss., 2010.

153 Africa Union, *Op Cit.*

In addition, through corruption, these illegal migrants are able to get citizenship and engage in legitimate businesses. In another instance, in a study that was conducted by Mohammed[154] on the major causes and consequences of cross border illegal migrations from south Wollo in Ethiopia, it established that their migrations are spearheaded by the smugglers who bribe immigration officers and use unauthentic documents such as passports and visas.

On its part, Kenya has put in place measures that collaboratively fight corruption. Agencies in government are expected to have anticorruption committees that help fight corruption. The government has an agency that is solely dedicated to putting in place anticorruption strategies and coordinates the efforts of other government agencies in the country.

4.3.6   Government –community partnership

The increased partnerships with the local communities who live within the Kenyan borders can also be very instrumental in fighting the menace of illegal migrations in Kenya.[155]

This is majorly attributed to the fact that most of these illegal migrations are influenced by the socialization process that results into the formation of social networks. It is such networks that

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154 Mohamed Ya. "Cause and Consequence of Cross Border Illegal Migration from South Wollo, Ethiopia." *Arts and Social Sciences Journal* 7, no 2 (2016): 1-20.

155   Odhiambo, E. O.et al. *Op Cit*. p. 78.

support every move to migrate illegally.[156]It may be appropriate for the government to engage the social networks and give appropriate information that will reduce these illegal migrations that threaten the security of the country through terrorism.[157]

The provision of appropriate information to these local communities will be instrumental in providing security officers and immigration officers with information about illegal immigrants in the country. This is because the local communities along the border have much knowledge of the area with regards to the land terrain and the fact that these illegal migrants live among them.

This thus generally implies that however much the government employs strategies that involve border surveillance, patrols, information exchange and intelligence assessment, they will not be fully successful unless they also collaborate with the local communities that live along the country's borders.[158]

In addition, it is prudent for the government to equip its citizens with information about what illegal migrations entail and the consequences they are likely to face[159]. In this case therefore, the citizens ought to be furnished with information that an individual can be successful in his native country rather than going to foreign

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156   Ngomane, *Op Cit*.

157 Odhiambo et.al. *Op Cit*.

158 Chumba, Christopher et al., *Op Cit*

159 Chappell, Laura, and Alex Glennie. "Maximizing the development outcomes of migration: a policy perspective." (2009).

countries. If this is done, then possible illegal migrants who got information from their social network will stay away from pursuing illegal migrations.

4.4 Presentation and interpretation of data

Departmental section

A total of 80 questionnaires were received back from respondents- a 100% response rate. The respondents were categorised as follows: 52.8 % from Jomo Kenyatta International Airport, 11.3 % from Lunga Lunga, Moyale border points 13.8%, and 22.5% from investigation section at the headquarters as shown in Figure 4.1 below:

Figure 4.1: Departmental section
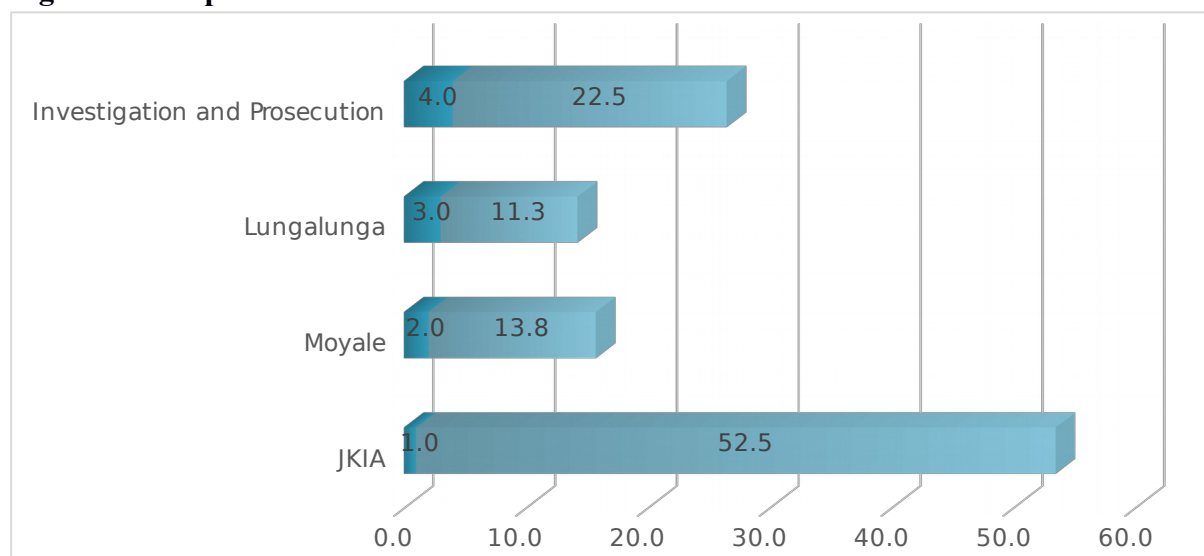
(Source: Author, 2018)

4.4.0 Gender

Of the respondents in this study, 56 percent were female while 44 percent were male. The department has both gender in the staff

establishment and their views were instrumental in attainment of the study objectives. Further, the efforts to mainstream gender made it necessary to explore these factors from the perspective of both male and female. The data is presented in Figure 4.2 below:

Figure 4.2 Representation by Gender
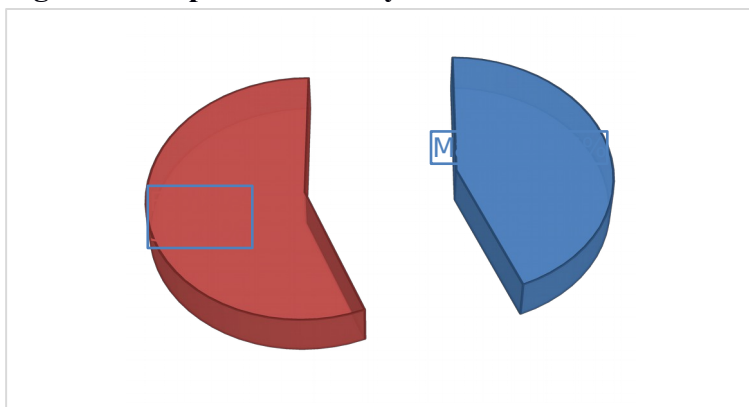
(Source: Author, 2018)

4.4.1 Years of experience

Almost half, 42.5% had served the Department for over 11 years. Slightly above one third, 32.5% had served between 6-10 years while 25% had served between 1-5 years. This data showed that majority of the employees were in the crucial formative stages which are essential in building up their careers as immigration officers.

Fig. 4.2 Representation by Experience
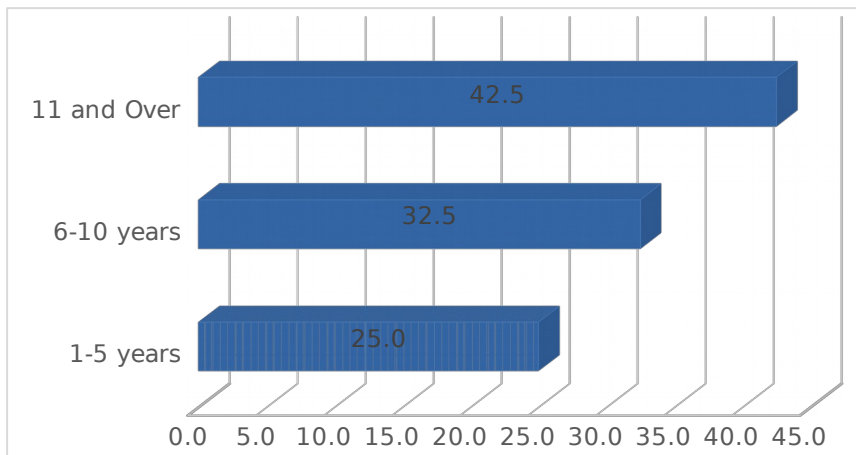
(Source: Author, 2018)

4.4.2 Levels of Education

The level of education is instrumental in conceptualization and rationalization of immigration law and practice. The levels of education for the respondents were: 45% university degrees, 46% postgraduate qualifications while 9% hold diploma qualifications. The data is captured in figure 4.3 below:

Figure 4.3 Level of Education
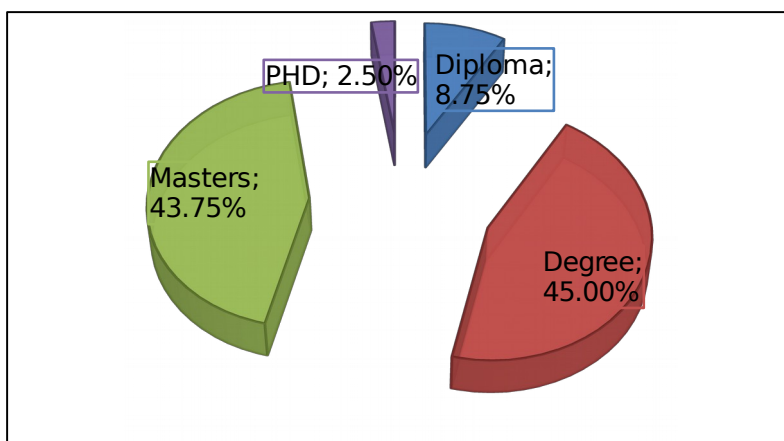
(Source: Author, 2018)

4.5 Causes and Effects of illegal immigration

4.5.1 Major causes of illegal immigration in Kenya

A number of causes of illegal immigration were asked of the respondents. Of the causes identified, a majority of the respondents, 17.7 percent identified border porosity as a major cause, 16.9 percent thought it was the lack of interagency cooperation, 16 percent cited border communities, 13.4 percent were opined that it is ill equipped officers and corruption, 12.2 percent cited the non-effective enforcement unit. Other reasons advanced include: weak legislations and policies 10.2 percent and cross border marriages 0.3 percent. The data is captured in table 4.1 below:

Table 4.1: Causes of illegal immigration

Causes of illegal immigration	Frequency	Percent
Porous borders	61	17.7%

Lack of interagency cooperation	58	16.9%
Border communities	55	16.0%
Ill equipped officers	46	13.4%
Ill equipped officers and corruption	46	13.4%
A non-effective enforcement unit of the department	42	12.2%
Weak legislations and policies	35	10.2%
Cross-border marriages	1	.3%
Total	**344**	**100.0%**

(Source: Author, 2018)

The interview with key informant XY1 revealed that border porosity greatly compromised security. In his words, the respondent argued "without properly manned borders, we are doomed to fail." Since the work of immigration officials is to man borders, border porosity stands a mark of failure on any immigration establishment.

4.5.2 Effects of illegal immigration on security

Illegal immigration carries with it a number of effects on security. Respondents cited a number of effects: 17.8 percent terrorism, 15.8 percent compromised security, 15.2 percent increased blame game among security agencies, 14.3 percent identity theft, 10.3 percent thought it was reason for increased crime in estates, misuse of the freedom of movement 11.5 percent;, 10.6 percent cross border crimes and 4.6 percent. Stretching resources meant for citizens. The data is presented in figure 4.4 below:

Figure 4.4: Effects of illegal immigration on security
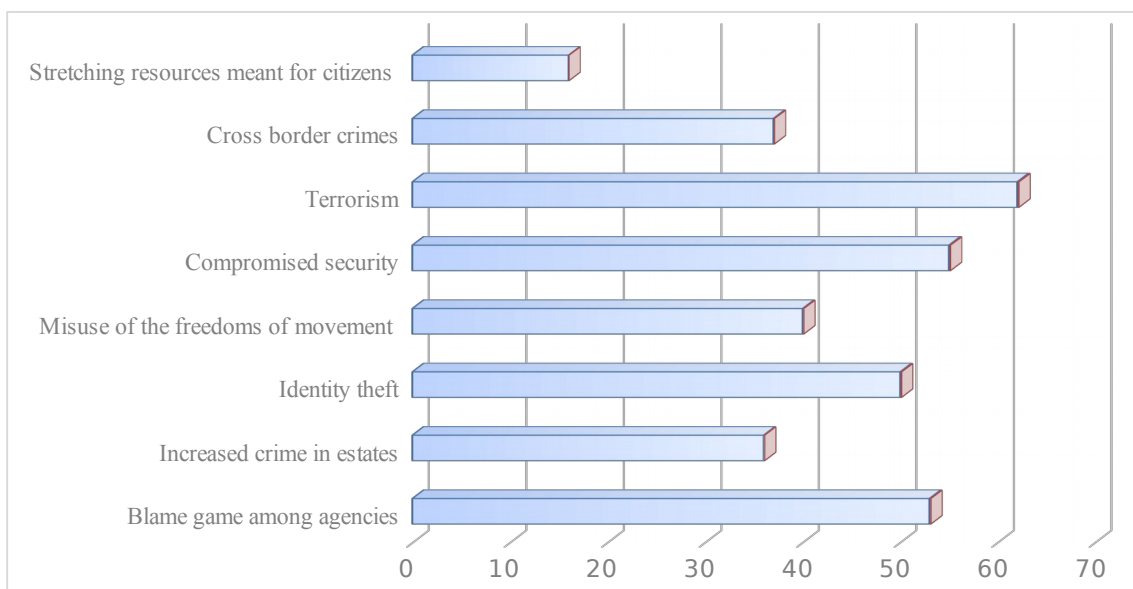
(Source: Author, 2018)

Key informant XY3 seems to disagree with the finding above. In their words: "petty interdepartmental rivalry has been our undoing. Some of our colleagues find it difficult to connect our job with security." A similar view is held by XY2's sentiments when he argued: "terrorism has been cited as the greatest consequence of insecurity. The truth is that cross border crimes are more catastrophic than terrorism. In our region, close ties with our neighbours have helped propel these activities." There is need to look at the area of security in a wholesome manner.

4.5.3 Perceptions on causes and effects

A number of statements on causes and effects of illegal immigration were subjected to the opinions of the respondents. Over three quarters of the respondents, 88.8 percent agreed that illegal immigration has an impact on national security, 10.1 percent disagreed while 1.3 percent remained neutral.

Over half of respondents, 53.2 percent felt that the number of visa overstays was higher than the number of immigrants who entered illegally.

The majority of the respondents 62.5 per cent were in agreement that all cases of terrorism have a foreign national suspected of orchestrating the attack while 16.3 percent remained neutral. When asked which was worse of visa overstay and illegal entry, 54.7 percent thought it was visa overstay, 22.7 percent thought it was illegal entry while 18.7 percent remained neutral. Data on the responses are tabulated in Table 4.2 below.

Table 4.2: Opinion on causes and effects of illegal immigration

Opinion	Opinion (in Percentages)				
	Strongly Agree	Agree	Undecided	Disagree	Strongly
Illegal immigration has an impact on national security.	66.3	22.5	1.3	6.3	3.8

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Illegal immigrants make it easy to overuse the facilities meant for citizens	55.0	22.5	12.5	7.5	2.5
Many of the reasons why migrants seek to enter Kenya illegally are propelled by their countries	35.0	33.8	12.5	15	3.8
The number of visa overstay are higher than those who cross the borders illegally	16.5	36.7	17.7	25.3	3.8
Kenya has contributed to immigrants getting access to the country using illegal means	31.6	27.8	15.2	21.5	3.8
The worst type of illegal immigration in Kenya is where one overstays their visa	16.0	38.7	22.7	18.7	4.0
Illegal immigrants are often arrested for public nuisance, petty and serious crime	31.3	36.3	10	21.3	1.3
All cases of terrorism have a foreign national suspected of orchestrating the attack	35.0	27.5	16.3	15.0	6.3

(Source: Author, 2018)

4.6 Profiling of illegal immigrants

The study sought out to establish a profile for an illegal immigrant. Significantly, the nationality, age, geography and preferred destination were parameters of interest.

4.6.1 Nationality and destination

In securing a profile for the illegal immigrants, the study returned interesting results. Majority of respondents, 43.0 percent indicated that the most popular nationality engaged in illegal immigration was Ethiopians followed by Somalis 30.4 percent. Nigerians 7.6 percent, Ethiopians and Pakistanis, Ethiopians and Somali, Europeans,

Ugandans and Indians – all scored 1.3 percent. This data is captured in table 4.3 below:

Table 4. 3: Common nationality associated with illegal immigration

Nationality	Frequency	Percent
Ethiopians	34	43.0
Somalis	24	30.4
Pakistanis	9	11.4
Nigerians	6	7.6
Ethiopians and Pakistanis	1	1.3
Ethiopians and Somalis	1	1.3
Europeans	1	1.3
Indians	1	1.3
No single nationality	1	1.3
Ugandans	1	1.3
Total	**79**	**100.0**

(Source: Author, 2018)

When asked about the preferred destination it emerged that most of the cases 64.6 percent of the illegal immigration involved persons coming into Kenya as a destination. The remainder positions Kenya

as a transit point for destinations such as Middle East, South Africa and Latin America, Mozambique, South America and Europe. The findings are captured in Figure 4.5 below:

Figure 4.5: Preferred destinations for illegal immigrants
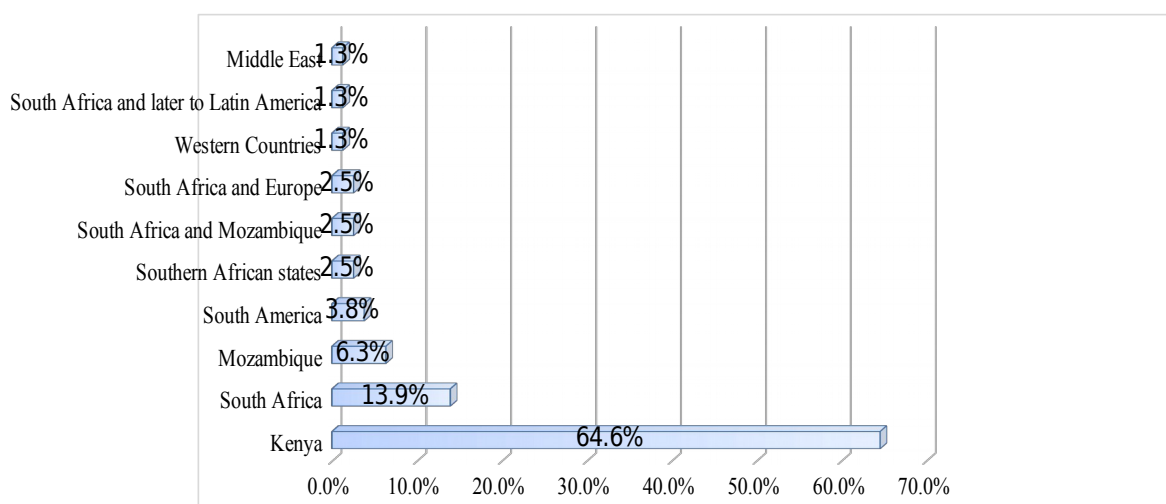
(Source: Author, 2018)

Key informant XY2 brought in a better perspective when he opined that: "it may be impossible for officials to gain adequate data on the destinations given the clandestine nature of smuggling. Whereas one would argue that a group was destined for Kenya, such an argument only means that the people were arrested in Kenya. The truth could be that the group was headed south on transit to another destination. A clearer way to establish this is by looking at the statistics of arrested illegal immigrants traceable to Kenya as a transit country. South America is grappling with the increased Ethiopian population and this could be a hint of the numbers smuggled from that country."

This reality calls upon immigration authorities to engage in intelligence led strategies and make use of data.

4.6.2 Crimes associated with illegal immigrants

When asked about the crimes commonly associated with illegal immigrants, a number of crimes were identified. The crimes include: visa overstays, improperly documented persons, identity fraud, human trafficking and smuggling. The data is captured in table 4.4 below:

Table 4.4: Prevalence of Immigration offenses

Immigration offense	Frequency	Percent
Altered documents	65	14.1%
Identity fraud	61	13.2%
Human trafficking	55	11.9%
Visa overstay	52	11.3%
Falsely obtained documents	47	10.2%
Fake documents	46	10.0%
Human Smuggling	42	9.1%
Working without Permit	40	8.7%
No identification	34	7.4%

document		
Unregistered Foreign Nationals	20	4.3%
Total	462	100.0%

(Source: Author, 2018)

4.6.3 Preferred boarders by illegal immigrants

Further, preferred border points were explored and the respondents returned the following results: Lunga Lunga 25 percent, Moyale 21.4 percent, Liboi 8 percent, Mandera 12.9 percent, Kiunga 11.2 percent and Isebania 9.4 percent. The data is captured in Fig 4.6 below:

Figure 4. 6: Preferred border points by illegal immigrants
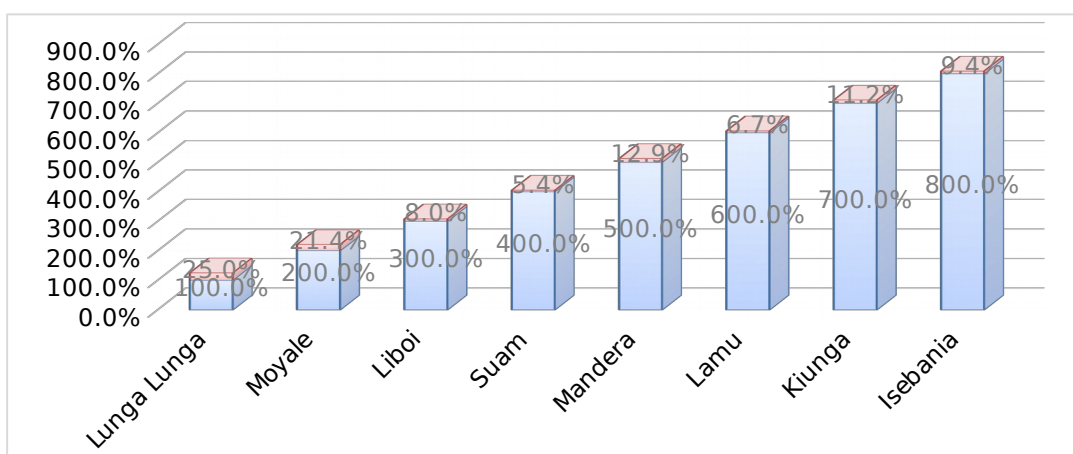
(Source: Author, 2018)

4.7   Strategies used to combat illegal immigration

4.7.1 Interagency cooperation

A number of agencies were identified as working with immigration officials to counter immigration offenses. The following agencies were identified: Kenya Police 17.8 percent, NIS 16.4 percent, KRA (Customs) 14.2 percent, Kenya Airports Authority 10.2 percent, Port Health 9.1 percent and provincial administration 8.9%. The data is captured in table 4.5 below:

Table 4.5: Agencies working with Immigration officials

Government agency	Frequency	Percent
Kenya Police	79	17.6%
NIS	74	16.4%
KRA (Customs)	65	14.2%
Kenya Airports Authority	46	10.2%
Port Health	41	9.1%
Provincial Administration	40	8.9%
KEBS	31	6.9%
Kenya Ports Authority	28	6.2%
Kenya Maritime Authority	17	3.8%
KDF	14	3.1%
KCAA	11	2.4%
Kenya Prisons Department	1	.2%
KTB	1	.2%
Local community	1	.2%
The Rural Border Patrol Unit (RBPU)	1	.2%
Total	**450**	**100.0%**

A number of propositions on the strategies used to combat illegal immigration were presented to respondents to rank their opinions. A majority of respondents, 75 percent were opined that illegal immigrants increased the moment immigration lost its lead agency role, 15 percent remained neutral while 10 percent disagreed.

Further, 68.8 percent agreed that immigration policies do not address national security aspects and therefore makes the fight against illegal immigration a difficult task. The reminder comprised of 18.8 percent that disagree with the assertion and 12.5 percent undecided.

About three quarters of the respondents, 73.4 percent agreed that the operations of other agencies interfere with immigration role in combating immigration offences perhaps pointing to the complicated nature of interagency cooperation. When asked whether the provisions of immigration laws are at variance with the laws such as refugee laws, 74.7 percent either agreed or strongly agreed while 14.7 percent disagreed with the reminder preferring to remain undecided on the issue. Respondents' opinion was sought on whether the recent presidential directive favouring Africans seeking to enter, stay and work in Kenya will reduce illegal immigration. Of those sampled, mixed results were obtained: 52 percent agreed, 22.7 percent remained undecided while 25.4 percent disagreed. The

results of the respondents' opinions are presented in table 4.6
below:

Table 4.6: Opinions on strategies used to combat illegal immigration

Opinion	ee Strongly	Agree	Undecided	Disagree	ee Strongly	Total
Illegal immigrants increased the moment immigration lost its lead agency role.	55.0	20.0	15.0	6.2	3.8	100
Immigration policies do not address national security and hence cannot address the illegal immigration	36.3	32.5	12.5	11.3	7.5	100
The operations of other agencies interfere with immigration role in combating immigration offenses	38.0	35.4	15.2	10.1	1.3	100
Provisions of immigration laws are at variance with the laws such as refugee laws	44.0	30.7	10.7	10.7	4.0	100

Immigration is a facilitation arm of government and should not be treated as a security agency	29.5	25.6	10.3	24.4	10.3	100
The border committees at the airports have helped curb human trafficking and smuggling	23.0	37.8	14.9	18.9	5.4	100
The restrictive visa policy in Kenya contributes to the illegal entry of migrants	22.4	27.6	11.8	30.3	7.9	100
Policy makers need to rework the conditions of entry as they encourage people to avoid border points	29.3	22.7	22.7	14.7	10.7	100
The presidential directive favouring Africans seeking to enter, stay and work in Kenya will reduce illegal immigration	11.3	23.8	21.3	21.3	22.5	100

(Source: Author, 2018)

4.7.2 Strategies to monitor illegal immigration

Respondents' opinions were sought on strategies likely to help monitor and curb illegal immigration. Strategies identified included: strict enforcement of immigration laws (15.2 %), enhanced patrols (12.1%), and a securitized immigration department with armed officials among other strategies.

Data on the different strategies is captured in table 4.7 below:

Table 4.7: Strategies to monitor illegal immigration

Strategies to combat illegal immigration	Frequency	Percentage

Strict enforcement of immigration laws	10	15.2
Enhance patrols	8	12.1
Arm immigration officials	7	10.6
Recognize immigration role as a security agency	7	10.6
Build capacity of immigration officials	6	9.1
Interagency cooperation	6	9.1
Use alert list effectively	6	9.1
Use data effectively	4	6.1
Have an effective immigration system	2	3.0
Increase staff numbers	2	3.0
Keep immigration officials informed	2	3.0
Top management should be drawn from internal sources	2	3.0
Use intelligence led immigration	2	3.0
Conduct apt repatriations	1	1.5
Reengineer operations in the department	1	1.5
Total	**66**	**100.0**

(Source: Author, 2018)

4.7.3 Strategies to curb illegal immigration

Respondents were also asked to highlight strategies that would best curb illegal immigration into Kenya. A number of strategies were proposed including: Need to empower the department (21.2%), interagency cooperation (16.9%), Increase border points, and tighten immigration laws— all at 8.5%.

Other strategies include: capacity building and training, increase immigration presence, tighten entry conditions as captured in table 4.8 below:

Table 4.8: Strategies to curb illegal immigration

Strategy	Frequency	Percentage
Empower the immigration department	15	21.2
Interagency cooperation	12	16.9
Increase border points	6	8.5
Tighten immigration laws	6	8.5
Capacity building and training	4	5.6
Increase immigration presence	4	5.6
Tighten entry conditions	4	5.6
Strengthen border patrol teams	3	4.2
Use intelligence led immigration	3	4.2
Depoliticize immigration department	2	2.8
Allow free movement of people	1	1.4
Alter the immigration organogram	1	1.4
Communicate successes	1	1.4
Curb corruption	1	1.4

Document policies	1	1.4
Engage immigration officials for better service	1	1.4
Have a synchronized agency to handle border management	1	1.4
Have an all-inclusive policy formulation framework	1	1.4
Institute good governance in the continent	1	1.4
International cooperation	1	1.4
Register all aliens promptly	1	1.4
Revamp operations	1	1.4
Total	**71**	**100**

(Source: Author, 2018)

The interviews conducted with key informants helped explicate some of these strategies. An informant argued: "this concept of interagency cooperation has been misused in certain quarters. One is never clear what it quite means. For me, interagency cooperation is bringing different agencies together to form a formidable force."

Another informant stated: "The use of data and allowing an intelligence led practice will surely propel immigration to a management perspective. Things will be run in a predictable manner and thus curbing illegal immigration." The key informants differed with respondents on the need for an armed immigration workforce. For some informants, having armed immigration guards

was a dangerous move – one even claimed that "border guards will make the management of immigration fall back to controlling borders and the dangers associated with border control." The informants were opined that the department ought to use intelligence led immigration.

4.8   Conclusion

This chapter discussed the various strategies employed by government in the effort to combat illegal immigration. It was established that the operations of government agencies will almost always create a situation of rivalry although this does not demean the purpose of curbing illegal immigration. The conceptual constructs in addition to others presented elsewhere in this study were empirically tested and the findings are presented in this chapter. The final chapter summarizes the study findings, makes concluding remarks and proposes a number of recommendations.

CHAPTER FIVE
CONCLUSION AND RECOMMENDATIONS
5.1   Summary

People travel in and out of the country for a number of reasons. We established that although good reasons exist for people to travel such as for education, medical facilities and employment, some travel for not so good reasons. In the train of those who travel

for bad reasons include criminals and terrorists. The later reason makes states ever conscious of the security implications of immigrants because a majority would want to enter illegally into a country's jurisdiction. This situation is exacerbated by the fact that a popular trend among citizens seem to suggest that high rates of crime are directly proportional to increased number of illegal immigrants. We can thus argue that implied effect of illegal immigration on security is therefore established. The study did establish that a good number of terror attacks were orchestrated by foreign nationals.

To fully comprehend the reasons why illegal migrants move from country of source to that of destination were compounded in the push-pull factors. The study dichotomized push and pull factors within the frameworks of political social and economic reasons. Internal factors posed a better understanding of the push factors. Africa is riddled with political conflicts – some of which are built on the colonial past. Inept leadership has led to human rights violations and the instabilities in some African countries have made it easy for illegal immigrants to find domicile in other countries. The study noted the many political conflicts in the continent and takes cue that at one point the continent was a theatre of coups. Countries such as Uganda, Angola, Mozambique, DRC Congo, Congo Brazaville, Ivory Coast, Sierra Leone, Somalia, Guinea Bissau and Guinea Conakry – have all gone through a tough time. The Kenya

situation is a vivid example. Unstable neighbours for Kenya are a classic example of how the situation runs. The influx of refugees and asylum seekers has enabled bad elements find a home or operating base in Kenya.

Although Kenya was once projected as an island of peace, the continued instability has caused the influx of small arms and the attendant insecurity problem. Further the emergence of Sharia courts in Somalia contributed to the rise of Al Shabaab. Terrorism remains one of the greatest challenges to national security. Economic activities are hinged on the socio-political factors. Inept leadership has a corollary of corruption and misuse of office. These pillars of bad governance have resulted in states finding it difficult to operate normally. With no environment to sustain economic development, many people opt to move out of these countries using any means possible.

Socially, Kenyans are a welcoming people. The attitude of Kenyans towards each other has been one that less interrogates to establish facts that may help build a profile of people. A similar perspective is given to foreign nationals and this study established a profile for an illegal immigrant just to give guidance to the immigration enforcer of what is expected to them- the red flag to avoid.

The study also examined the strategies put in place to curb illegal immigration. Strategies such as interagency cooperation,

continuous training and refresher courses for enforcement teams were all examined. Although well intended for the immigration practice, there is need to consolidate these structures in the face of the numerous challenges facing the country. The study attempted a candid interrogation of the claims of a vivid connection between presence of illegal immigrants and the concomitant security issues. It is possible that emotions may sweep across yet the reality is far removed from emotions.

There is need to temper the strategies put in place and the reality on the ground. It is true that terrorism, cross border crime and the presence of economic refuges – all paint to a sceptical picture to the country's internal security, there is need to be grounded on facts rather than conjecture.

5.2   Conclusion

Kenya's position in the region is strategic. The study concluded that causes of illegal immigration are as a result of both internal and external forces. Looking at the conceptual framework and underscoring the fact that immigration has been securitized, the study identified a number of push and pull factors that facilitate illegal entry into Kenya. From the study, although illegal immigration is itself an offence, the presence of illegal immigrants is not necessarily a reason for insecurity. Illegal immigrants such as terrorists, asylum seekers and economic refuges are a security concern to any nation. The study findings positioned profiling of

migrants as critical to immigration practice. For Kenya, respondents showed that a red flag will be raised when you meet an Ethiopian, Somali, Nigerian or Pakistani. The study also indicated that these nationalities matched with preferred destinations such as South Africa, Mozambique, South America or Europe may need a more critical analysis. Finally, the study established that the government has employed interagency cooperation as a comprehensive strategy to fight illegal immigration. All the strategies took a security approach to illegal immigration including the realization among policy makers of immigration stakes in matters of national security.

The study was set within three hypotheses namely: illegal immigration in Kenya is on the increase; illegal immigration is a national security threat to Kenya; and strategies for effectively addressing illegal immigration in Kenya are uncoordinated.

While data on the actual numbers of illegal immigrants in Kenya remain unknown, specific nationalities and routes seem to indicate that illegal immigration is on the increase. Both respondents and key informants agreed that illegal immigration was a threat to national security in Kenya. A majority of the respondents associated illegal immigration with threats to national security viz., terrorism, cross border crimes and identity theft among other security threats. Finally, the fact that every department runs their own affairs and immigration officials felt differentiated agencies at the border shows the uncoordinated nature of strategies to fight

illegal immigration. A number of strategies are employed by the department of immigration and there seemed a little touch here and another there. The efforts to integrate other security agencies did not take a top priority among respondents.

5.3 Recommendations

This study makes a number of recommendations based on the study findings. As indicated in the study, immigration is a critical element of any sovereign state. Due to the fact that immigration has increasingly been securitised, this study gave pointers on how well the matter should be handled. Immigration practice needs to be hinged on best practices. To this end, the following recommendations will suffice.

5.3.1 Sensitize communities on the role of immigration

The government has programs that endear the public such as the community policing. Using such programs, the government would not need to reengineer the wheel. Instead government officials including immigration officers ought to sensitise the public on their role and rally communities to partner with the department and help root out cases of illegal immigration.

5.3.2 Advance an intelligence led immigration practice

To continuously top the agenda on immigration practice, immigration officials ought to speak from a point of information. There is need to marshal an elaborate intelligence collection mechanism that helps the officials to be a step ahead of the

immigration offenders. Such a mechanism would include adequate provision for such a service including adding a budgetary item to ensure continuity. Further, an active intelligence unit should be established and activated for such a job.

5.3.3 Harness immigration data for policy making

Immigration officials interact with immense data that can be processed into sensible information. Such information can help in formulating intelligence led decisions and give credible pointers to policy formulation and implementation. To ensure that officials implement this recommendation, it is important that the officials are provided with information that can help the desired goals. Systems should be put in place to help tap information and make sense of such information. Notes from investigative processes or from officers at the borders need to be concretized for the benefit of the country.

5.4 Areas for further research

This study sought to establish the effects of illegal immigration on security in Africa. Different parameters were examined including the causes and effects of illegal immigration on security as well as the strategies used to combat the vice. There is need to investigate immigration led causes of illegal immigration so that a complete picture of the situation can be ascertained. Immigration officials play a crucial role in securing borders yet it is

reasonable to study if there are situations either by commission or

omission that allow the entry of unauthorised persons.

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LIST OF APPENDICES

APPENDIX I: COVER LETTER

Dear Respondent,

My name is Alicent Kambura Muthaara , a postgraduate student at the University of Nairobi, Institute of Diplomacy and International Studies. I am undertaking a study titled: **Effects of Illegal Immigration on Security in Africa**: **A case study of Kenya**. Kindly spare a few minutes and fill out the questionnaire (Appendix II). Be assured that your information will be treated as confidential.

(Please tick or record responses appropriately).

April, 2018

APPENDIX II: QUESTIONNAIRE

Section A. (Personal Information)

Tick the following questions where it's appropriate
1. Departmental sectional _____

2. Gender   Male [   ]   Female [   ]

3. Years of experience
   1-5 years [   ]   6-10 years [   ]   11 and Over [   ]

4. Highest level of Education

     Diploma [   ]   Degree   [   ] Masters   [   ]   PHD   [   ]

Section B.

Causes and Effects of illegal immigration

5. From experience, what some of the major causes of illegal immigration in Kenya?

Porous borders ☐

Weak legislations and policies ☐

Ill equipped officers ☐

Lack of interagency cooperation ☐

A non-effective enforcement of the department ☐

Border communities ☐

Corruption and abuses of office ☐

Other (Specify) _____

6. What effects can you single out in connection with the presence of illegal immigrants in Kenya? (Tick all that apply)

Blame game among agencies   [   ] Terrorism   [   ]

Increased crime in estates   [   ] Cross border crimes   [   ]

Identity theft   [   ] Political interference   [   ]

Regional integration   [   ]   Compromised security   [   ]

Using 'Strongly agree'; 'Agree'; 'Neutral'; 'Disagree'; and 'Strongly Disagree' rank your opinion of the following propositions that examine the causes and effects of illegal immigration on security.

	Proposition	Strongly agree	Agree	Neutral	Disagree	gree Strongly
7.	Illegal immigration has an impact on national security.	☐	☐	☐	☐	☐
8.	Illegal immigrants make overstretch the facilities meant for citizens	☐	☐	☐	☐	☐
9.	Many of the reasons why migrants seek to enter Kenya illegally are propelled by their countries	☐	☐	☐	☐	☐
10.	The number of visa overstay are higher than those who cross the borders illegally	☐	☐	☐	☐	☐
11.	Kenya has contributed to immigrants getting access to the country using illegal means	☐	☐	☐	☐	☐
12.	The most common illegal immigration in Kenya is overstay of immigration status	☐	☐	☐	☐	☐
13.	Illegal immigrants are often arrested for public nuisance, petty and serious crimes	☐	☐	☐	☐	☐
14.	All cases of terrorism have foreign nationals suspected of orchestrating the attack	☐	☐	☐	☐	☐

15. In your considered opinion, what should be done to monitor and ensure that illegal immigration does not interfere with national security?

……………………………………………………………………………………………

……………………………………………………………………………………………

SECTION B

Profiling illegal immigrants in Kenya
16. Which nationality has been prone to arrest for being in the country illegally? ....

Explain your answer
....

17. Of the illegal immigrants intercepted, which is their preferred destination?
Kenya   [   ]
Other destination (specify) ....

18. Which immigration offenses are associated with illegal immigrants in Kenya? (Tick all that apply)

Altered documents ☐   Fake documents   ☐
Identity fraud   falsely obtained documents
   ☐

Working without Permit   No identity document
   ☐

Human trafficking   ☐   Human Smuggling
   ☐

Pass overstay   ☐   Unregistered Foreign Nationals
   ☐

19. Which border points are preferred by the majority of illegal immigrants to enter Kenya? (Tick all that apply)

Lunga Lunga ☐ Moyale ☐ Liboi ☐ Suam ☐

Mandera ☐ Lamu ☐ Kiunga ☐ Isebania ☐

SECTION C

Strategies used to combat illegal immigration

20. Interagency cooperation is an overarching strategy to counter illegal immigration. Which agencies do you work with in the discharge of your duties? (Tick all that apply)

Kenya Police ☐   Kenya Airports Authority ☐   Customs ☐

Port Health ☐   Kenya Maritime Authority ☐   NIS ☐

KDF ☐   Provincial Administration ☐   KEBS ☐

KCAA ☐   Kenya Ports Authority ☐
Other (specify) ……………………………………

21. Do the immigration laws and the immigration policies adequately address the issue of illegal immigration? Yes [   ] No [   ]
Explain your answer

………………………………………………………………………………………………

Rank your opinion on the following propositions

	Statement	Strongly Agree	Agree	undecided	Disagree	Disagree Strongly
22.	Illegal immigration has increased since the department immigration is no longer the lead agency on border management	☐	☐	☐	☐	☐
23.	Immigration policies do not address national security and hence cannot address the illegal	☐	☐	☐	☐	☐

	immigration	☐	☐	☐	☐	☐
24.	The operations of other agencies interfere with the role of immigration in combating immigration offenses	☐	☐	☐	☐	☐
25.	Provisions of immigration laws are at variance with the laws such as refugee laws	☐	☐	☐	☐	☐
26.	Immigration is a facilitation arm of government and should not be treated as a security agency	☐	☐	☐	☐	☐
27.	The border committees at the airports have helped curb trafficking and smuggling	☐	☐	☐	☐	☐
28.	The restrictive visa policy in Kenya contributes to the illegal entry of migrants	☐	☐	☐	☐	☐
29.	Policy makers need to rework the conditions of entry as they encourage people to avoid border points	☐	☐	☐	☐	☐
30.	The presidential directive favoring Africans seeking to enter, stay and work in Kenya will reduce illegal immigration	☐	☐	☐	☐	☐

31.   What would you propose as the best strategy to curb the entry of illegal immigrants in to Kenya?

....

....

....

Thank you

APPENDIX III: INTERVIEW SCHEDULE

My name is Alicent Kambura Muthaara, a postgraduate student at the University of Nairobi. This Interview guide seeks to collect information for a study titled: **Effects of Illegal Immigration on Security in Africa**: **A case study of Kenya**. Be assured that your information will be treated as confidential and shall be used only for academic purposes

1. Briefly expound on what your role is and how it relates to the management of immigration.

2. In your considered opinion, what are the causes of illegal immigration in Kenya?

3. Do you think the Department has an effective method of establishing a profile of an illegal immigrant?

4. What effects would you ascribe to illegal immigration in Kenya?

5. Do you think that the strategies employed to counter illegal immigration have helped the department attain its objectives?

Thanks for your participation

NACOSTI AUTHORIZATION

NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

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Ref: No. **NACOSTI/P/18/97166/21542**

Date: **23ʳᵈ February, 2018**

Alicent Kambura Muthaara
National Defence College
P.O. Box 24381-00502
NAIROBI.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on *"Effects of illegal immigration on security in Africa: A case study of Kenya,"* I am pleased to inform you that you have been authorized to undertake research in **all Counties** for the period ending **23ʳᵈ February, 2019.**

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

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

ℊᒝ Kalerwa

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

Copy to:

The County Commissioners
All Counties.

The County Directors of Education
All Counties.

National Commission for Science, Technology and Innovation is ISO9001:2008 Certified

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THIS IS TO CERTIFY THAT:
MS. ALICENT KAMBURA MUTHAARA
of **NATIONAL DEFENCE COLLEGE,**
24381-502 Nairobi,has been permitted
to conduct research in *All Counties*

on the topic: *EFFECTS OF ILLEGAL*
IMMIGRATION ON SECURITY IN AFRICA:
A CASE STUDY OF KENYA

for the period ending:
23rd February,2019

Permit No : NACOSTI/P/18/97166/21542
Date Of Issue : 23rd February,2018
Fee Recieved :Ksh 1000

8P Kalerwa
....
Director General
National Commission for Science,
Technology & Innovation

....
Applicant's
Signature

CONDITIONS

1. The License is valid for the proposed research, research site specified period.
2. Both the Licence and any rights thereunder are non-transferable.
3. Upon request of the Commission, the Licensee shall submit a progress report.
4. The Licensee shall report to the County Director of Education and County Governor in the area of research before commencement of the research.
5. Excavation, filming and collection of specimens are subject to further permissions from relevant Government agencies.
6. This Licence does not give authority to transfer research materials.
7. The Licensee shall submit two (2) hard copies and upload a soft copy of their final report.
8. The Commission reserves the right to modify the conditions of this Licence including its cancellation without prior notice.

REPUBLIC OF KENYA

NACOSTI

National Commission for Science, Technology and Innovation

RESEARCH CLEARANCE PERMIT

Serial No.A 17635

CONDITIONS: see back page

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SPSS COMPUTATION REPORT

Statistics

		QX1	QX2	QX3	QX4
N	Valid	80	80	80	80
	Missing	0	0	0	0

QX1

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	JKIA	42	52.5	52.5	52.5
	Moyale	11	13.8	13.8	66.3
	Lungalunga	9	11.3	11.3	77.5
	Investigation and Prosecution	18	22.5	22.5	100.0
	Total	80	100.0	100.0	

QX2

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Female	35	43.8	43.8	43.8
	Male	45	56.3	56.3	100.0
	Total	80	100.0	100.0	

QX3

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1-5 years	20	25.0	25.0	25.0
	6-10 years	26	32.5	32.5	57.5
	11 and Over	34	42.5	42.5	100.0
	Total	80	100.0	100.0	

QX4

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Diploma	7	8.8	8.8	8.8
	Degree	36	45.0	45.0	53.8
	Masters	35	43.8	43.8	97.5
	PHD	2	2.5	2.5	100.0
	Total	80	100.0	100.0	

Case Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
$QX5ᵃ	80	100.0%	0	0.0%	80	100.0%

a. Group

$QX5 Frequencies

		Responses		Percent of Cases
		N	Percent	
Major causes of illegal immigration	Porous borders	61	17.7%	76.3%
	Weak legislations and policies	35	10.2%	43.8%
	Ill equipped officers	46	13.4%	57.5%
	Lack of interagency cooperation	58	16.9%	72.5%
	A non-effective enforcement of the department	42	12.2%	52.5%
	Border communities	55	16.0%	68.8%
	Corruption and abuses of office	46	13.4%	57.5%
	Cross-border marriages	1	.3%	1.3%
Total		344	100.0%	430.0%

a. Group

Case Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
$QX6[a]	80	100.0%	0	0.0%	80	100.0%

$QX6 Frequencies

		Responses		Percent of Cases
		N	Percent	
Effects of presence of illegal immigrant	Blame game among agencies	53	15.2%	66.3%
	Increased crime in estates	36	10.3%	45.0%
	Identity theft	50	14.3%	62.5%
	Misuse of freedom of movement	40	11.5%	50.0%
	Compromised security	55	15.8%	68.8%
	Terrorism	62	17.8%	77.5%
	Cross border crimes	37	10.6%	46.3%
	Stretching resources meant for citizens	16	4.6%	20.0%
Total		349	100.0%	436.3%

a. Group

Statistics

		QX7	QX8	QX9	QX10	QX11	QX12	QX13	QX14
N	Valid	80	80	80	79	79	75	80	80
	Missing	0	0	0	1	1	5	0	0

QX7

	Frequency	Percent	Valid Percent	Cumulative Percent

Valid		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	53	66.3	66.3	66.3
	Agree	18	22.5	22.5	88.8
	Neutral	1	1.3	1.3	90.0
	Disagree	5	6.3	6.3	96.3
	Strongly Disagree	3	3.8	3.8	100.0
	Total	80	100.0	100.0	

QX8

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	44	55.0	55.0	55.0
	Agree	18	22.5	22.5	77.5
	Neutral	10	12.5	12.5	90.0
	Disagree	6	7.5	7.5	97.5
	Strongly Disagree	2	2.5	2.5	100.0
	Total	80	100.0	100.0	

QX9

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	28	35.0	35.0	35.0
	Agree	27	33.8	33.8	68.8
	Neutral	10	12.5	12.5	81.3
	Disagree	12	15.0	15.0	96.3
	Strongly Disagree	3	3.8	3.8	100.0
	Total	80	100.0	100.0	

QX10

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	13	16.3	16.5	16.5
	Agree	29	36.3	36.7	53.2
	Neutral	14	17.5	17.7	70.9
	Disagree	20	25.0	25.3	96.2
	Strongly Disagree	3	3.8	3.8	100.0
	Total	79	98.8	100.0	
Missing	System	1	1.3		
Total		80	100.0		

QX11

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	25	31.3	31.6	31.6
	Agree	22	27.5	27.8	59.5
	Neutral	12	15.0	15.2	74.7
	Disagree	17	21.3	21.5	96.2
	Strongly Disagree	3	3.8	3.8	100.0
	Total	79	98.8	100.0	
Missing	System	1	1.3		
Total		80	100.0		

QX12

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	12	15.0	16.0	16.0
	Agree	29	36.3	38.7	54.7
	Neutral	17	21.3	22.7	77.3
	Disagree	14	17.5	18.7	96.0
	Strongly Disagree	3	3.8	4.0	100.0
	Total	75	93.8	100.0	
Missing	System	5	6.3		
Total		80	100.0		

QX13

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	25	31.3	31.3	31.3
	Agree	29	36.3	36.3	67.5
	Neutral	8	10.0	10.0	77.5
	Disagree	17	21.3	21.3	98.8
	Strongly Disagree	1	1.3	1.3	100.0
	Total	80	100.0	100.0	

QX14

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	28	35.0	35.0	35.0
	Agree	22	27.5	27.5	62.5
	Neutral	13	16.3	16.3	78.8
	Disagree	12	15.0	15.0	93.8
	Strongly Disagree	5	6.3	6.3	100.0
	Total	80	100.0	100.0	

Statistics

QX16

N	Valid	79
	Missing	1

QX16

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Ethiopians	34	42.5	43.0	43.0
	Ethiopians and Pakistani	1	1.3	1.3	44.3
	Ethiopians and Somalis	1	1.3	1.3	45.6
	Europe	1	1.3	1.3	46.8
	Indians	1	1.3	1.3	48.1
	N/a	1	1.3	1.3	49.4

	Nigerians	6	7.5	7.6	57.0
	Pakistanis	9	11.3	11.4	68.4
	Somalis	24	30.0	30.4	98.7
	Ugandans	1	1.3	1.3	100.0
	Total	79	98.8	100.0	
Missing	System	1	1.3		
Total		80	100.0		

Case Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
$QX17[a]	77	96.3%	3	3.8%	80	100.0%

$QX17 Frequencies

		Responses		Percent of Cases
		N	Percent	
Illegal immigrants preferred destination	Middle East	1	1.3%	1.3%
	Mozambique	5	6.3%	6.5%
	South Africa	11	13.9%	14.3%
	South Africa and Europe	2	2.5%	2.6%
	South Africa and later to Latin America	1	1.3%	1.3%
	South Africa and Mozambique	2	2.5%	2.6%
	South America	3	3.8%	3.9%
	Southern African states	2	2.5%	2.6%
	Western Countries	1	1.3%	1.3%
	Kenya	51	64.6%	66.2%

Total		79	100.0%	102.6%

Case Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
$QX18[a]	80	100.0%	0	0.0%	80	100.0%

a. Group

$QX18 Frequencies

		Responses		Percent of Cases
		N	Percent	
Offenses are associated with illegal immigration	Altered documents	65	14.1%	81.3%
	Identity fraud	61	13.2%	76.3%
	Working without Permit	40	8.7%	50.0%
	Human trafficking	55	11.9%	68.8%
	Pass overstay	52	11.3%	65.0%
	Fake documents	46	10.0%	57.5%
	Falsely obtained documents	47	10.2%	58.8%
	No identity document	34	7.4%	42.5%
	Human Smuggling	42	9.1%	52.5%
	Unregistered Foreign Nationals	20	4.3%	25.0%

Total	462	100.0%	577.5%

a. Group

Case Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
$QX19ᵃ	79	98.8%	1	1.3%	80	100.0%

$QX19 Frequencies

		Responses		Percent of Cases
		N	Percent	
Borders are preferred by illegal immigration ᵃ	Lunga Lunga	56	25.0%	70.9%
	Moyale	48	21.4%	60.8%
	Liboi	18	8.0%	22.8%
	Suam	12	5.4%	15.2%
	Mandera	29	12.9%	36.7%
	Lamu	15	6.7%	19.0%
	Kiunga	25	11.2%	31.6%
	Isebania	21	9.4%	26.6%
Total		224	100.0%	283.5%

Case Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
$QX20ᵃ	80	100.0%	0	0.0%	80	100.0%

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$QX20 Frequencies

		Responses		Percent of Cases
		N	Percent	
Which agencies do you work with	Kenya Police	79	17.6%	98.8%
	Port Health	41	9.1%	51.3%
	KDF	14	3.1%	17.5%
	KCAA	11	2.4%	13.8%
	Kenya Airports Authority	46	10.2%	57.5%
	Kenya Maritime Authority	17	3.8%	21.3%
	Provincial Administration	40	8.9%	50.0%
	Kenya Ports Authority	28	6.2%	35.0%
	Customs	64	14.2%	80.0%
	NIS	74	16.4%	92.5%
	KEBS	31	6.9%	38.8%
	Kenya Prisons Department	1	.2%	1.3%
	KRA	1	.2%	1.3%
	KTB	1	.2%	1.3%
	Nyumba Kumi	1	.2%	1.3%
	The Rural Border Patrol Unit (RBPU) of the Administration Police Service	1	.2%	1.3%
Total		450	100.0%	562.5%

a. Group

Statistics

QX21

N	Valid	80
	Missing	0

QX21

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	52	65.0	65.0	65.0
	No	28	35.0	35.0	100.0
	Total	80	100.0	100.0	

Statistics

		QX22	QX23	QX24	QX25	QX26	QX27	QX28	QX29	QX30
N	Valid	80	80	79	75	78	74	76	75	80
	Missing	0	0	1	5	2	6	4	5	0

QX22

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	44	55.0	55.0	55.0
	Agree	16	20.0	20.0	75.0
	Undecided	12	15.0	15.0	90.0
	Disagree	5	6.3	6.3	96.3
	Strongly Disagree	3	3.8	3.8	100.0
	Total	80	100.0	100.0	

QX23

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	29	36.3	36.3	36.3
	Agree	26	32.5	32.5	68.8

		Frequency	Percent	Valid Percent	Cumulative Percent
	Undecided	10	12.5	12.5	81.3
	Disagree	9	11.3	11.3	92.5
	Strongly Disagree	6	7.5	7.5	100.0
	Total	80	100.0	100.0	

QX24

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	30	37.5	38.0	38.0
	Agree	28	35.0	35.4	73.4
	Undecided	12	15.0	15.2	88.6
	Disagree	8	10.0	10.1	98.7
	Strongly Disagree	1	1.3	1.3	100.0
	Total	79	98.8	100.0	
Missing	System	1	1.3		
Total		80	100.0		

QX25

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	33	41.3	44.0	44.0
	Agree	23	28.8	30.7	74.7
	Undecided	8	10.0	10.7	85.3
	Disagree	8	10.0	10.7	96.0

		Frequency	Percent	Valid Percent	Cumulative Percent
	Strongly Disagree	3	3.8	4.0	100.0
	Total	75	93.8	100.0	
Missing	System	5	6.3		
Total		80	100.0		

QX26

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	23	28.8	29.5	29.5
	Agree	20	25.0	25.6	55.1
	Undecided	8	10.0	10.3	65.4
	Disagree	19	23.8	24.4	89.7
	Strongly Disagree	8	10.0	10.3	100.0
	Total	78	97.5	100.0	
Missing	System	2	2.5		
Total		80	100.0		

QX27

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	17	21.3	23.0	23.0
	Agree	28	35.0	37.8	60.8
	Undecided	11	13.8	14.9	75.7
	Disagree	14	17.5	18.9	94.6
	Strongly Disagree	4	5.0	5.4	100.0
	Total	74	92.5	100.0	
Missing	System	6	7.5		

Total		80	100.0		

QX28

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	17	21.3	22.4	22.4
	Agree	21	26.3	27.6	50.0
	Undecided	9	11.3	11.8	61.8
	Disagree	23	28.8	30.3	92.1
	Strongly Disagree	6	7.5	7.9	100.0
	Total	76	95.0	100.0	
Missing	System	4	5.0		
Total		80	100.0		

QX29

		Frequency	Percent	Valid Percent	Cumulative Percent

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		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	22	27.5	29.3	29.3
	Agree	17	21.3	22.7	52.0
	Undecided	17	21.3	22.7	74.7
	Disagree	11	13.8	14.7	89.3
	Strongly Disagree	8	10.0	10.7	100.0
	Total	75	93.8	100.0	
Missing	System	5	6.3		
Total		80	100.0		

QX30

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	9	11.3	11.3	11.3
	Agree	19	23.8	23.8	35.0
	Undecided	17	21.3	21.3	56.3
	Disagree	17	21.3	21.3	77.5
	Strongly Disagree	18	22.5	22.5	100.0
	Total	80	100.0	100.0	

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