

**ASSESSMENT OF THE NATURE OF SECURITY CHALLENGES ON  
THE INTERNATIONAL BORDER BETWEEN KENYA AND SOMALIA**

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## **DECLARATION**

### **Declaration by Candidate**

This research proposal is my original work. It has not, to the best of my knowledge been submitted or intended to be submitted by anyone else for any examination at any other institution of learning.

**Signed.....Date.....**

**James Shore Hirbo**

R47/8916/2017

### **Declaration by the Supervisors**

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

**Signed.....Date.....**

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## ABSTRACT

The study aimed at assessing of the nature of security challenges on the international border between Kenya and Somalia. The specific objectives were: to ascertain the degree to which cross border insecurity has negatively impacted on Kenya's border security, implication on the community in the border region, to examine the challenges posed to the security of Kenya by the porous common boundary, to compare and contrast the security strategies of the governments of Kenya and Somalia administration for the border region- its effectiveness or failure and finally to propose solutions that can be implemented to fix the cross border insecurity situation. The findings were that Kenya and Somalia various peace initiatives have been undertaken on border security teams towards conflict mitigation, prevention and resolution. Such initiatives have been through the CEWARN-IGAD mechanism incorporating local administrative governments, civil society, NGOs, CBOs, FBOs, District Peace Committees and other agencies. Border based conflicts are a common feature in African countries. The horn of Africa has had violent conflicts on its border regions too. Kenyan border concerns with Somali particularly stand out. The border line is largely artificial, separating a community that share a strong history. The border security challenges between Somalia and Kenya are as old as the countries have been pre independence. Somalia as a nation wanted to be reunited with their kin in Kenya. The study concluded that border related security concerns have had strong impact on Kenya in all key aspects from social economic to political. The poorly demarcated border has meant that illegal trade happens through the border which while offering North Eastern regions an economic boost, denies Kenya revenue. The infiltration of bandits and illegal fire arms through the border has had serious security ramifications not just in North Eastern regions but across the country. The study concluded that socially, the Somali coming from Somalia to Kenya have found ways to integrate with Kenyans, while some even attained Kenyan citizenship. Finally, the study concluded that Kenya has taken extra ordinary measures to contain border related insecurity concerns both in Kenya and Somalia. Al-Shabaab militants cross border attacks made Kenya attack Somalia militia/terrorist militarily inside Somalia for the first time in its history. The study recommended that Kenya should enhance its partnership with Somalia government to ensure that Somalia contributes more concretely on border line insecurity concerns. Kenya should form stronger partnership with other African countries in the Horn of Africa especially Ethiopia to address border concerns arising from Kenya Somalia border. Finally, Kenyan security agencies should be more sensitive to human rights concerns of both Kenyan Somalis and the Somalia Somalis in the country as refugees.

## **ABBREVIATIONS**

<b>AMISOM</b>	-	African Mission in Somalia
<b>AS</b>	-	Al-Shabaab
<b>AU</b>	-	African Union
<b>CBO</b>	-	Community Based Organization
<b>CEWARN</b>	-	Conflict Early Warning Response Mechanism
<b>COIN</b>	-	Counter Insurgency Operations
<b>DSC</b>	-	Defence Staff College
<b>EAC</b>	-	East African Community
<b>EU</b>	-	European Union
<b>FBO</b>	-	Faith Based organization
<b>IGAD</b>	-	Intergovernmental Authority on Development
<b>KDF</b>	-	Kenya Defence Forces
<b>OAU</b>	-	Organization of African Unity
<b>SCT</b>	-	Security Conflict Theory
<b>SGI</b>	-	Security Governance Initiative
<b>SNA</b>	-	Somalia National Army
<b>SNP</b>	-	Somalia National Police
<b>TJRC</b>	-	Truth, Justice, and Reconciliation Commission of Kenya
<b>TRJC</b>	-	Truth, Justice, and Reconciliation Commission of Kenya
<b>UN</b>	-	United Nation
<b>USA</b>	-	United States of America

## **DEDICATION**

Sister Mariam Hirbo Chido, it's been many years since you left us, though only physically, we are together spiritually. You believed and showed the potential within me when I was still young, indeed it has propelled me this far. Your guidance, words of wisdom, ever since has been such strength and empowering.

To my family for being there for me all the time and for the immeasurable support you gave me over the study period. It has been great I had you all the time.

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# **CHAPTER ONE**

## **INTRODUCTION AND BACKGROUND TO THE STUDY**

### **1.0 Introduction**

This research investigates international border circumstances in Eastern region of Horn of Africa. The study covers five counties in Kenya; Mandera, Wajir, Garissa, Ijara and Lamu. The regions from Juba land to Gedo in Somalia are covered too. The study focusses on cross border security issues between Kenya and Somalia, as well as cross border security dynamics in the wider region. Other countries with a common border with Somalia are Ethiopia and Djibouti. It will further scrutinize the efforts that Kenya Government has made in securing its borders and the extent to which these efforts have realized positive results.

For about three decades since the Collapse of Somalia Government when President Said Barre fled the country in 1991, the international border between Kenya and Somalia has remained porous with little or no security at the border side of Somalia, a gap which has been exploited by both criminal gangs such as bandits, smugglers of contrabands, pirates, human traffickers and illegal immigrants leading to deterioration of security at the border. It is this international border security situation that the researcher is interested in so as to identifying the challenges that hampers the States' effort in securitizing the international borders so as to come up with mitigation measure or lasting solution.

The study provides policy recommendations for mitigating the international border security issues. Further, this chapter also lays bare the background to the study, the problem statement as well as the justification of the study. In the same vein, the research objectives are also featured. It covers literature review which looks at the international models that guide border securitization, key aspects of communities that live across the border and their life style

including interaction, trade, commons, natural resource exploration factors, security agents and regional/international stakeholders.

Kenya and Somalia has suffered numerous cross border conflict over the past 27 years since the fall of Said Barre government in 1991. This work gives a good baseline data on border issues in the region. It provides most recent information on peace and conflict trends. There are emerging dynamics that necessitate a relook at security concerns in the region. These include hydro carbon exploration off the Kenyan/Somalia Coast, emergence of devolved governments in Kenya, and rising terrorism threat posed by al-Shabaab in Somalia and Kenya boundaries.

The formation of a relatively stable government in Somalia is a development that changes how border security issues get addressed. This is complicated by the presence of Kenya Defence Forces (KDF) in Somalia in their counter terrorism efforts. All these dynamics have impact social economic and security perspectives in the horn of Africa region. While some developments are likely to promote peace, others are likely to refuel cross border conflicts.

This chapter delves into and discusses the outlay of cross border security as an imperative to a country and region, and how then availability or lack of it thereof has divergent repercussions to not only the country, but on its citizens on the one hand, and the relations that it has with neighboring states and globally in time and space.

## **1.1 Background to the Study**

Border conflicts in Horn of Africa formed the biggest concern when most countries received their independence from colonialists in 1960s. The borders were poorly mapped out and would have easily resulted to conflicts and political instability. Divisions quickly resulted with some political players and intellectuals taking the view that borders as left by colonialists should be immediately revised. Antirevisionists on the other hand maintained that

the borders should be maintained as they were left. Organization of African Unity (OAU) resolved to maintain the borders as left by colonial powers to avert the likely conflicts that threatened to disable the continent.

Despite the position taken by OAU (which morphed into African Union (AU) in 2002) border conflicts escalated. Following independence, interstate border conflicts was high. However in recent years, the conflict has been largely intra state involving non state actors against states or between non state actors themselves. Occasioned by rising population that is largely youthful, ever reducing economic opportunities and shrinking resource base, border conflicts in Africa are only likely to grow worse. African borders are long, poorly demarcated and manned making them highly porous. The result of this is highly flammable conflicts.

Small governance disputes in one nation very quickly escalate into regional conflicts. This has been witnessed in the great lakes regions, horn of Africa and Western parts of Africa. Colonial powers split communities that needed to stay together in one territory as was the case with Kenyan Somalis and Somalia people in Somali. Other communities who were incompatible were joined together as single states as was the case between in Sudan where Arab Sudan and black South Sudanese started conflicts almost immediately after attaining independence<sup>1</sup>.

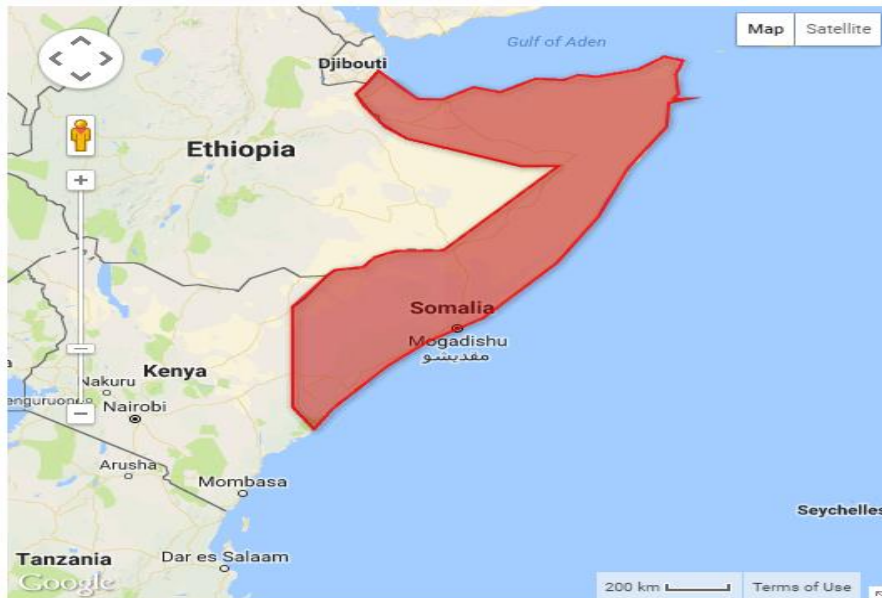
African integration project has surfaced in diplomatic fronts. There have been proposals to have a unified government across Africa. Policy makers first concern however has been border related disputes and their possibility of engulfing the entire continent into chaos if integration happened with circumstances as they are. Proponents of continental integration have been opposed to allocation of resources to address border concerns. Their argument is that a united Africa will not need big emphasis on internal borders. However there are those

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<sup>1</sup> The nature of African boundaries, *Afrika Spectrum* 18 (1980); I Brownlie, *African boundaries: legal and diplomatic encyclopedia*, London: C Hurst, 1997;

still supporting continental unification but only after all border disputes have been addressed. Shown in the map Somalia has had cross border conflict with both its neighbors Kenya and Ethiopia.

**Figure 1. Kenya Somalia Border map**



Source: <https://www.onwar.com/aced/chrono/c1900s/yr60/fgreatersomalia1960.htm>. Accessed 24 August 2018.

They reason that integration will be on the basis of existing borders and hence any related disputes need to be addressed first<sup>2</sup>.

It is from this background that this paper investigates the potential of interstate border conflicts between Somalia and Kenya as causes of regional conflicts. The paper argues that though interstate border conflicts have been replaced by intra state level governance disputes, Africa's poorly marked borders still offers a hot pot of conflicts. Intra-state border disputes especially amongst local communities easily spill to other communities across states converting the conflicts to be between states.

<sup>2</sup> Al Asiwaju (ed.), *Partitioned Africans*, New York: St. Martins, 1985; A Ajala, The nature of African boundaries, *Afrika Spectrum* 18 (1980); I Brownlie, *African boundaries: legal and diplomatic encyclopedia*, London: C Hurst, 1997;

Internal conflicts within Somalia have spilled to Somali communities in Kenya and Ethiopia. The same have been witnessed in South Sudan conflicts where the dispute in that country has gone beyond the borders into Somalia. The conflict in DRC quickly became an interstate conflict where as many as six African countries were feuding against each other in that country in 2009. From this position, it is easy to defend reasoning that proper demarcation of African borders will not only avert conflicts but also provide the right environment for Africa wide integration efforts.

### **1.1.2 Kenya-Somalia Relation**

The relationship between countries hinges on the way their leadership is run and the trade and diplomacy they have for variety of reasons. This study looks in depth at the strategic security issues in the Republic of Kenya in a bid to appreciate them and upon that, consider the strategic security issues of Kenya and Somalia so as to draw lessons comparing and contrasting the two independent states. There is the need to show the relations that the two countries have had and how this has subsequently affected the security situation and the relevance of this therefore to developments on their own right. The study will also endeavor to bring to the fore and show the different priorities these various governments have or rather the prominence of non-military issues which are sufficiently researched on better than military subjects.

### **1.1.3 Insecurity Issues**

It is important to note that the Republic of Kenya has its share of insecurities just like many other independent countries in Africa and the rest of the world. While there have been solutions to some challenges, yet others more have come up and are yet to be resolved. This therefore calls for a different approach which will include but is not limited to putting in place an inclusive National Security Strategy which takes into consideration the needs and

views of all stakeholders, and is based on best practices from countries around the world that have excelled in the same front.

#### **1.1.4 Social - Political and Economic factors**

As neighboring countries, Kenya and Somalia have their own internal struggles to deal with, for example impact of clannism, leadership and local politics affecting security. However, this is exacerbated by cases of militarization of politics in either country, and an upsurge and uprising of outlawed organizations that have brought about myriad challenges to the security situation. These are the issues that will be addressed by this study with a view to proposing feasible policy recommendations that can be implemented for peace and prosperity in each country, more so for Somalia.

### **1.2 Statement of the Problem**

During the British colonial period in the 20<sup>th</sup> century, most of the current Kenya Somali inhabited regions in Northern Kenya (then known as The Northern Frontier district) were considered to be in Juba land. On 26<sup>th</sup> of June 1960, declared that all areas in East Africa that had Somali populations would be joined into a state. However with ending of British colonial rule, Britain left The Northern Frontier district to be within Kenyan boundaries. The fact that majority of Somali in Kenya region wanted to be joined with the newly formed Somalia nation was ignored.

A day before Kenyan independence in August 1963, Britain realized that Kenyan government was unwilling to give up Somali populated regions to Somalia. Somalis in Northern Frontier District through their newly formed party, Northern Province People's Progressive Party, vehemently sought to be joined with their kin in Somalia. In what became popular as shifta war, Kenyan government resorted to severely repressive measures to retain control of the region. A peace agreement eventually stopped the conflict between Kenya and Somalia.

However, up to date, Somalis in Kenya still maintain strong ties with their counterparts in Somalia.

Kenya has enjoyed relatively long periods of peace and quiet since it attained independence in 1963, save for few isolated incidences such as the clamor for multiparty politics in 1992, August 1998 Bombing of the US Embassy in Nairobi, the Post-election violence in 2007/2008, 18 November 2012, 10 people were killed when public transport bus was attacked by Al Shabaab militant group using improvised explosive device and most recently on 2 April 2015, Garissa University College attack by the Al-Shabaab militant group from southern Somalia who killed 147 people. Various institutions have been created as a result of historical events which shaped the politics and structures of the current government, with credit to the constitution promulgated in August 2010.

In the same line, we note that the constitution has created various institutions that are in place for security purposes in the country which include The Kenya Defence Forces, The National Intelligence Service and The National Police Service which are all secondary to civilian authority (constitution gives ultimate authority to the citizens). Other institutions include the National Security Council, a Defence Council, the National Police Service Commission and the Independent Police Oversight Authority.

As a country, there is need to assure the citizens of their safety as this has far reaching impact at local, regional, and international levels. In this respect therefore, we cannot afford to turn a blind eye on the importance of National Security Strategy. We also note that issues and threats are intertwined and cannot be addressed as stand alone. These include terrorism, insurgencies and transnational crimes which have threatened peace in Kenya, especially from Somalia region that has been without a government for about three decades. There is therefore a need to isolate the issues/threat at the onset and propose solutions. In the same



vein, there is need to ensure that concerted efforts from all security organs, stakeholders, and citizens are geared towards realization of a lasting solution. This study examines the challenges on the international border between Kenya and Somalia, and brings to the fore the importance of having a strategy that addresses these issues with a view to have a lasting solution.

### **1.3 Research Question**

Does construction of walls along international common border between Kenya and Somalia address cross border security issues?

Deployment of security forces along the common border addresses cross border security issue.

A well-defined demarcation of international border is a prerequisite for solving cross border conflict.

What are the factors impeding cross border security between Kenya and Somalia?

What are the possible remedies to mitigate Cross border security issues between Kenya and Somalia.

### **1.4 Objectives of the Study**

#### **1.4.1 Overall Objective**

The study's overall objective is to delve into the issues that bedevil the cross border security situation in Kenya/Somalia, the security challenges posed especially from Somalia on Kenyans living close to the common border, and what security strategies can be put in place to ensure peace and security for the people living across the common border between Kenya and Somalia.

#### **1.4.2 Specific Objectives**

To ascertain the degree to which cross border insecurity has negatively impacted on Kenya's border security, implication on the community in the border region.

To examine the challenges posed to the security of Kenya by the porous common boundary between Kenya and Somalia – implications of the porous common border, lack of infrastructure and effective administrative institution.

Compare and contrast the security strategies of the two governments of Kenya and Somalia administration for the border region- its effectiveness or failure.

To propose solutions that can be implemented to fix the cross border security situation for Kenya and Somalia.

## **1.5 Literature Review**

### **1.5.0 Introduction**

Literature review is intended to give the reader an insight of cross border (in) security theory, social political economics factors of border/boundaries and they affect the community living across the border and the states. This was done through review of the earlier studies carried out by other researchers. It is imperative to note that many books, journals and other literatures have been written on border and cross border (in) security issues with possible solutions recommended which have helped ease or mitigate insecurity in some region. In the course of the review I have attempted to fill the gaps left by earlier researchers and also addressed new issues that have come up since the past research.

*“Nothing is more important to national security and the making and conduct of good policy than timely, accurate, and relevant intelligence. Nothing is more critical to accurate and relevant intelligence than independent analysis”* Dennis C. Blair<sup>3</sup>

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<sup>3</sup> [https://www.brainyquote.com/quotes/quotes/d/denniscbl516392.html?src=t\\_national\\_security](https://www.brainyquote.com/quotes/quotes/d/denniscbl516392.html?src=t_national_security)

### **1.5.1 Security Theory**

### **1.5.2 Regional Security Complex Theory**

The regional security complex (RSC) model reposes on the interdependence among the key national Security interests of a geographically close group of states. Barry Buzan identifies RSC as “a group of states whose primary security concerns link together sufficiently closely, so that their national securities cannot realistically be considered apart from one another.”<sup>4</sup>

The inherent interdependence of the security of states under the RSC ideal is engendered in several dimensions, such as shared and contradictory interests, symbiotic behaviors, and interrelated views. All of this has a regional geographic foundation. “They (the security complexes.—J.E.) represent the way in which the range of concern that any state has about its environment, interacts with the association between the intensity of military and political threats, and the rapidity of the range over which they are perceived. Because threats operate more potently over short distances, security interactions with neighbors will tend to have first priority.”<sup>5</sup> RSC theory can be used to explain the complex nature of conflict in Somalia region and involvement of various actors or internationalization of the conflict. Almost all members of East African Community is involved in the Somalia conflict and in IR setup the AMISOM force is composed of African Troops while logistical/financial support is from EU, UN and bilateral/multilateral partners. The underlying factor in all this is the common threat of terrorism to all the actors through groups such as Al-Shabaab that has launched various attacks in the regions specifically targeting people of Western/European/Asian origin.

### **1.5.3 Border Security Theory**

Border Security strategy between a failed/collapsed state and Stable State vary and in some cases does not exist at all on the side of a collapsed state which leads to insecurity. The

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<sup>4</sup> B. Buzan, *People, States and Fear. An Agenda for International Security Studies in the Post-Cold War Era*, p. 190.

<sup>5</sup> *Ibid*

collapsed states insecurity affects the stable states security and by extension international peace and security globally. The failed states insecurity has spill-over effect which in turn influences how the stable state marks and defends its border. The attempt to stamp its authority as a sovereign state in preservation of its territorial integrity through building walls or fences and establishment of security institutions generates unique preference and understanding of border. That is border control strategy is based on objective threat from environment and not inside out. As institutions that delineate the end of one state's sovereignty and the beginning of another, borders allow states to extend their authority to defined lines with the promise of non-interference from the outside.<sup>6</sup> This allows us understand states border security policy. This means states border security policy is preferred a result of objective security threat which will in turn generate stable preference on border security. The preference will determine the strategy the state will implement in order to secure its border. Effective Border control and security strategy signifies presence of a successful state authority.

### **1.5.2 Global context of security**

Individual security is an integral part and the duty of the government of the day to provide as it is enshrined as a basic human right. According to the Universal Declaration of Human Rights<sup>7</sup> in Article 3, '*Everyone has the right to life, liberty and security of person*'.

This is further given credence by Article 22 of the same declaration. It guides that everybody is entitled to security. Players within national and international circles are obligated to

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<sup>6</sup> James A. Caporaso, "Changes in the Westphalian Order: Territory, Public Authority and Sovereignty," *International Studies Review*, Vol. 2, No. 2 (2000), pp. 1-28; Patricia M. Goff, "Invisible Borders: Economic Liberalization and National Identity," *International Studies Quarterly*, Vol. 44 (2000), pp. 533-562 Stephen Krasner, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999); Friedrich Kratochwil, "Of Systems, Boundaries and Territoriality: An Inquiry into the Formation of the State System," *World Politics*, Vol. 39, No. 1 (1986), pp. 27-52.

<sup>7</sup> <http://www.un.org/en/universal-declaration-human-rights/>

coordinate in line with resources available to them, to ensure the populations live in dignity and each gets opportunities for personal development.

As noted, security is at the helm and is of paramount importance to every human being. To bring this closer home, it therefore becomes important to enumerate the security challenges that Africa faces, with the benefit of regional as well as international coordination efforts. Nelson Mandela<sup>8</sup> stated that “*freedom would be meaningless without security in the home and in the streets*”. Mandela further observed that internal security depends on the level of preparedness of security apparatus. Nations should be ready to allocate adequate resources to them. Security forces should be accountable to democratic institutions of a country. Security agencies should be put to task to provide offer protection to families, individuals and their resources so that local communities can trust them<sup>9</sup>. Through security investments, security studies/training and research our forces will be well prepared to tackle existing problems and confront new asymmetric warfare challenges across international borders.

Kenya and regional forces have deployed military and other security agencies along its borders to address cross border conflict, for example Ethiopia National Defence Forces and Federal Police has been deployed along Ethiopia’s border with both Somalia and Kenya. Globally, it is a well-established fact that it takes more than armed forces efforts to ensure border security. Military efforts cannot be elaborate enough to address root causes of cross border hostility and violence. Security and stability cannot be guaranteed in the absence of inclusivity in development, respect of human rights and observance of rule of law (Peerenboom, 2004). These three pillars of a peaceful stable country are still not fully established in the larger African regions. This translates into constant internal and mostly

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<sup>8</sup> Former President of South Africa Nelson Mandela.

<sup>9</sup> Koffi Annan, 2016.

violent conflicts both within and between states. Development has remained uneven in almost all sub Saharan countries further posing instability concerns.

African governments have been unable to properly govern all parts within their territories. This has left a vacuum that has been filled by militia groups. The rebel groups often have support of local populations because government security forces are usually brutal and offer little chance for justice (Rothberg, 2003). It is in such instances that uprisings occur and rebel groups are formed ostensibly to clamor for their ‘rights’

Today, global relations have made the world a far more complex place. Insecurity all over the world has been increased by ease of violent perpetrators around the world to connect with each other. Africa has not been spared from this phenomenon. This is evidenced by violent terrorism acts seen in West, East and North Africa. World Bank, however, reports that Africa is scoring much higher than the rest of the world in offering security to its people. Other than a few cases, Africa is able to handle most of its conflicts all by its self<sup>10</sup>.

In Somalia, involvement of African countries to counter Al-Shabaab terrorists have had the effect of improved governance. The militants who were highly tyrannical have been deposed from most parts of Somalia.<sup>11</sup> However Al-shabab still remains a security concern in the region. In 2013, the militants attacked a popular mall in Nairobi City killing 60 people. Kenyan intelligence and security agents in Somalia were largely blamed for the attack. African Union in coordination with Somali National Army (SNA) and other Somali National Police (SNP) has since enhanced their efforts to ouster Al-Shabaab from its strong holds.

The terrorists have fled from many cities and regions it previously controlled. Under pressure Al-Shabaab militants are fleeing to mountainous regions in Puntland. Others are suspected to cross borders all the way to Yemen while others are hiding amongst populations in Kenya

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<sup>10</sup> Jonathan R White, *Terrorism and Homeland Security*, 7<sup>th</sup> Edition. Cengage learning, 1 Jan 2011.

<sup>11</sup> a terrorist group that has pledged allegiance to al-Qaida

and Ethiopia. It is important to note though that loss of territory has not eliminated the threat of Al-Shabaab militants. They are regularly staging suicide attacks against Somali government interests in Somalia especially in the capital city Mogadishu. In fact in one daring attack, the terror group attacked the palace of Somalia President killing 17 people.

In as much as these efforts realized some areas being liberated from the militant group, there was no political strategy in place for continuity thereby leading to a power vacuum which was also marred by clan infighting (Hirsch & Oakley, 1995). Stability and security within the States have direct bearing on border security situation and the conduct of people along the common border.

Kenya is situated on the Eastern coast of the African Continent with direct linkage through sea to other countries out of the continent. It is surrounded by five countries as follows; Somalia to the East, Ethiopia to the North, South Sudan to the North West, Uganda to the West, and Tanzania to the South. Each bordering state offers its own threats to Kenyan security apparatus. The way in which the geography of Kenya is positioned is one critical and crucial aspect to understanding the challenges the country faces.

## **1.6 Hypotheses**

- i. Securitization of international border reduces cross border insecurity.
- ii. Securitization of international border does not reduce Cross border insecurity.

## **1.7 Justification of the Study**

### **1.7.1 Academic Justification**

The origin of conflict across Kenya-Somalia has its root in Somalia and has spilled over to the region though Kenya has borne most of the spillover effect in form of influx of refugees in to the country, contraband activities, smuggling of commodities including small fire arms and acts of banditry activities in Kenya by perpetrator who often flee across into Somalia to

avoid arrest by security agencies. Generally insecurity in border towns has hampered growth and development. These are clear indicators of persistent cross border threat and insecurity; its solution can only be arrived at with understanding of its causes. Given this state of affairs, the study wish to identify the root causes, security gaps in the international border with a view to come up with workable security strategies or what needs to be done to tem the situation. It will also generate literature for the field of academia. The literature will enrich the field of academia such as strategic studies for researchers, students and lecturers as source of information.

### **1.7.2 Policy Justification**

The findings of the research enhance understanding of institutional security frameworks that can bring lasting peace. The findings of workable policy solution can be used to amend or replace existence non effective policies. The resulting security strategy can be applied to a similar situation or adopted in other regions of the world. Cross border security in the region can translate to safer world in the global sense.

## **1.8 Theoretical Framework**

Territorial integrity is explained by three major theories, neorealism, world systems theory and constructivism. The theories principles explain KDF incursion into Somali to counter Somalia based terror group, Al-Shabaab. The government in 2011 through the then internal security minister, George Saitoti defended Kenyan move into Somalia stating that Kenya was a peaceful country and would go to any extent to retain that status. The minister noted that violent actors in Somalia had been seeking destabilization of Kenya for over twenty years and time had come to stop them.

When Al-Shabaab terrorists significantly threatened tourism in Kenyan coast, a key source of foreign revenue for the country, Kenya found it inevitable to respond. Kenya has established



itself as an economic power house in East Africa region and was not about to let Al-Shabaab destroy that. Kenya's invasion of Somalia was hence to secure its borders and create a buffer zone in Somalia to preserve its territorial integrity.

### **1.8.1 Neorealism/Structural realism**

Neorealism is about the balance of power in the international system and how states compete to gain power at the expense of other states. This is because the structure of the international system is about survival of a state. A nation's ability to control power is the best way to ensure its security. Classical realism asserts that power is an end in itself. Structural realism on the other hand provides that power is just but a means to survival.

A state's material capabilities provides basis for power. A state's power can be in the form of military power, Diplomacy, Information or Economy which is based on a state's wealth and population size. Hence it can be stated that 2011 Kenya Defence Forces incursion into Somalia is a move to stamp its significance in the region and protect its territorial integrity and sovereignty.

### **1.8.2 Structural Realism**

This theory explains how states interact with each other in the international realm. Neorealist assumptions are pegged on anarchy, structure, capability, power distribution, national interest and polarity. Since international politics is structured by anarchy (absence of a global authority), every state looks after itself in order to be able to survive. Survival thus encourages relative gain, which a state acquires based on its capabilities, defined in terms of demographics, natural resource endowment, military, economic and technological capacity (D'Anier, 2012).

Hence, neorealist asserts that states use international law to influence the policies and behavior of other states. In the context Kenya invoked Article 42 under Chapter VII of United Nations Charter to maintain peace and security within Kenya. This is not the first time Kenya has sent its security forces to counter forces within Somalia. Kenya and Somalia engaged militarily in 1960s when Kenya perceived that Somalia was starting ethnic conflicts in Northern Kenya in an effort to take Kenyan Somalis into Somalia territory.

The assumption of self-interest and anarchy explains how states co-exist in the international system and the principle of territorial integrity. Neorealism asserts that in the actions of states, moral principles cannot be applied. It is therefore vital to note that the protection of territorial integrity by states is a selfish interest, since states pursue their own self-interests and are concerned with their own relative gains at the expense of others (D'Anier, 2012). Kenya's incursion into Somalia on 16 October 2011 was all about selfish interest on matters of national security and territorial integrity triggered by terrorist activities against Kenya all launched from terror group's strong base in Somalia.

On Maritime boundary dispute, the two States were unable to reach consensus and Somalia has taken the matter to International Court of Justice. Besides the water and fishing activities the main borne of contention is the underlying natural resources such as oil and gas which has attracted multination oil explorers. Kenya wants its maritime boundary drawn parallel to the latitude just as is the case in the South with Tanzania, whereas the Somalia wants it drawn perpendicular to the coast line. For the two states, territorial integrity within international anarchy is at stake.

Structural realism's assertion that states can never be certain about other state's intentions explains Kenya's move to erect wall along its border with Somalia in order maintain its territorial integrity. Mearsheimer (2013), states want to know whether other states will use

force to alter the balance of power (revisionist states) or whether they have no interest in using force in order to change the balance of power (status quo states). The uncertainty about Somalia's future intention has informed Kenya's move to secure its border and national security by incursion into Somalia and to have buffer zone can be best explained by this theory.

Warfare is boundary less and highly globalized. Borders are now nothing more than imaginary lines dividing nations and its people but in real sense technology means anybody can access anyone anywhere in the world in seconds. International boundaries, legally speaking, provide the edges of nation territories that define the extent to which its jurisdiction extends. Properly demarcated states provide a basis for stability in modern states. Other factors to national stability are properly functioning state institutions and development of national conscience. For a government to enforce its mandate, the territory within which it has authority needs to be clearly mapped out. States desire to extend their influence by extending the extent of their boundaries.

Undefined and poorly consolidated borders combined with poorly structured political institutions have formed basis for border conflicts. Well demarcated borders have been identified as key ingredients for building stable states. SE Finer's observes that if anyone is randomly picked to start a state, he is likely to start by marking its boundary extent and then expecting everyone in there to obey his directives. From this definition and nature of this study, the researcher feels a political approach is critical in understanding international border issues. Instrumental approach is therefore another suitable theoretical framework that guides the research study.

Max Webber argues that for a state to really stand it must have a territory within which it exercise monopoly of violence. If a state is not able to define and defend a territory, it can

never really say it is in charge. African borders were defined by colonialists ignoring key African realities. The borders are porous, poorly defined and difficult to defend. Communities that are unsuited or even incompatible with each other were placed in same polities by colonial boundaries. In other cases, the basic logic of how the boundaries were defined has not been evident more than five decades later. This has resulted to instability and fluidity in African countries that would otherwise have been avoided.

Weak states in their boundaries have resulted to social instability. Colonial boundaries have been reported as basis on which government institutions have failed to deliver, nor any meaningful national cohesion being possible. Border issues and policies that have favored border status quo since independence have been highly emotive issues amongst communities in Africa. Unresolved border disputes have meant that sustainable peace and stability is impossible amongst conflicting African states. Instability in Africa has been regionalized by border disputes.

This has been noted, for example, in West Africa and great lakes regions. These and other parts of Africa have witnessed anarchy, and unending chaos. Economic liberation of Africa and enhancement of African standards of living have been largely obstructed by constant conflicts in the continent. Most of them are related to border disputes. Perhaps because of major conflicts in border regions, the regions have been neglected as far as development is concerned. This has resulted to marginalized people all too willing to join rebel groups fighting for liberation. This has only made the situation worse.

## **1.9 Research Methodology**

This section outlined the method I have adopted in carrying out the research. I utilized secondary sources from library and internet. In this case I have used publications such as books, journals from previous scholars/authors, print media, reports, official records,

correspondences, past research works and unpublished verified data to build the literature for the study and analysis. The literature review is from published books obtained from the Defence Staff College Library and from the University of Nairobi, local and international media interviews, publications and articles.

My own experience as a military officer with over 20 years of experience in the subject of cross border conflict and security matter have significantly contributed to the input data that has enhanced ability to realize the objective of the study. I have carried out this study in Nairobi and it was centered on data from publications by key intuitions that handle issues related to international border such as security agents, IGOs, NGOs and other study materials. These institutions are the Kenya Defence Forces (KDF), General Service Unit (Recce Company) of Kenya National Police Service, Ministry of Immigration and Registration of Persons, government and non-governmental agencies.

This study was constrained by time limitation in that I carried out the research under very tight and short study period not exceeding eight months which was also loaded by other course work. This informed me the need to utilize and explore both published and unpublished data though with careful verification. Additional time constraint has limited my focus of the research to Kenya Somalia cross borders conflict.

## **1.9 Data Analysis**

I have used descriptive statistic to conduct analysis of the secondary data. The analysis involved looking at the historical events that has unfolded before and after independence, conflicts, political issues and social economic activities affecting the populations living across the common border and the two administrations. Also analyzed are the militia/terrorist activities and the criminal activities including piracy activities in the gulf region.

### **1.9.1 Scope and Limitation of the Study**

This research widely relied on the knowledge and experiences I had in the Kenya Defence Forces and my interaction with other Security Agents. Many years of work at the international borders while at the operations departments where cross borders activities were monitored and managed proved useful in conduct of the research. The research also looked into earlier studies with the same bearing. Furthermore I carried out the study in Nairobi given that all those four government departments concerned have their Headquarters where data on all the past, current events and future plans are kept and was accessible. The data collected from the four key institutions will be generalized and will reflect the true situation in as far as the challenges facing Kenya as a result of cross border issues or insecurity is concerned.

**1.9.2 Time** I have utilized my weekends and holidays within the course time line to conduct the research which involved mainly going to library perusing relevant books and also utilized free time in the evening and at night reading online resources to collect as much information as is necessary for good completion of the research work. The research work was conducted within the 1 year study period of an intensive Kenya Defence Staff Course for officers of KDF. Due to the course requirements I had to work extra hard and meet the research requirement within the short course window.

**1.9.3 Finance:** Financial constraint is another key limitation to comfortably tackle the research problem. No funding was available for conducting the research and as such I had to utilize my own resources to finance this research which involved travelling to libraries, spending a lot of time browsing, use of computers, printers, binding services, traveling to consult with the supervisor, incidental expenses such as cost of snacks and meals and cost of meeting facilities when having group discussions.

**1.9.4 Confidentiality of Information:** Another area of concern to the researcher is authorization and accessibility of confidential information held by the four key institutions involved in the Management of International border. As much as researcher is positively vetted to handle classified information, it is a tedious and lengthy process before one can access such information. One big challenge is with those members of staff who are reluctant to provide required information even after authorization has been obtained.

### **1.9.5 Chapter Outline**

Chapter one forms the researcher's proposal; it introduces the topic of the study subject. It gives the background information and the problem statement of the research. The chapter also outlines the objective of the study while reviewing previous literature. It gives theoretical framework under which the researcher bases his study. Furthermore, the researcher provides the hypothesis, the research methodology and scope of his study.

Chapter two of this study gives an overview of the Cross border Security Issues since the Berlin agreement of 1884 – 1885 when the Europeans and Western powers subdivided and colonized Africa. It will further highlights major Cross border conflict before and after independent, mitigation measure that various countries and regional bodies have put in place and what needs to be done to stem the Cross border issues today.

Chapter three will highlights the state of affairs across Kenya Somalia border in terms of cross border insecurity, how it has impacted the region and discusses the way forward.

Chapter four analyzes secondary data to determine challenges Kenya/Somalia has been facing with regard to cross border insecurity and determine what mitigation measures are to be put in place to seal existing gaps. Chapter five concludes and makes recommendations from the findings of the study.

## CHAPTER TWO

### OVER VIEW OF CROSS BORDER ISSUES FROM PRE COLONIAL PERIOD TO POST INDEPENDENCE TIME

#### 2.0 Introduction

Pre-colonial period African people lived in the continent with no distinct boundaries or demarcation except for the fact that the settlement was mainly based on economic activities practiced such as crop farming for Bantus and animal herding for the nomadic pastoralists. The people living along lakes and coastal region engaged in fishing. If there were conflict over such activities it was for short period and mainly as a result of clash over resources such as water and grazing land. The period was followed by scramble for Africa when the colonialists subdivided Africa with little regard for its social economic cultural practices. After independence the divisions and the walls (boundary demarcation) created by the colonialist continued to be problem to African community. Given the vast nature of most international boundaries, not many African governments have been able to man and control or police its international boundaries.

#### 2.1.1 Historical Background

African colonization happened in the late years of 19<sup>th</sup> century and early 20<sup>th</sup> century. By 1870, hardly ten percent of Africa had been colonized. By 1914 about ninety percent of the continent was under colonial control. Indeed, only Ethiopia, a small portion of the present day Somali and Liberia was not under colonial control.<sup>12</sup> Scramble and partition for Africa started in Berlin in 1884 where means to regulate division of Africa amongst European powers was defined.<sup>13</sup> This was aimed at avoiding war in Europe which would have easily

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<sup>12</sup> Jihad in the Arabian Sea 2011, Camille Pecastaing, In the land of the Mad Mullah: Somalia

<sup>13</sup> Brantlinger, Patrick (1985). "Victorians and Africans: The Genealogy of the Myth of the Dark Continent". *Critical Inquiry*. 12 (1): 166–203.



resulted as powers tried to exploit as much of African resources as possible<sup>14</sup>. Colonial imperialism was finally realized in the later years of 19<sup>th</sup> century. Through force and economic domination, Africa was in total and direct rule of Europeans.<sup>15</sup>

Somalia also came under scramble in this time. The rush to claim control of Somalia regions alike Warsangali Sultanate, Gobroon regions and Ajuran Sultanate was cut and throat between British, Ethiopians and Italians. Mohammed Abdullah Hassan led a strong rebellion against colonialists out to capture Somalia. He mobilized Muslim fighters from across the horn of Africa and managed to carve out a region of Somalia then referred to as Dervish State. British colonialists were repulsed by Mohammed Abdullah Hassan four times. This forced Britain to settle with the coastal parts of Somalia only.<sup>16</sup> Dervishes however could not contain the military capacity of the British. In 1920, the British Empire aided by their powerful air force decimated the rebellion and took full control of Somalia.<sup>17</sup>

Kenya and Somalia, like most states in Africa, had its boundaries constructed by colonial powers which overlooked historical ties as well as the movements and settlements of different tribal and ethnic groups. This omission has not only contributed to inter-communal, inter-state, intra-state and regional disputes but also affected immediate transboundary inter-tribal interests. In such a post-colonial context, dominant ethnic, religious, economic, military and ideological groups often impose their culture and ideologies on diverse populations under the rationale of national integration, territorial integrity and therewith state-sovereignty; in doing so, they attempt to come to and hold onto governmental power which also grants access to and control of resources.

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<sup>14</sup> R. Robinson, J. Gallagher and A. Denny, *Africa and the Victorians*, London, 1965, p. 175.

<sup>15</sup> Kevin Shillington, *History of Africa*. Revised second edition (New York: Macmillian Publishers Limited, 2005), 301.

<sup>16</sup> Kevin Shillington, *Encyclopedia of African History* (CRC Press, 2005), p. 1406.

<sup>17</sup> Samatar, Said Sheikh (1982). *Oral Poetry and Somali Nationalism*. Cambridge University Press. pp. 131 & 135. ISBN 0-521-23833-1.

### 2.1.2 Identity and Ethnicity

Clan and tribal affiliation form a significant part of social life of Somalis. In Kenya politics are organized around ethnicity. Over time tribal identities have grown very much entrenched in Kenyan culture and political positions have become virtually inseparable from ethnic identities<sup>18</sup>. Communal conflicts have made it much easier for political vultures to prey on communities for political grounds. Communities displaced by conflicts are easy to manipulate into further conflicts ever more violent. Political entrepreneurs are able to create fiefdoms grounded around ethnicity<sup>19</sup>.

Political players allocate scarce national resources based on ethnic identities to reward their political turfs. This has resulted to marginalization of communities that do not have political clout. Kenyan Somalis as is the case with Somalis from Somalia base their identities based on clans and family lineage. Some of Somali communities in Kenya will be found in Garissa, Wajir, Injala and Lamu. Affiliation within Somali communities in Kenya is not as straight forward as face value would indicate. Somali communities in Wajir and Mandera have a level of relations with Borana community. The Ajuraan community was treated by British colonial government as Oromo while Garre community though speaking Boran consider themselves Somalis. Degodia Somalis have laid claim to Borana and Oromo lineage.

Communal identities become relevant when there is conflict over land resources since division is made around clan affiliations<sup>20</sup>. Private ownership of land may be prevalent in other parts of Kenya but in Somali dominated regions of the country, land is communal. Communities are willing to defend their land rights to the last man. Negotiated process has ensured peace and stability in the region where for example communities will agree on shifts

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<sup>18</sup> Schlee G, "Ethnopolitics and Gabra Origins" Max Planck Institute for Social Anthropology Working Paper 103 (Halle: Max Planck Institute, 2008). p4.

<sup>19</sup> Gunther Schlee, *How Enemies are Made: Towards a Theory of Ethnic and Religious Conflicts* (Berghahn Books, 2010).

<sup>20</sup> Shlee G, "Brothers of the Boran Once Again: On the Fading Popularity of Certain Somali Identities in Northern Kenya," *Journal of Eastern African Studies* 1, 3 (2007), pp417-18.

in grazing. Powerful groups are able to dominate small communities in as far as control of land resources is concerned. This has been grounds for violent conflicts within communities in North Eastern Kenya over the past decades<sup>21</sup>.

### **2.1.3 North Eastern Province, Pre-1991**

Norther Kenya has been marginalized by both British colonial governments and successive Kenyan governments since independence. British colonial authorities administered Northern Kenya indirectly, through traditional authorities strengthening clan systems of governance there while destroying it in other parts of the country. The colonialist also set pace for border conflicts by separating Kenyan Somali from their Kins in mainland Somalia. Kenyan border was actually meant to be much deeper into Somalia than it is today. It was initially extending all the way to Jubba River which would have given the country a more economically viable and large part of Somali Land.

Somali Population in Kenya would have much larger than what it eventually ended up with. However post First World War dynamics meant that British released part of Juba territories to Italy resulting to the borders as they exist now. The clan system of land ownership in Northern Kenya was reinforced by British government which allowed for control of land resources to reduce inters clan conflicts. Intellectuals in Somali communities were divided over the British colonial government policy. Some argued that it had wrongly reinforced feeling on exclusive land ownership by clans while other nostalgically held that inter clan conflicts were at a very low level in British reign.<sup>22</sup>

After Independence from British colonialists, Kenya and Somalia entered into a three decade long conflict over control of Somali dominated regions of Northern Kenya. A war, popularly

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<sup>21</sup> Turton ER, "Bantu, Galla and Somali Migrations in the Horn of Africa: A Reassessment of the Juba/Tana Area." *Journal of African History* 16, 5 (1975), pp519-37.

<sup>22</sup> For a summary of the latter view, see interviews in Whittaker H, *Insurgency and Counter-Insurgency in Kenya: A Social History of the Shifta Conflict, 1963- 1968* (London: Brill, 2014), p141.

known as ‘Shifta war’ erupted. Kenyan government in an effort to retain control of the region resulted to harsh security operations in the region that undermined the basic rights of the residents<sup>23</sup>. Somalis communities were subjected to state led massacres. The Truth, Justice, and Reconciliation Commission of Kenya (TJRC) after investigating violence meted on the communities in North Eastern parts of Kenya eventually acknowledged that Kenyan government was actually responsible for major atrocities in the region.

Wagalla massacre of 1984 in Wajir is recorded as the worst case of massacres in the region. Somalis of Degodia community numbering at least a thousand were massacred in a single day during a government led disarmament operation.<sup>24</sup> TJRC concluded that entire Somali communities were being punished by Kenyan government for inter clan clashes and crimes regardless of their individual involvement or not<sup>25</sup>. This chapter in the history of state relations with the citizens of northern Kenya remains a powerful and sensitive topic, especially with the revival of vigilant monitoring of North Eastern Kenya in the Operation Linda Nchi following the abduction of French tourist in Lamu.

## **2.4 North Eastern Province, Post-1991**

There have been major changes in Northern Kenya politics and circumstances since 1991. Changes have been realized in economic, social and political dynamics of the region. Many of the transformations evidenced in the region are possible drivers of the conflicts. They are chronologically explained below, albeit briefly.

### **2.1.4 End of Emergency Rule/Democratization**

Emergency laws were lifted from North Eastern Kenya in 1992. This followed major political changes in the country. There was a popular push for democratization of the country that resulted in multi-party form of politics. Residents in North Eastern region of Kenya were now

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<sup>23</sup> Whittaker HA, “The Socio-Economic Context of the ‘Shifta’ Conflict in Kenya, 1963-68,” *Journal of African History* 53, 3 (2012), pp391-408.

<sup>24</sup> TJRC Kenya, “Report of the Truth, Justice and Reconciliation Commission,” Vol. IV (2013), pp15-21.

<sup>25</sup> Ibid.

able to practice greater forms of democracy and political participation. Parliamentary seats were for the first time competitively sought for. Whereas this opened democratic space, it also gave rise to the first incidences of election related violence in the regions. Voters were mobilized based on clan relations and political players whipped clan emotions that could not be contained.

### **2.1.5 Shrinkage of Kenyan State Presence**

Around the same period that democracy was opening up in North Eastern Kenya and political stakes were getting higher, Kenyan government's control of the region was waning. Millions of residents in those regions were now without effective government protection neither was there enough government resources to cover their social and economic needs. Communities resulted to traditional structures for support. These included customary laws to govern disputes, and tribal militias for protection. Though this trend has been relatively checked in recent years, it is still evident up to date.

### **2.1.6 Spillover from Neighboring States - Small Arms Proliferation**

Instability in neighboring countries especially Somalia, and Ethiopia had a major effect in North Eastern region of Kenya. In Somalia the Government of Barre collapsed leaving the state in anarchy. Over one million Somalis fled to Kenya as refugees. Due to poor border controls a lot of armed militias from Somalia flowed into Kenya too. They brought with them thousands of small arms. The militia exported their warlordism and banditry into the country.<sup>26</sup> Ethiopia was also engulfed in political instability around the same time as well. The government of Mengistu caved in.

The army was disbanded thousands of Ethiopia ex-military men did not return their weapons to Ethiopian government. Instead they sold them to local communities. Again poorly manned

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<sup>26</sup> UNHCR, "Refugees in the Horn of Africa: Somali Displacement Crisis," (30 November 2014) <http://data.unhcr.org/horn-of-africa/region.php?id=3&country=110>.

borders between North Eastern Kenya and Ethiopia meant that most of these arms found themselves in Kenya. Violence in South Sudan was at its worst in this period too. The conflict was largely in South Sudan where different factions were fighting against the government and amongst themselves too. A lot of Sudanese communities fled the country into Kenya as refugees. More small arms were smuggled into the North Eastern regions of the country. The small arms and presence of war hardened individuals flowing from neighboring countries only served to deteriorate security situation in North Eastern Kenya.

### **2.1.7 Somali Refugee Influx and the Rise of Dadaab**

The flow of Somali refugees had a big impact on security dynamics of North Eastern Kenya. There was creation of the largest refugee camp in the world, Dadaab refugee camp, in Garissa County of the region. The refugee's arrival from Somalia to Kenya was unrestricted and unchecked. With them rose illegal trade including trading in small arms. Though Dadaab soon grew into a commercial hub in North Eastern region it also started creating tension with local communities. There were concerns from locals that the environment was being degraded by the refugees making it harder for them to get grazing lands for their animals. The refugees were competing with locals for jobs and other economic opportunities.

There was concern that humanitarian agencies were providing services to the refugees and turning a blind eye to locals who were experience as much harsh conditions as the refugees. Armed groups that brought insecurity in North Eastern region and Kenya at large were reported to be recruited from Dadaab refugee camp. Al-shabab had made the refugee camp a major site to hide their terrorists and weapons that would be used to conduct terror activities in regions as far as Nairobi.<sup>27</sup>

Another effect of Somali refugees in Kenya was clanization of Somalis in Kenya. This influence spread as far as Nairobi where most of the Somali refugees settled. The refugees

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<sup>27</sup> UNHCR "Dadaab Update" (1-15 July 2014), pp1-2.

through resources attained through illegal trades amassed a lot of wealth. A lot of it was invested in Nairobi in commercial and real estates. Somali refugees were able to corruptly acquire Kenyan citizenship. Eventually these Somalis, by expanding population levels, were able to influence politics in Kenya. Nairobi soon became a center of Somali politics. Security threats were transposed from Somalia to Kenya. Somali originally from Kenya and Somalia are distinctly addressed. Those from Kenya are referred to as “Rer Kenya” while those from Somali “Rer Somalia”. Relationship between the two categories of Somalis have often been tense and in some instances resulted to communal clashes in Northern Kenya.

### **2.1.8 Smuggling and Cross Border Trade**

Before 1991, there were hardly any commercial activities happening in North Eastern Kenya. This was to massively change after that. There were a lot of utility and other goods that were smuggled through the porous Somalia Kenya border into the country. These included food stuffs like sugar, light electronics, fuel. But, as earlier stated, small arms were traded through the route too. Bulu Hawa/Mandera and Doble/Liboi crossing points are the major points through which these goods were smuggled into Kenya.

However there are other several crossing points made of minor tracks of roads. Trade partnerships between Kenyan Somali and Somali from Somalia have contributed to a level of peace as trade agreements take effects. However in other cases they have resulted to tensions that have turned into full blown conflicts at times as rival traders fight business routes and control of sources of products. East Leigh region in Nairobi has been impacted significantly by involvement of Somali from Somalia. Security situation in East Leigh region of Kenya has at time grown beyond control of Kenya security agencies. The region has been seen as a base of Somali from Somalia in Kenya. Somali community has been mobilized from East Leigh to include funding for terror related activities.

### **2.1.9 Peace Committees**

The escalating violence in Northern Kenya after 1991 resulted to efforts being made to ensure stability and peace were returned to the region. Peace building efforts, conflict management structures and early conflict warning systems were put in place. Peace and development committees, grazing areas committee's interfaith dialogue groups and field peace monitors are common in the region<sup>28</sup>. International NGO and local governments have initiated peace projects in the region. Though the success of these efforts is debatable what cannot be contested is that peace monitors, mediators down to community level and elaborate networks to monitor conflict in the region have been established.

### **2.2.1 Counter Insurgency Operations in Northern Kenya**

America concerns about terrorism in Somali dominated regions of Kenya were aroused after the 9/11 terror attacks in their homeland. USA was concerned that Somali populations in Kenya would be easy targets for recruitment into Al-shabab terror network. America enhanced counter-insurgency (COIN) operations in Northern Kenya. America established a military base in Kenya coastal region of Lamu. With American support, Kenya started intense surveillance efforts and border patrols. USA started a 'hearts and minds' operations in North Eastern Kenya to gain the support of locals in countering Al-Shabaab terror threats.<sup>29</sup> This has resulted to highly militarized North Eastern especially the border regions.

### **2.2.2 Post Election Violence and New Constitution**

In 2007/2008, Kenya was engulfed in its worst post-election violence in history where more than 1,300 people lost their lives and hundreds of thousands were displaced. However, there

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<sup>28</sup> CEWERU are national governmental and non-governmental stakeholders networks engaging in conflict monitoring and response. CEWERUS from part of CEWARN, or Conflict Early Warning and Response Mechanism, a collaborative effort of seven members states of IGAD to mitigate and prevent conflict in the region.

<sup>29</sup> Bradbury M, & Kleinman M, "Winning Hearts and Minds? Examining the Relationship Between Aid and Security in Kenya," (Boston: Feinstein Center, Tufts University, 2010) <http://fic.tufts.edu/assets/WinningHearts-in-Kenya.pdf>.



was no major violence observed in North Eastern regions of Kenya. To resolve the conflict, national government had to share power with the opposition. The politics and the time were highly polarized along tribal lines. Somali community was perceived as the most neutral community in the conflict.

This provided for engagement of elite Somalis in key government institutions since they could be relatively trusted by all parties in the political divide. A new constitution was established in Kenya in 2010. Devolved government was introduced in the country. Somalis from Northern Kenya could now elect more people to be in charge of their local governance. These included governors and county assembly members from their counties.

### **2.2.3 Rise of Somalis in Kenyan National Politics**

In the last twenty years, Somali community has risen in a major in the leadership of Kenya. Kenyans of Somali origin have been offered top government positions. Somali community is now regarded a major partner in country politics and many politicians go are now seeking to get political support of the region. Commentators trace the shift in perception of Somali as reliable allies' way back in 1982. There was an attempted coup by a section of Kenyan military on the government of President Daniel Arap Moi. A general of Somali descent was instrumental in foiling the coup. Him and his family were immediately rewarded by the president and formed a key part of Moi's administration.<sup>30</sup>

Before 2013 general elections in Kenya, Somali Kenyans were offered critical government positions such heading the defence ministry, being head of police department, and offered position of deputy speaker in Kenya national assemble, and even chaired Kenyan independent Election and boundaries commission. Previously Somali populations and been largely marginalized from the government. The more Somalis were holding crucial positions

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<sup>30</sup> Crisis Group, "Kenyan Somali Islamist Radicalization," Africa Briefing Paper #85 (Brussels: ICG, 25 January 2012), p4. <http://www.crisisgroup.org/~media/Files/africa/horn-of-africa/kenya/B085%20Kenyan%20Somali%20Islamist%20Radicalization>.

in government the more they perceived themselves as crucial stakeholders in Kenya affairs. However, this perception among the Somalis was to suffer a major dent in 2013. Al-shabab militants attacked a Kenyan mall in Nairobi killing more than 60 people. The government responded by rounding up people of Somali origin indiscriminately.

#### **2.2.4 Devolution and County elections of 2013**

Kenyan general elections in 2013 marked a major shift in Somali politics in North Eastern Kenya. Devolved government as stipulated in Kenyan new constitution of 2010 was coming to effect. The counties in Northern Kenya were to elect governors and members of local county assemblies. The new constitution provided for greater level of autonomy by county government's than any other time in Kenya's history. For the first time, Northern Kenya region was under a level of self-rule never witnessed before.

However at the local level, bigger clans took control of counties. It can hence be argued that for the smaller clans, it was shift from one form of domination to a different more localized one. This had a negative effect. There was a much more increased level of communal violence that was politically instigated. However the situation was not uniform in all counties. In Wajir County for example, local clan elders, anticipating increased political tensions and possibility of violence came up with localized conflict prevention strategies. Political power was brokered by the elders to ensure there was equity in the county governments.

Though some argued that free choice envisaged by democracy was compromised in this process, it was argued as necessary evil to avoid larger conflict that would have otherwise been more destructive. Mandera County went a different way though. Political processes were allowed free flow so that the winner took it all in the county government positions. Dominant clans took all power. National level politics also played a significant role in influencing the outcomes of election in North Eastern regions of Kenya. Elders negotiated

with national leaders for positions and rewards with a promise to whip their clans to vote in certain patterns.

### **2.2.5 Rise of Islamic radicalization**

More aggressive, radicalized and politically engaged Islam has emerged in North Eastern Kenya. This has been influenced by investment and involvement of Gulf States in the region. They have built mosques and also established humanitarian charities and missions.<sup>31</sup> Radicalization has produced growth of terror actors in the region such as Al-shabab. This has contributed to bitter inter faith differences in Northern Kenya depicted in raising levels of intolerance for faiths other than Islam.

### **2.2.6 Rise of Al Shabaab / Al Hijra in Somalia and Kenya**

Al-Shabaab rapidly grew an Islamic military force against ‘infidel’ Ethiopian occupation of Islamic Somali. It is from this rhetoric that the group mobilized a lot of support from local youths. The growth of Al-shabab was soon to become a security threat for Kenya. Al-shabab established a relationship with a local Islamic radical group called Al Hijra. Al Hijra has an active involvement in Northern Kenya.<sup>32</sup> Al-shabab has been waging attacks to Kenyans since 2012 some that have been highly lethal and destructive.

### **2.2.7 Kenya’s’ Intervention in Somalia**

Al-Shabaab militants had continued to make hit and run attacks in Kenya. The situation got out of hand when the terror group started attacking tourists in coastal regions threatening the tourism industry that Kenyan economy heavily relies on. Kenyan military started an offensive inside Somalia in October of 2011. Al-Shabaab retaliated by upping its terror activities in Kenya. They enhanced attacks against major government installation in Northern Kenya and other parts of the country including the widely publicized terror attack in Westgate mall

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<sup>31</sup> Crisis Group, “Kenya: Al Shabab: Closer to Home,” Africa Briefing no 102 (Nairobi/Brussels: Crisis Group, September 2014). <http://www.crisisgroup.org/~media/Files/africa/horn-of-africa/kenya/b102-kenya-al-shabaab-closer-to-home.pdf>.

<sup>32</sup> Bryden M, “The Re-invention of Shabaab: A Strategy of Choice or Necessity?” (Washington DC: CSIS, February 2014) <http://csis.org/publication/reinvention-al-shabaab>.

Nairobi in 2013. Somali populations in regions within Somalia such as Jubaland and Kismayo helped Al-Shabaab gain recruits and local support for supplies. Kenyan Somalis were also sympathetic to Al-Shabaab courses following decades of their marginalization<sup>33</sup>.

### **2.9.7 Westgate Mall Attack and Operation Usalama Watch**

Following Al-Shabaab attacks in Nairobi Westgate mall in 2013, Kenyan government cheered on by devastated Kenyans led strong security operations to flush out terror groups and individuals sympathetic to terrorists. Somalis from Kenya were ethnically profiled as terrorists or supporters of terror. Somali populations would be rounded up by police and military both in Nairobi and Northern Kenya. Some were killed. This has resulted to deteriorated relationship between Kenyan security apparatus and Somali communities.

### **2.2.8 Hydrocarbon Exploration**

For years, there have been prospects of oil in Northern Kenya. There was discovery of the same in the years 2012<sup>34</sup>. It is estimated that Northern Kenya region has up to 1 billion barrels of oil. The region is expected to benefit a lot from the proceeds of oil explored from there<sup>35</sup>. There is a lot of natural gas in the region to be explored. Anza, Mandera and Onshore Lamu basins are regions covered by this study that has shown rich oil and gas deposits as marked in the map.

At least five counties in Northern Kenya have or are about to start having the product being explored. Already oil is bringing tension between communities in Lokichar in Turkana and exploring companies over distribution of resources and apportioning of jobs. Severally,

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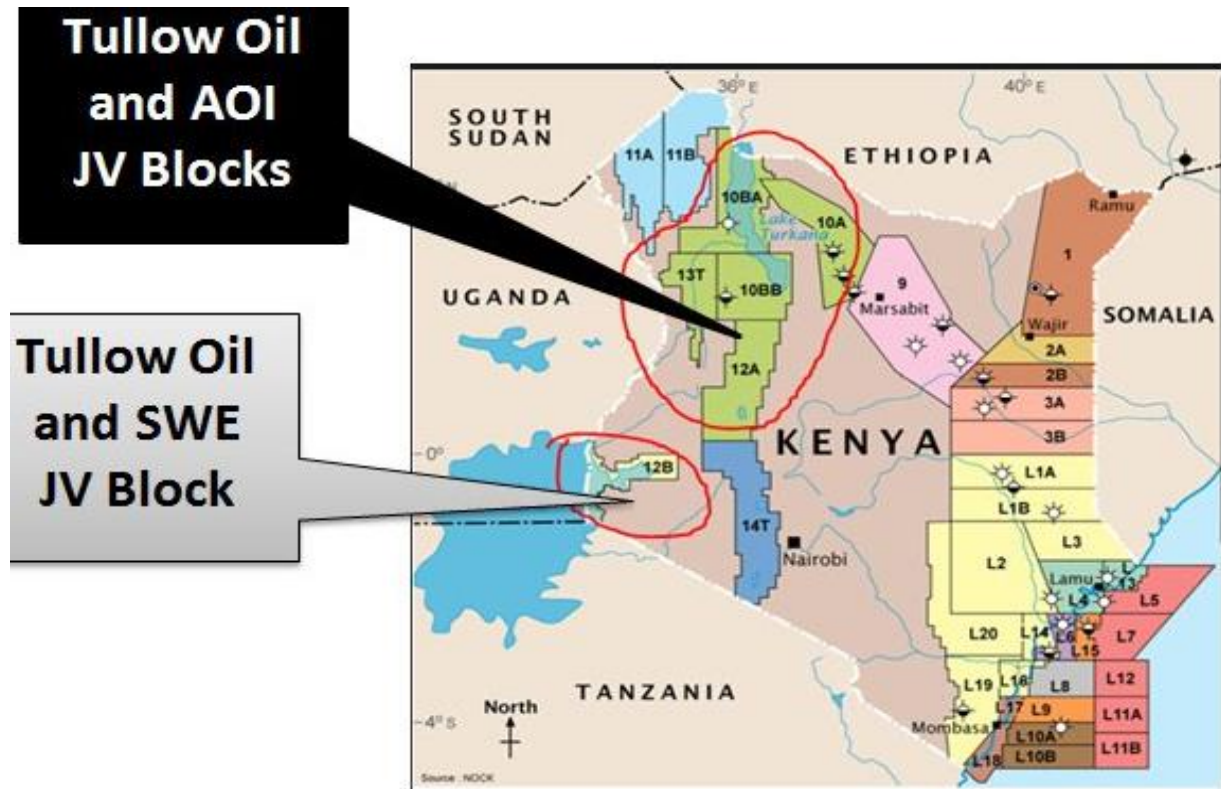
<sup>33</sup> *Op cit* Crisis Group (2014).

<sup>34</sup> Anderson DM, Browne A, "The Politics of Oil in Eastern Africa," *Journal of Eastern African Studies* 5,2 (2011), p384.

<sup>35</sup> Doya D, "Kenya Sees Oil Resources Almost Doubling with More Drilling," *Bloomberg BusinessWeek*, (18 Sept. 2014) <http://www.businessweek.com/news/2014-09-18/kenya-sees-oil-resources-almost-doubling-with-more-drilling>.

companies mining oil in the region have been forced to close operations due to animosity demonstrated by locals<sup>36</sup>.

Figure 2. Mineral Deposit in Kenya



Source, Financial Times dated 16 January 2014.

<sup>36</sup> Kavanagh, M "Tullow Struggles to Please Locals at its Oil Discoveries in Kenya," *Financial Times* (16 January 2014)

## **CHAPTER THREE**

### **KENYA AND SOMALIA'S ROLE IN CROSS BORDER CONFLICT MANAGEMENT IN THE REGION**

#### **3.0 Introduction**

Chapter two gave a general overview of insecurity across the common border between Kenya and Somalia. It also covered the earlier period of African colonization to the time of independence and the role played by Organization of African Union now known as African Union. Chapter three critically analyzes the role of Kenya and Somalia government in cross border conflict management with special reference to the common border between the two countries.

#### **3.1 Roles of Kenya in Cross Border Security Across Kenya Somalia Common Border**

#### **3.2 Securitization Theory**

Government across the world is faced by numerous security challenges which are exacerbated by today's amorphous nature of warfare that cuts across international border.

##### **3.2.1 Overview**

Kenya has been a frequent target of terrorist's attacks. The first and perhaps the most destructive one happened in August of 1998 in Nairobi City Center. Al-Qaeda terrorists attacked US embassy where more than 200 people were killed. Al-Shabaab terrorists have also staged major terror attacks in Kenya. In 2013, that attack on West Gate Mall killed sixty people. The most lethal attack by Al-Shabaab militants happened in April of 2015 where more than 140 university students were murdered in Garissa. Somalia based militants are hoping terror attacks will stop Kenyan government from its military operations in Somalia. That has not worked so far.<sup>37</sup>

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<sup>37</sup> CNN, Reuters, Reuters, Reuters

Though Al-Shabab is the most dangerous terror threat to Kenya, it is not the only group responsible for violent extremisms in the country. Mombasa Republican Council, a separatists group in coastal regions of Kenya has used violence to place its course on political top shelf. In 2013, Kenyan security operatives blamed the group for attacks clients in the coast casino. ISIS has also gained inroads in Kenya though the group has not staged any terror attacks in the country. The terrorist organization is at this point keen to recruit members from Kenyan youthful population<sup>38</sup>.

Kenyan government has not left anything to chance against terrorism having witnessed first-hand its devastating face. As terrorisms acts increase in frequency and sophistication, Kenyan government has allocated much more resources to countering the same. Through enhanced intelligence networks, the government seeks to disrupt terror recruitment, resourcing and consequently execution networks. Kenya started a border wall construction along its border with Somalia as deterrence for Al-Shabaab's easy entry in the country.

Northeastern Regional Commissioner Mohamed Saleh reported in 2018 that the wall is already having effects by reducing the number of people coming into Kenya from Somalia illegally. Nonetheless, the wall project is being slowed down by poor resourcing, disagreements between Kenyan and Somalia government's and frequent terror threats on the constructors. Corruption by security agents from Kenya has also frustrated the country's effort to counter terrorists as the agents turn a blind eye allowing suspected terrorists into the country.<sup>39</sup>

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<sup>38</sup> Reuters, Reuters, Reuters, Reuters)

<sup>39</sup> Sources: Human Rights Watch, *Guardian*, *Telegraph*, *Shanghai Daily*, *Premium Times*)

### 3.2.2 Radicalization and Foreign Fighters

#### Radicalization

Even as Al-Shabaab remains active and a big threat in Somalia, the group has established its tentacles in Kenya. It is using the country as a major recruitment center. The group is targeting young new Muslim converts. By December 2014, it was reported a quarter of all Al-Shabaab membership was Kenyan. Most of the recruits have hailed from the coastal region of Kenya where Muslim population is high. The recruits are being sought in schools as is being reported by School heads in the coast. In December of 2017, Kenyan security agencies arrested four school teachers in Likoni and held about 100 students in protective custody over suspicions of radicalization aimed at recruitment in terror organizations.<sup>40</sup>

Agents being used by Al-Shabaab to recruit young people into terror networks are seen as a major security threat in Kenya. Abdukadir Mohamed Abdukadir is a Kenyan born Al-Shabaab terrorist who has a complex network in Kenya. Abdukadir, also known as Ikrima has been reported to be a frequent traveler to Kenya from Somalia and back. He uses his ability to connect to both Kenyan and Somali cultures and language to recruit new people into the network.<sup>41</sup>

Kenyans have been responsible for some of the worst terror attacks by Al-Shabaab in Kenya. Elgiva Bwire Oliacha a Kenyan born terrorist was responsible for attacks in Nairobi that killed about a dozen people. Bwire has been convicted for 15 years in prison for terror related charges. Abdul Hajira another Kenyan born terrorists attacked Kenyan police killing two of them. In August of 2016, police arrested a former Kenyan police officer who had turned into an Al-Shabaab militant.<sup>42</sup>

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<sup>40</sup> Sources: Global Post, BBC News, BBC News, Reuters, The Star, Jamestown Foundation, Reuters)

<sup>41</sup> (Sources: BBC News, BBC News)

<sup>42</sup> (Source: Global Post, The Nation, STRATFOR, Standard Digital News, The Star)



### **3.2.3 Foreign Fighters**

Most of the foreign fighters in Al-Shabaab ranks are Kenyan. Kenyan authorities are increasingly arresting many Kenyans trying to cross over to Somalia and join the terror group. In June of 2017, five Kenyan youths all aged twenty years and below were arrested as they tried to travel to Somalia and join the terror group<sup>43</sup>. Kenyan has also been reported to be joining the globally feared ISIS terror group. In October of 2016, Kenyan authorities arrested a Kenyan female micro biology student who wanted to join the group in Libya. In the same month two young ladies returned to Kenya and reported that they had been recruited by ISIS terror group. Kenyan Security forces reported in March of 2018 that Mohamed Shukri Abdiwahid Yarrow a Kenyan terror suspect had joined ISIS group in Yemen.<sup>44</sup>

### **3.2.4 Domestic Counter-Extremism**

In September of 2016, Kenya launched its National Strategy to Combat Violent Extremism. The strategies aim to gain on multi stakeholder synergy from government and non-government actors fighting terrorisms in the country. The strategy does not emphasize militaristic approaches to combat terror in the country but rather de-radicalization efforts.<sup>45</sup>

A committee to address violent extremism was launched in Kenya in March of 2017. The group is made up of all principle secretaries in the government ministries and has the inspector of police in its membership. This multi-agency approach combines preventive, mitigate and rehabilitative efforts to support ongoing anti-terrorism efforts in Kenya. The committee operates under the overall National counter terrorism strategy unveiled in 2016<sup>46</sup>.

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<sup>43</sup> (Sources: Associated Press, Standard Media)

<sup>44</sup> (Sources: News 24, Associated Press, Nairobi News, Standard Media)

<sup>45</sup> (Source: Jamestown Foundation, U.S. Department of State)

<sup>46</sup> (Source: Xinhua)

### 3.2.5 The Kenya-Somalia Border Wall

In what was perceived as a radical move, Kenya announced in March of 2015 that it would be building a border long wall along its border with Somalia to counter terror inflow in the country. The construction of the wall started almost immediately, in April of 2015. The wall on completion will have covered 440 miles stretching from Mandera to coastal regions in Lamu. The wall is a combination of concrete slabs, laser barb wires and trenches and observation posts. Somalia and Kenya have agreed on entry and exit points to manage inflow and outflow of people between the two countries. The government reported in early 2018 that already finished parts of the wall as shown in Figure 3 are helping reduce terror-related incidences in Kenya/Somalia border towns.<sup>47</sup>

**Figure 3. Kenya Somalia Border Wall**



Source KDF border Command.

### 3.2.6 Security Measures

After the devastating terror attacks in Garissa University where more than 140 died, Kenya security forces have increased surveillance in vulnerable spots in Kenyan Somalia border regions. These include Garissa University itself, government offices and major installations, schools and other institutions such as churches and mosques. Kenya through its military

<sup>47</sup> (Sources: *Guardian*, *Telegraph*, *Shanghai Daily*, *Premium Times*)

forces has been relentless in attacking Al-Shabaab camps within Somalia both through land and using the nation's air force.<sup>48</sup>

Though Kenyan security agencies have done a lot to frustrate terror networks in and out of Kenya, it has resulted to renewed concerns of human rights abuses especially on Kenyan Muslim populations. Kenyan Muslim populations have been subjected to arbitrary arrests, extra judicial killings, beatings and other forms of extreme treatment on suspicion of being sympathizers with terrorists<sup>49</sup>.

### **3.2.7 Counterterrorism Legislation and Human Rights Controversies**

There have been allegations leveled against Kenyan Anti-Terrorism Police Unit (ATPU) for major human rights abuses in its anti-terror efforts. These include extra judicial killings, extreme beating of individuals, unlawful detention of terror suspects and general mistreatment of populations deemed supportive to terrorists. However, turning a complete blind eye to these allegations, Kenyan law makers passed a law in 2014 that emboldened these agencies in their abusive anti-terror efforts. Security Laws (Amendment) Act No. 19 of 2014 empowers security agencies and shields them from intense scrutiny especially by the media. The original form of the law allowed security agencies to hold a terror suspected for up to six months without trial and monitor citizens' phones secretly apparently to establish possible terror activities. There were concerns that this law would be used to target innocent Kenyans<sup>50</sup>.

Though security agencies in the country hail this law as a big milestone forward in the fight against terrorism, many human rights champions see it as a great obstacle to realization of human liberties in Kenya. The media, one of the most trusted institutions in Kenya has been

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<sup>48</sup> (Source: *Wall Street Journal*)

<sup>49</sup> (Source: Human Rights Watch)

<sup>50</sup> (Sources: Human Rights Watch, Al Jazeera)

aggressive in reporting human rights violations in Kenya. The law limits to a very large extent what they can cover regarding terrorism. The fears are that security agents who have a long history of human rights abuses in Kenya even before terrorisms became rampant may hide behind this law to punish political dissidents. The law has been said to violate provision of Kenyan 2010 constitution.<sup>51</sup>

Privacy International an internationally acclaimed human rights group based in London made a report in March of 2017 accusing the Kenyan government of gross human rights abuses in its anti-terrorism efforts. Human Rights Watch and other human rights agencies have reported that suspects of terror are arbitrary arrested, many have disappeared without trace and others have been found killed and dumped in bushes by what is suspected to be Kenyan security agents<sup>52</sup>.

### **3.2.8 International Counter-Extremism**

KDF in Somalia were integrated in the UN mandated African Union Mission in Somalia (AMISOM) in February of 2012. About 4000 Kenyan troops form parts of the mission. Soon after being joined into AMISOM, Kenya Defence Forces scored a high by capturing a major economic hub of Al-Shabaab terror group, the port of Kismayo. Though Kenya Defence forces have suffered major casualties in Somalia such as El Adde attacks where tens of Kenya soldiers were killed, the country still retains its presence in Somalia under AMISOM<sup>53</sup>.

### **3.2.9 Cooperation with the United States**

Security Governance Initiative (SGI) is an American led initiative which puts emphasis on management, accountability of security agencies and oversight. Kenya is one of the six countries that are participating in this initiative. In SGI Kenya is keen to see progress in

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<sup>51</sup> (Sources: Al Jazeera, The Jurist, AllAfrica)

<sup>52</sup> (Sources: Human Rights Watch, *Guardian*, *Telegraph*, *Shanghai Daily*, *Star Tribune*)

<sup>53</sup> (Source: U.S. Department of State)

border security, human resource management within the police departments and administration of justice. The overarching goal in all this is to enhance Kenya fight against terror<sup>54</sup>.

Kenya receives an approximated one billion US dollars by American government. A significant amount of this donation is apportioned to fight against terror. The aid builds Kenya's military capacity to counter terrorism more effectively. In July of 2015, Kenya received 100 million US dollars in funding to its military departments involved in combating Al-Shabaab terrorists. The funds were used to purchase equipments, provide trainings to its members and enhance its intelligence and logistics capacities against Al-Shabaab<sup>55</sup>.

Former US president Barack Obama visited Kenya in 2015. He made a commitment of America supporting Kenya anti-terrorism efforts especially intelligence gathering and execution. In December of 2016, United States donated to Kenya six high performance helicopters to enhance its counter terrorism efforts within and out of the country<sup>56</sup>.

### **3.3.0 Cooperation with Somalia**

Terrorists from Somalia have been gaining entry into Kenya through Bula Hawa border region. In April of 2016, Kenya officials and their counterparts from Somalia, especially those responsible of Bula Hawa regions met to discuss the matter. There was a strong commitment made then by both Kenyan and Somalia governments to enhance cooperation in ensuring border security and fighting of crimes and terrorists using loopholes to cross over<sup>57</sup>.

### **3.3.1 Cooperation with Israel**

Israel has been a keen supporter of Kenyan efforts to counter terrorism. The two countries have cooperated before to counter terrorisms. Israel intelligence agencies have relayed

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<sup>54</sup> (Sources: (Sources: Congressional Research Service, *Daily Mail*, AllAfrica)

<sup>55</sup> (Sources: Congressional Research Service, *Daily Mail*, AllAfrica)

<sup>56</sup> (Sources: The Cipher Brief, SecurityAssistance.org, Congressional Research Service, *Daily Mail*, AllAfrica, Daily Nation, Government of Kenya, Defense News)

<sup>57</sup> (Source: Daily Nation)

crucial information to Kenyans in the fighting against terrorism considering that Al-Qaeda and other terror networks have been interested in targeting Israel interests in the country. As a matter of fact, it is reported that West Gate Mall was identified by Al-Shabaab for attack due to its connection with Israel investors.

In February of 2016, Kenyan president held discussions with Israel government for continued support of Israel in Kenyan anti-terror efforts. Kenya has been interested in Israel security agencies being more involved in covert security operations to tackle terrorists in Kenya and around East Africa. In deed Kenya has cooperated with Israel for long. In 1976, during Israel's Entebbe attack in Uganda to free Israelis held hostage by Ugandan government, Israel relied a lot on cooperation with Kenya<sup>58</sup>.

### **3.3.2 Public Opinion**

Though polling is active in Kenya to seek public opinions, it hardly focuses on anything else other than politics. The quality of the polls has also been put into question. However, trends show that Kenyans are greatly concerned about terror threats in their country more than any other nation in East African block. Aga Khan University's East African Institute released a survey in January of 2016 which indicated that young people in Kenya were ready to cooperate with terrorists if there was money to be made. This is a worrisome revelation considering that Kenya has one of the highest unemployment rates in the region. A State of National Security Annual Report to Parliament in 2016 reported that Al-Shabaab prey on unemployed and financially desperate youths to lure them into terrorism<sup>59</sup>.

According to a survey released by PEW research Center in March of 2013, fifty five percent of Kenyans are concerned with terrorism in the country perceiving it as a major security threat. Data provided in 2016 indicate that sixty six percent of Kenyans were supportive of

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<sup>58</sup> (Sources: *Guardian*, *Geeska Afrika*, *Haaretz*, *AllAfrica*)

<sup>59</sup> (Source: *News24 Kenya*)

Kenyan military involvement in Somalia. About 51percent of Kenyans believe that the government is either handling terrorism badly or just slightly well<sup>60</sup>

Press reports in June of 2017 showed that Kenyans were frustrated by the ability of Al-Shabaab to continue waging terror activities in Kenya despite the efforts put in place to counter them. In deed officials from Garissa County, frustrated by the government efforts to stop Al-Shabaab terrorists threatened to arm residents to protect themselves. Political players from Counties in North Eastern region are repeatedly crying foul that the government is not committed to protecting them from terrorists from within and those coming from Somalia. <sup>61</sup>

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<sup>60</sup> (Sources: Pew Research Center, Afro Barometer)

<sup>61</sup> (Source: VOA News)

## **CHAPTER FOUR**

### **DATA ANALYSIS**

#### **4.0 Introduction**

This chapter seeks to analyze the data in the study as well as offering a detailed analysis in light of the study's hypotheses as well as theoretical framework. The chapter basically seeks to analyze data collected in chapter three on cross border insecurity as well as how Kenya has responded to the cross border insecurity posed by the protracted civil war in Somalia. The analysis of the data is critical in the study as it offers a solid foundation for the study's chapter five.

#### **4.1 Data Analysis**

What is the underlying cause of the cross border insecurity across the common border between Kenya and Somalia, has the two administrations put in place effective measures including institutional measure to address insecurity concern at the border?

##### **4.1.2 Cross border attacks by Somalia-based Al-Shabaab**

Attacks by Al-Shabaab are often encountered by the counties bordering with Somalia namely Mandera, Wajir, Garissa, and Lamu and occasionally in Tana River, counties. While attacks were regularly conducted in 2016, averaging at 4 attacks in a month, a lull was observed in the first quarter of 2017. This was attributed to effective policing which included a dusk-to-dawn curfew imposed by multi agency security teams in Mandera County. There was, however, an upsurge in attacks in May 2017 that have managed to inflict casualties in almost all the attacks.

As is evidenced by the frequency of attacks along the border, the porosity of the border greatly contributes to the insecurity in the counties. This is further enabled by ineffective policing as well as an inadequate presence of security infrastructure. There are also other factors that contribute to the prevailing insecurity. For instance, the town of El Wak is



divided into two, one-half of it belonging to Kenya and the other to Somalia. In order to allow free movement in the town the measures to cross over borders are not as stringent as is applicable for the rest of the border. Keeping this in mind, given that El Wak has encountered a number of attacks, it leads to the plausibility that free movement has also enabled militant elements to gain access to the Kenyan territory.

The targets of these attacks have primarily been civilians, particularly non-Muslim civilians. Attackers are known to force a target group to split into a Muslim group and a non-Muslim one and shoot them dead in case they belong to the latter group. The targets of their attacks have mostly been Christians as shown in AS threat message to Kenyans in Figure 4. Furthermore, the militants target lodges and hotels that are known to be frequented by foreigners.

**Figure 4. Al-Shabaab threat message to Kenyans**



Source: [aljazeera.com/news/2012](http://aljazeera.com/news/2012)

Militants are also known to target government infrastructures and equipment's/machineries such telecommunication masts, building and vehicles. The destruction of infrastructure in an underdeveloped region has effect of curtailing government service delivery and provision of security to its people. Moreover, given the proximity of these counties to the neighboring

Somalia, the perpetrators often fled back to Somalia after carrying out a successful attack in Kenya.

#### **4.3 KDF/AMISOM Force in Somalia**

While the proximity to the Somali territory and the significant Muslim population are what led AS to target Kenya, it has since been the presence of the KDF/AMISOM in Somalia that has led the militant group to target security personnel on both Kenyan and Somali territories. AU force under auspice of AMISOM have intensified its operations have in Bardera, Gedo, Afmadow, and Lower Juba region with significant success that has neutralized Al-Shabaab present in the region which has pacified Somalia from the wanton killings by AS. The strategy to use two pronged approach, that of regional force in Somalia and the use of multi-agency approach within Kenya is bearing fruit albeit at a slow pace which is due to the magnitude/ size of affected areas against limited number of troops and military resources available to the two pronged approach.

#### **4.4 Securitization of Kenya–Somalia Borders**

Various views has been expressed why countries securitize their border. First, fear of breach of national security by terrorists and illegal immigrants, illicit trade, smuggling and drug trafficking are some of the key concerns by public. In response to perceived fear National institution such as Parliament and Ministries develop polies to address the concerns. During election campaign US President Donald Trump vowed to build wall along US-Mexico border to restrict illegal immigration who he blamed for drug trafficking and involvement in criminal activities. The government then implements policies to address the vulnerability to such threats.

Secondly, governments also term certain conditions as national security threat and deal with them through what is called securitization theory. This theory can be used to explain Kenya's move to build wall along its border with Somalia to stem terrorist threat from Somalia.

#### **4.4 Securitization Theory**

In this era of asymmetric warfare with globalization, national security is a major concern for many governments across the world. Various security policies have been put in place to safeguard the state as is the case between US and Mexico as well as Kenya Somalia border. Barry Buzan and Ole Wever in their securization theory offer analytical approach to explaining policies on security taken by security institutions. Vladimir Sulovic discussing the theory notes that security is a social construction process. The national leaders prioritize what is a matter of great security concern for the nation. Political actors in this sense grow securitized as they serve as major players in the sector.

Serghei Golunov says that border security is only possible as a result of proper securization. Security issues affecting countries across borders result to what he calls borderization of security issues. There are many ways security agents counter security concerns at the borders some of them very expensive to indicate how border regions form the greatest security strategies for countries. These include erecting big expensive and long walls in border regions. Terrorism being an issue that result to great anxiety and fear amongst the populace becomes a securization concern as explained by this theory.

The findings are that with advent of international terrorism, the issue of peace and security has continued to be a key concern along the Kenya Somalia border. This situation has been exacerbated by the persistent attacks among the communities along the cross-border regions. Like other types of violent conflicts, the cross border insecurity has resulted in displacement, loss of lives, destruction and loss of property and livelihoods, amongst other gross human

violations which is a common phenomenon with certain pastoralist cultural activities such as cattle rustling and other related conflicts emanating from nomadic life style of movement in search of pasture and water for their herds of cattle, camels and goats. As a result, there has been a deliberate effort by various actors to resolve these issues through the cordial relations by the two administrations across the common border. Both in Kenya and Somalia various peace initiatives have been undertaken on border security towards conflict mitigation, prevention and resolution. Such initiatives have been through the CEWARN-IGAD mechanism incorporating local administrative governments, civil society, NGOs, CBOs, FBOs, District Peace Committees and other agencies.

## CHAPTER FIVE

### CONCLUSIONS AND RECOMMENDATIONS

#### 5.0 Introduction

The study was aimed at assessing of the nature of security challenges on the international border between Kenya and Somalia. From the literature review and data analysis, conclusions and recommendations are made in this chapter.

#### 5.1 Conclusions

Border based conflicts are a common feature in African countries. The horn of Africa has had violent conflicts on its border regions too. Kenyan border concerns with Somali particularly stand out. The border line is largely artificial, separating a community that share such a strong history. The border security challenges between Somalia and Kenya are as old as the countries have been independent. Somalia as a nation wanted to be reunited with their kin in Kenya.

Border related security concerns have had strong impact on Kenya in all key aspects from social economic to political. The poorly demarcated border has meant that illegal trade happens through the border which while offering North Eastern regions an economic boost, denies Kenya revenue. The infiltration of bandits and illegal fire arms through the border has had serious security ramifications not just in North Eastern regions but across the country. Socially the Somalis coming from Somalia to Kenya have found ways to integrate with Kenyans some even attaining Kenyan citizenship. The Somali community has been integrated into Kenyan lifestyle, culture and politics.

Kenya has taken extra ordinary measures to contain border related security concerns both in Kenya and Somalia. Al-Shabaab militants cross border attacks made Kenya attack Somali militia/terrorists militarily inside Somalia for the first time in its history. Kenya is building a

400 km long wall along its border with Somalia. The country has joined partnership with other African countries and countries such as USA, Israel, and European Union to address security concerns emerging from its shared border with Somalia, especially terrorism. Both terrorists and piracy activities have been drastically reduced or tamed in the region as a result of success of multinational military operation in Somalia and East Coast of Africa. The Kenya's strategy to build border wall is already seen as a success in provision of border security in the affected region. It is also very important to note the restoring of a stable government in Somalia is a success story which will have the effect of restoring normalcy in Somalia and the region. Presence of Stable government fills the vacuum left in Somalia and Kenya government can leverage on close relation with the government to put in place an even stronger security strategy for the region.

## **5.2 Recommendations**

Kenya should enhance its partnership with Somalia government to ensure that Somalia contributes more concretely on border line security concerns. Somalia government has largely been contained in Mogadishu with little involvement in security of the country beyond that.

Kenya should form stronger partnership with other African countries in the Horn of Africa especially Ethiopia to address border concerns arising from Somalia. Kenya and Ethiopia both share long border lines with Somalia and would have a lot of experiences to offer each other in establishing common front to the security risks. Both countries have Somali populations in their territories but Ethiopia has experienced far less security risks, such as terrorism as compared to Kenya. Kenya may want to study what Ethiopia does differently to ensure its security.

Kenyan security agencies should be more sensitive to human rights concerns of both Kenyan Somalia and the Somalia in the country as refugees. This way security bodies will win the

hearts and minds of Somali community and have it easier to attain intelligence on terror networks in and out of Somalia.

Though devolved governance in Kenya is involving Somali community in North Eastern Kenya more strongly, the clan system is further marginalizing small communities. Either through county level legislations or ad hoc inter-clan agreements, ways should be established to ensure that small clans are fully involved in county development and politics to avert inter clan conflicts in the future.

Kenya Security agents should endeavor to leverage on use of technology to enhance security enforcement expected as a result of its border wall with Somalia.

Development of infrastructure and social economic factors in the border region to enhance the social wellbeing of the local population will be ultimate requirement to have for a sustainable regional security devoid of terrorist activities.

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