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ARMED PRIVATE SECURITY FIRMS AND COUNTER TERRORISM IN KENYA

RESEARCH PROJECT

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DECLARATION

I hereby declare that this is my original work and that it has not been copied from anyone nor has

it been submitted by anyone else to any institution for examination purpose.

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Date   02 October 2019

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Date   02 October 2019

DEDICATION

My first and foremost gratitude is to God for the strength to accomplish this paper. I wish to pay special tribute to My Wife Emily Chemeli and Family who have been a constant help and moral support. If were not for you believing that such an undertaking was possible in a very short time this paper would not have been possible.

Thank you.

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ABSTRACT

This project is based on the conceptual premise that the escalation of terror attacks on indiscriminate soft targets around the world and specifically in Kenya should be the concern of the state and should strive to address this threat. To the extent of facilitating and enabling other non-state mechanisms to ensure more effective security coverage of the general public. This could mean redesigning of the security architecture of the country, to include armed private security companies to bolster capacities in fighting the common enemy, which is terrorism. There is much more to be gain for such an envisioned collaboration between private and public security. Bearing in mind the human needs theory, safety and security is one of the basic requirements for a society and for a thriving economy of a nation. The researcher observed that whereas the affluent and middle class in society where able to mitigate the security gap by consigning of private security companies for protection, terrorism has taken the threat to a new level because attacks targeted public places, effectively making security a concern for all. With the contrast of the state's inability to protect its citizens from terrorist's attacks and the fact that there has been exponential growth in numbers of private security companies, there is an indication that better security coverage could be achieved with the inclusion of armed private security companies in securing the general public. Stamping the need to move away from state centric security. The study established that with increasing the capacity or capability of private security companies through arming and training their personnel, these first responders in terror attacks can be an effective deterrent. Through qualitative and quantitatively analyzing the phenomenon of public and private security collaboration against terror attacks in Kenya, the study shows that the government stands to gain not only the societies confidence in governance but also investor confidence leading to economic progress and the elimination of the fear of tear attacks.

LIST OF ABBRIVIATIONS

PSCs	Private Security Companies
PMCs	Private Military Companies
DDR	Demobilization Disarmament and Reintegration
SOB	Security Officers Board
UNITA	National Union For Total Independence of Angola
SAPS	South African Police Service
SAP	South African Police
KSIA	Kenya Security Association
CFCs	Community Police forums
PSIA	Protective Security Industry Association
PSF	Private Security Firms
AMISOM	African Union Mission In Somalia
EU	European Union
US	United States
UN	United Nations
CJTF	Civilian Joint Task Force
VGN	Vigilante group of Nigeria
LGAs	Local Government Area
BOYES	Borno Youth Empowerment Scheme
GSCF	Global Security Contingency Fund
CAPRA	Clients, Acquire /Analyze, Partnership, Response and Assessment
BRI	Bridge Road Initiative

ISIS   Islamic State Iraq and Syria

CT   Counter Terror

FATF   Financial Action Task Force

ASEAN   Association of South Eastern Asian Nations

IS   Islamic State

JI   Jemaah Ismaliya

MRT   Mass Rapid Transit

FICA   Financial Intelligence Center Act

BRICS   Brazil, Russia, India, China and South Africa

FIU   Financial Intelligence Unit

ALIR   Liberation Army of Rwanda

LRA   Lords Resistance Army

ADF   Allied Democratic Front

JAT   Joint Anti-Terrorism taskforce

DRC   Democratic Republic of Congo

UPDF   Ugandan Peoples Defense Forces

SADC   Southern African Development Communities.

KDF   Kenya Defense Forces

IGAD   Inter Governmental Authority on Development

APSA   Africa Peace and Security Architecture

ICPAT   IGAD Capacity Building Program Against Terrorism

ICEPCVE   IGAD Center for Excellence and Prevention and Countering Violent Extremism

ATPU   Anti Terrorism Police Unit

JTTF	Joint Terrorism Task Force
AU	Africa Union
NCTC	National Counter Terrorism Center
TIP	Terrorist interdiction program
CTC	Combating Terror Center
CP	Community Policing
NCPP	National Community Policing Policy
GOK	Government of Kenya

CHAPTER ONE

INTRODUCTION AND BACKGROUND OF THE STUDY

1.0 Introduction

Use of force was considered to be solely the provision of the state, however in the ever evolving security threat from terrorism in the world today, the private security firms are increasingly being involved in counter terrorism activities Analyst disagree on the consequences of these trends. The optimist support the added capacity that comes with involvement of armed private security while the pessimist worry about the cost of privatization of security and the consequences.[1]

1.1 Background of the Study

The phenomenon of private security companies have become a symbolic feature in the world and more specifically in Africa. With factors such as the economic state affecting all countries around the world, issues of inequality becoming more pronounced and the compounding factor of the state being unable to provide reliable security, has ushered in the presence of this industry. This makes reference to the fact that due to wide spread privatization, Kenyans are seeking alternate methods of creating income and private security has proved to be a lucrative form of income generation. This could also be warranted by the gaps or lapses in public security coverage in the country that has given rise to the need for individuals and companies alike to make effort to boost their own security to bridge this security gap. Kenya has seen increasing levels of unprecedented terror attacks and crime in the recent past.

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[1] Deborah Avant, 2006. Private security companies, Global monitor, P 121

In reference to 2018 global terrorism Index, there has been a twenty seven per cent decline in terror related deaths globally in comparison to 2017.[2] In fact on the contrary it is an indication that the counter measures that have been instituted by different nations worldwide are achieving the desired effect. Such measures have included efforts to prevent streams of revenues used to fund terrorism activities.

This new reduced levels should not create an over confidence because incidences like the recent attack on Dusit hotel in Kenya and the one in Christ Church New Zealand, give a grim remainder of how quick and violent terrorist attacks can be.[3]

Edward Clay the former British Ambassador to Kenya is quoted as stating, "crime remains a scourge that blights the lives of all, rich and poor, from the shambas of the provinces to the offices of Nairobi and the homes of rich and poor in every town and village. Every day in Kenya, people are condemned to awake in fear and with little or no confidence in the ability of the institutions of law and order to protect them."[4]

The population has a heightened sense of the clear and present danger their everyday lives are subject to. Churches today have armed police personnel patrolling the compounds on Christian days of worship including Christian holidays, which is indicative that the place that has reputably been the most peaceful of place in the land has have to take the prerequisite precautions to ensure they are able to secure their congregants.

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[2] Institute for Economics And peace,2018, Global Terrorism Index ,p1.
[3] Ibid
[4] East African Standard Online, January 2005

There are no known basis or norms or methodologies in use by the United Nations which are selectively directed at civilian private security services, but it does not negate the fact that there many standards in regard the way the industry operates which are applicable in order ensure control over PSCs.[5]

In as much as the government of any nation is obliged to secure its citizens against acts of crime, ensure the sanctity of human rights is upheld, exercise the use of force through the ability to take into custody or detain, which should extend to influencing the operations in the private sector. This implies when considering the designing of regulatory systems for private security services, the states standards should be encompassed. In regard to the number of private security personnel, the state should consider them as resource that can be utilized in boosting security of the general public especially when strong partnerships are formed between private security companies and the public police through intelligence sharing.[6]

This parameter of ideology should also be looked at from a different angle. Due to the fact that the security operative is exposed to extreme danger and often the first responders at the scene of crime. They may not adequately equipped to handle such affronts and often pay for that with their lives and the lives of the ones they are supposedly guarding.

It is clear the world over that security plays a major role in ensuring enhanced economic activity vital for the growth of any economy. The absence of the same has extreme negative

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[5] (UNODC), United Nations Office on Drugs and Crime. *State Regulation concerning Civilian Private Security Services and their Contribution to Crime Prevention and Community Safety.* New York: United Nations , 2014.
[6] Ibid

effect and may result in low economic investment in a country. Also noteworthy is the fact that counter terrorism and security is not only to be viewed as a function of the state and its law enforcement agencies but instead should involve all individual citizens, the private sector as part of their responsibility.

The growing threat of terrorism which is now common place in Kenya as witnessed in the attack on the American Embassy, Westgate mall, Garrissa, recently in Dusit hotel in Nairobi and severally in Lamu, is all part of the need to boost counter terror and crime prevention capabilities.[7]

1.2 Statement of the Problem

It is arguable that the state centric methodology of counter terrorism and public security has failed to stop terror attacks and reduce crime levels in Kenya. The ideology of excluding non-state actors maybe an overbearing factor as to why the Kenya government is experiencing great difficulty in effectively securing the public. Further to this focusing the military as a solution to combat terror and secure the public can be deemed a narrow scope of approaching public security and safety.

Non state actors like those in the PSCs can do a great deal as deterrents to such attacks like terror or criminal activities around the country. This is informed by the fact that due to the number PSCs there is greater security coverage by their personnel. The government's effort to ensure that the ratio of police to population is within what the international world stipulates of 1:450 has clearly not been achieved yet.

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[7] Charles, Mbuvi. "The Development and Growth of Kenya Private Security Sector." *Its Role and Impact On Saftey and Security*, 2015: p4.

As such there has not yet been adequate security coverage of the population. This however has resulted in runaway crime in the country especially in Nairobi, as criminals rob the citizenry and businesses at will and with little success on the crime prevention agencies to stop them.

Further complicated by the fact that Kenya is host to many refugees or displaced people from with the region from resultant wars from its neighbors. This influx has made the countries security situation very fluid and it is rather difficult to know who are genuinely here for reason of refuge.

With the increasing number of well-organized professional private security, companies that have emerged in the country it would be of importance to establish a method of ensuring greater security coverage is provided for the civilian population by enhancing their ability to fight crime. The terror attacks and high crime rate has negatively impacted the economic climate in the country so much so even the dream of a twenty four hour economy has been put on hold due to fear of insecurity.

1.3 Research Questions

i. How do Armed Private Security companies contribute to counter terrorism in other countries?

ii. What are the current counter terrorism measures in Kenya?

iii. How well trained in handling security related issues are the private security companies in Kenya?

1.4 Research Objectives

The overall objective of the study is to critically examine the role played by private security firms in counter terrorism in Kenya.

Specifically the study aims:

i.   To establish how other countries have embraced armed private security companies as a counter terrorism measure.

ii. To determine the current counter terror measures in Kenya.

iii. To find out the capacity of private security companies in handling counter terrorism related issues.

1.5 Literature Review

Many nations around the world have increasingly turned to private security firms in an effort to provide much needed security in public areas where their firms operate from. This makes reference to the enhancing of security measures through strategically placing their personnel and backup vehicles in ways that enable the possibility of the offender to be apprehended. The Sphere of influence and jurisdiction of private security companies has extended to the protection places of entertainment shopping malls, residential areas, and critical infrastructure including government installations. In as much there various reasons as to why the sector has grown at a rapid rate, it is indicative that there existence of a gap in public security which the private security sector is more suited to offer the needed coverage.[8]

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[8] (UNODC), United Nations Office on Drugs and Crime. *State Regulation concerning Civilian Private Security Services and their Contribution to Crime Prevention and Community Safety.* New York: United Nations , 2014.

There has been unprecedented growth in the population which translates to the need for greater spread in the needs for security, thus meaning if the government had not foreseen the need it could have led to security gaps. This is tied in with the fear of crime and possible terror attacks which has driven individuals and organizations to take precautions to ensure their own security is enhanced and more effectively protect themselves. Another factor is that with the dynamic needs of organzations and that of individual citizens require, the public police are unable to meet such demands due to their inflexible mandate. With massive economic growth which has led to vast developments on private properties which include gated communities, malls, sports stadiums. The unprecedented move that ensured that privatization is structured into the economy has led to greater access of the private sector in the market place.

1.5.1 Growth of PSCS in Other Countries

Private Security in countries in the West which include Britain, United States and also Israel, are estimated to have both personnel and financial capacities that are larger that that of the public police. Private security personnel in India is said to outnumber the police by almost five times. With a projected number of seven million personnel in the private security sector alone. In Latin America where private security is commonly used, statistics indicate there are approximately 1.6 million known private security personnel and another additional 2 million unregistered private security personnel.[9]

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[9] ibid

Both the number and size of private security companies and personnel has exponentially increased. Exemplified by the largest private security company that employs over 620,000 staff in over 120 countries with a turnover of around $12 billion in 2011. Globally, this industry is projected to be worth $165 billion in 2009, and is likely to be worth $244 billion by 2016, Which is an estimated annual growth of about seven percent It is noteworthy to state that these are one of the fastest growing markets and would most likely to be located in the less developed countries.[10]

Due to the additional roles that private security have been allocated, the subsequent result is that they have grown in size and now need the necessary capacities to cope with these new roles. Roles such as patrolling the streets, public areas, crime investigations, and areas like search and arrest, including the provision of armed guard services which were traditionally the public police domain, are now being undertaken by private security companies.

These additional roles of uniformed private security guards in areas and locations such as malls, universities, hospitals, gated communities and entertainment zones, hotels and banks, is now common in many States. The government has also been noted in engaging the services of private security companies. Evidenced by their being contracted for provision of security services in government offices, power installations, transport centers and communication installations is now a common sight. The upper and middle class of society have engaged the services of private security companies, in areas where they have

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[10] ibid

perceived themselves as venerable to the inadequacy of the public security provision, which has given the industry an additional area for growth.[11]

1.5.2 Functions of PSC

Ideally the trend that has now emerged and should be universally accepted is that the traditional forms of what would be defined as policing are no longer valid as a justification for omission of private security companies from performing any policing roles or functions. This is so because both public police and private policing serve the same common interests. The only notable difference in their functionality, whereby the focus of the private security and or private policing, is directed at the specific contracting organization or the individual client. That of public policing is directed at protecting the interests of the wider public. There is a similarity in the core function of both the public and private security institutions. This is mainly targeted at securing individuals properties from losses through acts of violence like theft and malicious damage. This commonness in functions has made the distinction between public and private policing very difficult to clearly demarcate.[12]

Parallels between public and private security are many. Exemplified by the fact that most private security personnel wear uniforms and have vehicles similar to those of regular law enforcement. Roles, which include guarding of properties, routine patrols, the management of crowds, response to distress alarms continue to reinforce the commonality in public and private security policing techniques. Private policing is more dynamic than that of performing normal patrols and sentry duties. The protection of assets or close protection of

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[11] ibid

[12] Mark Button, Private Policing (Cullompton, Willan Publishing, 2002) pg13.

people, tactical functions such as establishing or forming a security barrier and other forms of protective barriers and the required security measures, are some of the preventative measures used both by private and public security against crime.[13]

Some African countries like South Africa, private security companies have taken their training to very high levels and as result have developed skilled and specialized units which have the mandate to be armed and take up assignments or contracts that require them to be armed therefore replacing public security in various areas. As emphasized by Creutz who is quoted as stating that the era of PSC has now dawned and it is futile for any country in Africa or the world to refute this fact. Governments would rather embrace the idea of PSCs and formally allocate them roles to play in the security process.[14]

Therefore, it is a truism to state that the explosive growth of private security companies in South Africa has been actioned by the privatization of most of the services which were rendered by public police a case in point that should not be ignored.[15] Most security companies have enhanced their abilities to include investigative capacities which involves collection of information, evidence, interrogation of suspects and even develop a criminal case against persons who have infringed the law. This are eventually handed over to the authorities for persecution.

The intensification of the adoption of this sector into public policing cannot be unacknowledged. This is so because even though there could be some negative effects of

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[13]Organisation for Economic Co-operation and Development, OECD DAC Handbook on Security System Reform: Supporting Security and Justice Paris 2007

[14] Creutz,Kinsely. 2006. *Cooperate Soldiers And International Security. The rise of private military companies.* New York: Routledge.

[15] opcit

its involvement in public policing, the benefits have outweighed the negative aspects. Notably, these benefits are not only directed at the clients who are the direct recipients of these services, but also to the public police who directly benefit from this private public security policing and by extension the larger public whom are served by the police. This so-called 'privatization of crime control' is no longer a discreet factor when the South African situation is closely examined.[16]

The role of PSC should be clearly distinct from PMCs which may have also become a common phenomena in Africa as a result of the demobilization, disarmament and reintegration (DDR) that has left many well trained soldiers without livelihoods prompting them to form PMC. These companies are then used by the leaders in power especially presidents to as a means to cling to power.[17] This trend of PMCs tends to be especially seen in countries that are rich in natural resources, which may be indicative of power hungry leaders who use such teams to ensure they have a grip on access to these resources.

Indeed, most of the roles which were normally the preserve of the public police have now been 'out sourced' to private security companies. Today is common to find patrols being conducted by private security personnel, crime investigations are mostly conducted by private security firms, in countries where the industry is well regulated these companies have been enabled to conduct search and arrest operations and the provision of armed guard services. With the phenomenon of the increased financial capacity of individuals to

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[16] ibid

[17] Rotberg, Robert. 2002. *Failed States in a World of Terror. Foriegn Affairs.* Princeton: Princeton University Press. P127

purchase personalized security services as a mitigating factor where public police are deemed to have failed, has helped this industry grow.[18]

1.5.3 Private Military Companies (PMCS)

In order to have a clear picture of the Private security industry in Africa, it is important to note that the industry is divided into two operative wings. These are namely PMCs and PSCs. The emergence of PMCs was noted after the end of the cold war, with trained personnel no longer in active service. This combined with the needs of power hungry leaders in Africa resulted in them looking to protect their power bases and access to resources. As such there is debate as to whether African states that have been in perpetual conflicts are not as a result of PMCs who want to remain in business.

Exemplified by the Katanga case in Congo where mercenaries from foreign countries were used to battle against government forces in a secessionist attempt in the mineral rich state.[19] The same is repeated in the south Eastern state of Nigeria, which is an oil rich province, here the Biafra secessionists utilized the services of mercenaries against the Nigerian Army in an attempt to gain control of this region.[20]

However this has not always been the case as some of these legally registered PMCs have been used to end conflict in conflict areas in Africa. The example of the UNITA government forces utilizing the services of PMCs in the fight against rebels is a case in

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[18] Opcit 10 p5

[19] P,Tickler. 1998. "The Modern Mercenary." *Dog of War or Soldier of Honor* p.20
[20] Anthony, Mockler. 1987. *The New Mercenaries.* New York: Pargon House.p123

point to consider. The use of PMCs like the now defunct Executive outcomes which fought along side Angola's government forces in their attempt to defeat rebels in their country.[21]

1.5.4 Public Security Coverage

The public most of the up market neighborhoods have attested to the fact that is rare to encounter public police conducting route patrols in the areas where they live. What is noted to stand out is private security personnel and their vehicles parked in strategic places. The SAPS are hardly seen patrolling residential neighbhoods. As a result of this privates security firms have almost entirely replaced the police in regard to security issues in some of these areas. In some areas private security is busy replacing or has replaced public police. This scenario is reflected in Kenya, where private security companies have their vehicles strategically located for quick response to alarms from its customers. Private security companies in South Africa have not only positioned themselves as having the capacity to handle all security issues as effectively as the police and therefore can replace them but also made indication that they are willing to work together with the police in a supportive role. A case in point has been the provision of armed response services to private alarm systems.[22]

It is arguable that the state centric methodology of counter terrorism has failed to prevent or stop terror attacks in Kenya. The ideology of excluding non-state actors maybe an overbearing factor as to why the Kenya government is experiencing great difficulty in preventing these types of attacks. Focusing the military as a solution to combat terror is a

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[21] Special, Rapporteur. 1994. *Special Rapporteur Report on the question use of Mercenaries.* Document, Geneva: Commissioner of Human Rights
[22] opcit

narrow scope of approaching this issue. Non-state actors like those in the private security arena can do a great deal in deterring such attacks by their sear numbers and wide coverage of their personnel. The involvement of non-state actors is something the government should embrace as counter terrorism measure.

The involvement of private security in policing and other security related issues has not been fully accepted by everyone in the world of security. This is so because there is the belief that the state is the one that should be mandated to insure the security of its citizens is guaranteed. However, this has not been the case therefore causing the public to find alternative methods of securing themselves and this by using the services offered by private security firms.

With PS increasingly taking up more and more roles in it functionality, as noted in their presence in malls, homesteads, business premises, religious institutions, public organizations. The list is endless, it can be noted that there is suggested value that has been placed on their interventions in the places of their engagement.[23]

1.5.5 Regulation of PSCS

The assumption that with the growing private security industry in South Africa would be one that is unregulated or rather governed by the push and pull factors of the market, without any formal legislation to govern it was one that was misplaced. The triggering of the pre 1994 legislation was not wholly accepted as genuine. Rather as the apartheid governments methodology of legalizing the unchecked way in which the South African Police (SAP) could be utilized as the mechanism of the state to ensure that the black or

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[23] Siphiwe, Sibeko. 2017. "Private Security In Africa." *Time to regulate the bad and hareness the good* p1.

colored population is controlled and monitored especially in the light of the political unrest of the 1980s.[24]

 In as much as the legislation was deemed to be biased and designed in a protectionist way in favor of the white dominated industry, this legislation was intended but government to ensure there was a way through which the law of the land would be used to regulate the growing industry. This was informed by the possibility that some of the industry players could have been behind the political disturbances that occurred between the late eighties and early nineties. As believed by some industry experts without tighter legislative control of the industry, there was possibility of this powerful sector to become a threat to South Africa's democracy and democratic structures.

With large numbers of former military and ex apartheid police officers transitioning their skills from public policing to form private security companies, their strong bias against other races, was thought to be the trigger from criminal activity emanating from the security fraternity.[25]

South Africa regulations and government policy had to be put into place by the state to ensure that here will no misuse of the new power that private security firms were now acknowledged to achieve. This was required especially because as the state handed of the duties it used to perform to the private security sector, the realization was that without well thought out control mechanisms for this industry, would result into adverse effects counter

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[24] ibid

[25] MINNAAR, ANTHONY. "Crime Prevention, Partnership Policing And The Growth Of Private Security." *The South African Experience*, 2004: 3

productive to the intended results. Therefore in the late eighties the Security Officers Act 92 of 1987 was adopted.

The Security Officers' Board (SOB) was established after the adoption of the Act. The main aim of the board was to ensure they had control and monitored the progress of the career of any security personnel to promote or protect and maintain their position as a security officer.

This applied to all companies and individuals who are involved in the security industry. Therefore meaning the players in the industry who were making economic gains from provision of security services. The scope of services under the Act included the ensuring the safety of individuals or groups as well as property. This maybe inclusive of offering information on how best to ensure minimum exposure to risk of loss. [26]

Regulatory mechanisms established by this Act included the mandatory registration of all security companies and security officers. This also made it mandatory that the same security personnel have to undergo minimum training and the need for an inspectorate that ensure that the standards were being met as stipulated by the Act. This translated to better control of the industry by the government and a quality assurance control mechanism concerning the training standards that are prerequisite for the security industry. Therefore this meant that every security company and security operative would have to be registered making their monitoring a much easier process for government.

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[26] ibid

The legislation was amended in 1997 and The Security Officers Amendment Act (104 of 1997) was passed. This resulted to the formation of the interim Security Officers Board which was the amended body for the pervious SOB, that was thought to be dominated by individuals who had a stake in the security industry. The highlight of the amendment was the inclusion of the crucial in-house security sector into the Act.[27]

The absence of the inclusion of joint policing or collaboration policing with private security in both the original Act and the amended one or even the ideology of the participatory nature of private security in crime prevention, was pointing back to state centric security architecture.[28] Limiting private security to the provision of equipment for monitoring installed for their clients or the simple installation of alarm systems and armed backup services was considered narrow in the scope of operation. The significance of the powers of the peace officers privileges which the Act omitted to mention in the 1997 amendment Act come to the fore front when the realization of the authority the SAP still could exercise over private security.

This means that the SAPS has the right to decide who it will grant the authority for cooperation or outsourcing for the gaps it deems necessary to be covered to making a determination on which private security companies could be involved in joint operations with the public police. The peace officer scope is sanctioned by the National Commissioner of the SAPS may still under the Criminal Procedure Act No 51 of 1977 and can be

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[27] ibid
[28] Bruce, Baker. 2001. "Taking The Law Into Their Own Hands." *Fighting Crime In South Africa* p9

delegated in unique situations and transfer powers to them in their capacity as private security officers.

 This are some of the areas Kenya should emulate in the process of giving private security greater mandate in security issues. The results of this would be two prong, in that it would act as a measure against crime and an effect counter measure against terrorism.

The emergence of Private security companies has caused varied view points between a range of experts such as academics, the police, policymakers and politicians. This is informed by the argument that the attainment of full democracy in 1994, issues on police transformation and the adoption of a new security architecture in South Africa required additional policies to embrace the inclusion of PSCs. This makes reference to how policing the public with the inclusion of PSCs would be organized.

Specifically, these varied views were focused on the separation of duties or roles private security companies capacities enabled them to play in collaboration with SAPS or even assume some of the policing and crime prevention roles of the public police. This debate revealed the different dimensions of the scope of which the government and interested stakeholders had taken it. That is it took a political, constitutional crime prevention angle on the functionality, effectiveness and ability of the South African police as an institution to protect its own society.[29]

The initial step of ensuring the public accepted the South African Police force as a universal body that was offering service to all in the society and not a state instrument of terror was

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[29] ibid

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the transition of changing its name to South African Police Service (SAPS). As a result this meant the way the SAPS handled policing of the public would have to change. Including the incorporation of the ideology of community policing and enabling the community to have a voice in Community police forums (CFCs).[30]

With operational limitations and obstacles in the implementation, process of the concept of community policing, definitions to ensure clear reference had to be made. This meant that there had to be clear terminology that referenced SAPS and the term visible policing was formed to reference them. That was on the basis that ideology of community policing was acceptable to the police management. As such, the increase of foot patrols as a crime preventative measure became the contact point through which greater interaction with the community at the street level.

The dynamism of this new concept of community policing is seen in adoption of clustering the service into sectors better known as sector policing. This refers to the actual implementation of the community policing ideology or the concept of visible policing for effective management. As stated by Dixon and Rauch the key highlight of sector policing are its "local geographic focus, problem-solving methodologies and community consultation".[31]

In the neighboring state of Tanzania, the evolution of armed private security companies is a common thing. Though there maybe an issue of the rules and regulations governing these companies, but the government has embraced this sector and empowered them. Crime and

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[30] ibid
[31] ibid

terror attacks are a rare occurrence in Tanzania as there is an effective counter measure when they do occur. Similarly, in Uganda, the government has embraced the cooperation between private security companies and the state security mechanisms.[32]

When there are clear distinctions that define the parameters of operation of these private security entities by the said legislation, possibly effected by a mandatory licensing system, would prove the best way of control. As such this would not only ensure the raising of the industries operational standards but would include each registered individual involved in the security industry.

The current Cabinet Secretary Mr. Matiangi is on record making great efforts to streamline the licensing process and the criteria by which an individual can legally own a gun and the subsequent license to carry one. This would go a long way to ensuring that holders are well known by the government apparatus and due to the fact there would be government certified shooting ranges for training then it mean that the applicant would have passed through the needed measures of vetting and control.

All the players in the industry should be obligated to follow a strict regimen of the envisaged code of conduct as per their license. This would meaning clearly stating how the said companies intend to execute the provision of the services they intend to render to their clients. Stating in detail the systems that will be used to securely store client information

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[32] Andrej Sotlar (2009) Post-conflict private policing: experiences from several former Yugoslav countries Policing: An International Journal of Police Strategies & Management Vol. 32 No. 3, 2009 pg. 489

and prevent such information from leaking into the wrong hands and finally duly making reports to the authorities of incidences where force or detention of suspects was done.[33]

The enhancement of the health and safety regulation in this sector maybe of paramount importance. This maybe necessitated by the hazardous conditions that these operatives in the sector are exposed to as the first line of defense. Therefore, it would be necessary to expand the already existing regulations to cover areas such as the above mentioned. This would enable any of the stakeholders who maybe found in breach of these regulations to be held accountable and due process to mitigate the same applied.

In Kenya, we have a total of 67 private security firms, 23 of which are listed under the Kenya Security Association (KSIA) and 44 listed under Protective Security Industry Association (PSIA). This is just a fraction of the over 2000 (PSF) registered in the country. This calls for careful policies that regulate these companies. If at all the type of legislation that is in place to regulate action of law enforcement agencies in the country is the set standard, then the same should be applied to private security firms in order to standardize their operations and to enhance accountability.

1.5.6 Economic Growth of PSCS

Notably there has not only been the stated increase in the number of personnel who are currently involved in private security but this includes greater number and sizes of private security companies in operation today. Exemplified by the largest private security company with over 620,000 employees in over 120 countries and processing a twelve billion turnover in 2011. Worldwide, the civilian private security industry was estimated to be

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[33] Ibid

worth $165 billion in 2009, and is likely to be worth $244 billion by 2016, with annual growth in the region of 7 per cent. The fastest growing markets are likely to be in developing countries. The growth in size of civilian private security has been matched in many States by an expansion of its role.[34]

1.5.7 Impact of Terrorism on the Economy

Notably, what must not be missed out is the billion of shillings lost from the economy as a results of such attacks. The economic impact of these attacks globally was approximated at $52 billion.[35] Without delving deep into impact to foreign direct investment, a simple example can be drawn from the tourism sector which accounts for approximately 27% of the country's foreign exchange. As a result of these terror attacks on the country just a 1% decline of tourist to the country resulted to a loss of revenue of Kenya shilling One hundred and fifty seven million annually.[36]

The trickledown effect can be felt to date with many hotels especially in the coastal areas either completely closed down, or running on minimum staff because of lack of occupancy. The resultant effect is there many citizens who have been left without employment and with other industries experiencing significant economic slowdown, these young men and women are left idle and venerable to radicalization with the eventuality of joining terror groups to earn a living.

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[34] Ibid

[35] Opcit

[36] United Nations Development Program. 2017. "A Vehicle To Articulate Issues And Foster Dialogue." *Policy Brief* p1

It would be imperative that to avert these multifaceted breakdowns of the economy and resultant risk of escalation of terrorism, appropriate training of private security personnel would be of great necessity with the objective of ensuring high standards are maintained in this security industry. This would act as an effective deterrent as well as enabling the ability to act appropriately to counter terror as a mechanism in first responder situations.

It is apparent that in Kenya policy on armed private security companies and establishing their exact role is still not well spelt out. This could be because the country is still at the point of reviewing its constitution and drawing away from the colonial system of legislation. The current private security regulation bill 2014, is not clear of what the role of these companies are in connection to cooperation with the national security organs.

This severely limits the functionality of the security firms as the act still has much of the colonial mentality. For example, the act is unclear of if private security companies are legally enabled to carry fire arms, if they have adequately trained personnel and what would be the regulating body that would be able to govern and monitor such kind of personnel. Yet with an additional 1.6 million personnel in private security even if say 300,000 were trained on the use of firearms, this would greatly boost the security coverage in the country, moving away from state centric security mechanisms.

1.5.8 Overview of Terror Incidences in Kenya

The nation has gone through one of the most intense and continued terror attacks in the world. This is informed by the bombing of the US embassy in Nairobi in 1998 by al Qaeda

extremists, leaving over two hundred dead, as the first wave of attacks began.[37] What followed this was the 2013 attack on west gate in which sixty seven lives were lost. This time the tactics had changed and another terror group al shabab claimed responsibility. Terror attack on Garrisa University left approximately one hundred and forty eight dead as the terrorist struck again in April 2015. Prior to this the Mpeketoni attack in June 2014 during the screening of the world cup left fifty people dead and many injured.[38]

The most recent attack was in January 2019 on the Dusit hotel in Nairobi, where over twenty lives were lost. This is indicative that the terrorists are still capable of penetrating our current security systems and measures with relative ease.

1.5.9 Counter Terrorism Measures In Kenya

The current outlook of the Kenyan government as far as counter terrorism is referenced, has failed to be effective. This maybe contributed to the fact that the national outlook is based on state centric security measures. The lack of involvement of other non-state actors may have narrowed the effectiveness of the current counter terror measures.

The government effort to collaborate with international agencies to strengthen its war on terrorism is still directed inwardly to the use of the military and Police.[39]

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[37] CNN. 2018. *1998 US Embassies in Africa bombings.* July 31. Accessed August 2, 2019. https://edition.cnn.com/2013/10/06/world/africa/africa-embassy-bombings-fast-facts/.

[38] Jorgic, Drazen. 2014. *Islamists kill 50 in Kenya, during world cup screening.* June 16. Accessed August 2, 2019. https://www.reuters.com/article/us-kenya-attacks/islamists-kill-50-in-kenya-some-during-world-cup-screening-idUSKBN0ER0FF20140616.

[39] Service, Congressional Research. 2018. *Kenya:Extremism and Counter Extremism.* September 9. Accessed July 31, 2019. https://www.counterextremism.com/sites/default/files/country_pdf/KE-09172018.pdf

This can be seen by the fact that after the continued terror attacks on Kenyan soil, Kenya sent four thousand troops to join AMISOM as a counter to these attacks.[40] Notably the change in legislation that enables a terror suspect to be held and treated differently from other criminals is a positive step in the right direction.

The building of the wall along the Kenya Somalia border initiative is another counter terror measure that has been put in place, but unfortunately, the attacks continue. The United Kingdom has trained one thousand police and army personnel in counter terror tactics, this has been combined with the cooperation with the Israeli government which Kenya has tasked with them with assisting to buildup overt methods of counter terrorism measures.[41]

1.6 Justification of the Study

This study will assist the regulatory body and the government to empirically see how the addition of well-trained armed private security personnel in the country would help in counter terrorism and even its reduction through ensuring quick and effective response to crime when it happens. Due to the vast numbers of private security personnel in wide spread areas of businesses, even homes of individuals, arming them would act as a deterrent to any possible attacks. This will in turn assist in policy formation that would support the arming of these personnel on strict terms as witnessed in South Africa, Tanzania, Uganda and the United States.

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[40] Price,Stuart. 2012. *African Union Mission to Somalia.* October 2. Accessed August 2, 2019. http://amisom-au.org/kenya-kdf/

[41]Service, Congressional Research. 2018. *Kenya:Extremism and Counter Extremism.* September 9. Accessed July 31, 2019. https://www.counterextremism.com/sites/default/files/country_pdf/KE-09172018.pdf Op cit pg7

This could result in a huge drop in terror incidences and crime rates in the country as terrorists and criminals realize that the security guard right where the occurrence is taking place may be armed and able to effectively handle the situation before law enforcement officers arrive on the scene. This is especially in the view of Kenya today where armed robberies take place even just to steal a phone. Therefore the general public will enjoy going about their business and their homes without much fear of an imminent terror attack. With this new information from the study, the generated new knowledge of the changing trends of today's society and the new effective method of dealing with our volatile terror situation. The country must move from the old colonial style of managing society and its ever-changing variables to modern methods of dealing with counter terrorism.

1.7 Theoretical Framework

Human needs are non-negotiable as opposed to interests. John Burton's, human need is a necessity that must be satisfied if conflict is to be avoided. The need of safety and security are one of the primary or basic human needs. This would therefore indicate if Burton's theory is accurate that it is inevitable that if this specified need is not met then people or groups of people are bound to take the law into their own hand to ensure they can live in safety.

The focus of terrorism is to ensure maximum fear, death and as much destruction is infused into a societies social and security structures. This would therefore mean that any

government or country that is exposed to terror attacks would have the primary objective of reducing fear that its citizens maybe experiencing.[42]

As stated by the EU defines terrorism in article one of framework decision on combating terrorism, 'as acts that may seriously damage an international organization or country with the aim of intimidating a population, or compelling a government or international organization to perform or abstain from any act or seriously destabilizing or destroying fundamental political, constitutional and economic structure of a country or international organization'.[43]

Informed by this statement it would be imperative that any government or society take the necessary steps in ensuring the security and safety of its citizens before any other aspects of the nation can be developed or advanced. Therefore the undertaking of ensuring this aspect is enforced could suggest that a nations security architecture may require much needed alterations to accommodate more effective methods of securing the population. Once this is achieved, a favorable social political and economic environment can begin to grow.

The suggested modification to a security architecture of the nation could be the involvement of non-state actors. This would further indicate aspects of security

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[42] Schmid, Alex. 2011. "50 un and under researched topics in the field of counter terrorism studies." *Perspectives on Terrorism,5 vol 1 (2011)* pp 76-78. Accessed August 2, 2019. http://www.terrorismanalysts.com/pt/index.php/pot/article/view/schmid-under-researched-topics/html.

[43] Union, European. 2002. *Councils Framework decision on Combating Terrorism (2002/475/JHA).* Hague, June 13

methodologies such as community policing, Numba kumi and even armed private security firms could be the next level in countering terrorism in Kenya.

1.8 Hypothesis of Study

State centric counter terrorism measures in Kenya that does not include Non State Actors has failed to effectively combat terrorism.

Intensifying training and arming private security personnel will increase their efficiency in handling terrorism incidences in Kenya

1.9 Research Methodology

1.10 Research Design

This research paper will use mixed method of research in order to logically gather and analyze the findings. This is to ascertain the logical flow in the research and enable empirical methods to be deployed in information gathering and subsequent testing.

1.11 Research Site

The research will be conducted in the County of Nairobi area. The county is the capital city of Kenya which in the recent past has been subject to rising violent terror incidences and armed crime. The county is also well covered by private security firms who have radio call vehicles strategically positioned to cover the area. The only down side of this is that the private security firms are forced to have an additional car rush back to the police station to pick armed police officers in order to deal with the security situation at hand.

1.12 Research Population

This will cover both the owners of establishments like malls, individual businesses, private security firms that have been contracted to provide services and those in the surrounding neighborhoods who may suffer the effects of panic as terror attacks takes place. The Center for counter terrorism head and a sample of his officers. The Nairobi Business association who are the representatives of the business fraternity of the county, the Nairobi County and its administrative office that is directly responsible for security, and households that have been directly affected by these terror attacks.

1.13 The Sample

The sample shall be determined though the multi stage random sampling to ensure that all the population is effectively represented. This will be determined by Yamani (1967) formula for calculating sample size.

1.14 Chapter Outline

This study will consist of five chapters

Chapter One; the chapter consists of the introduction and background of the study, the statement of the research problem, the study objectives, literature review, justification of the study, theoretical framework, hypothesis, methodology and chapter outline.

Chapter two; Here the chapter illustrates how selected nations in the world have effectively incorporated the use of armed private security companies in securing the public. It will further seek to demonstrate how the cooperation between state security and private security has been used in countering terrorism.

Chapter Three; Focuses on the measures Kenya has taken in ensuring the public is protected against terror attacks. The chapter will further illustrate the involvement of other international agencies which directly support Kenya's counter terrorism efforts. Chapter Four; presents the findings, presentations and interpretations on the current legal framework governing private security operations so as to inform policy making. The chapter further examines the level training of private security personnel to establish their competencies.

Chapter Five; consist of the summary of findings, recommendations and conclusion, highlighting areas that would require further studies.

CHAPTER TWO

PRIVATE SECURITY FIRMS IN SECURING VARIOUS COUNTRIES.

2.1 Introduction

Terrorism can be defined according to title 22 of the US code as "premeditated, politically motivated violence perpetuated against noncombatant targets by subnational groups or agents". This makes the idea of counterterrorism a major headache for public security, when we examine the sheer numbers of noncombatants present in any country in the world. They automatically become what can and is described as soft targets.[44]

2.2 Global Standard of Police to Population Ratio

In as much as it is the responsibility or the duty of police to protect and ensure public safety and that of their property, this has generally not been adequately covered in Africa. Exemplified by such statistics, In Tanzania the ratio is 1:1298 , Ghana coverage is 1: 1200, Kenyas 1:1150. This therefore gives indication of how large the gap is from the recommended United Nation standard of 1:450. The resultant action taken to close this gap is that most individuals or institutions that are able to afford secondary security intervention like services provided by PSC, will often engage them.[45] From this, the gap in much required public security intervention is large. This could mean that the citizens of those countries are highly exposed to crime and in this modern day the threat of a terror attack.

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[44] National consortium for the Study of Terrorism And Responses to Terrorism. 2018. *Country reports on Terrorism 2017.* Annex For Statistical Information, Maryland: University Of Maryland. p1

[45] Mary,Kimani,. 2009. *Africa Renewal.* October. Accessed June 18, 2019. https://www.un.org/africarenewal/magazine/october-2009/security-highest-bidder.

2.3 The Private Security Companies in Counter terrorism in Nigeria

Nigeria has been reputed to be over policed and under secured. This is drawn from the fact that as noted above the police to population ratio stands at 1:400 which is above the UN international standard. It is noteworthy to state that despite this fact there has been an upsurge of acts of terrorism in this country. These acts are instigated by a combination of different groups of insurgents. They range from terror groups based on religious ideologies, political resistance groups, marginalized communities and violent extremists. [46] This includes groups like Boko Haram, whose acts of terror have span many decades in the Niger delta with almost no counter action from the government security agencies.

This would indicate there is possibly no correlation between Police to Population ratio as a factor contributing to terrorism as in Nigeria's case. The country is over policed yet with increased number of acts of terrorism. Therefore pointing at other factors such as governance and it how it contributes to triggering acts of terror and formation of terror groups as the theory of relative deprivation is considered.[47] Governance makes reference to the lack of proper political structure which could have led to structural violence thereby creating a conducive environment for terror groups to emerge.

Also makes reference to poor governance policies that cause ineffective use of the availability of the security personnel. This has resulted in formation of PSCs or non state

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[46] Benson Chinedu Olugbuo and Oluwole Samuel Ojewale. 2015. *Africa Center for Strategic StudiesFundamental Security Challenges Nigeria Must Face, Part 8: Governance.* Accessed June 20, 2019. http://africacenter.org/spotlight/fundamentalsecurity-challenges-nigeria-must-face-part-8-governance/.

[47] Abdul, Rahaman, Lamin. & Okoro, Chigozirim. 2016. *Security and Governance in North-East Nigeria.* Lagos: Cleen Foundation.p23

security actors as an intervening security factor.[48] Security groups like the Civilian Joint Task Force (CJTF), the Vigilante group of Nigeria (VGN) are private security companies formed to counter the terrorist groups. With three per cent of the worlds terror attacks said to be in Nigeria alone these groups have come a pivoting point in the fight against terror.[49]

This does not rule out the importance of police in the security architecture of any country, but instead highlights the need of other security institutions to assist in enhancement of the security function. This is been occasioned by the dynamism that modern society has brought with it, which makes it rife with different aspects of volatility drawn from social and even religious differences.[50] Further to this embracing of structural functionalism theory as opposed to social contract one, postulates that not only formalized social institutions but also cultural organizations are key to a harmonized society as far as security is concerned. This could translate to shared responsibility between state and PSCs in securing society.[51]

The state was responsive to the growing insecurity and opted to amend the law to deal with the growing insecurity in Nigeria. Therefore enabling other players into the overall security

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[48] Alice, Hills. 2012. "Policing a plurality of worlds: ." *The Nigeria police in metropolitan Kano. African Affairs* p46.

[49] George, Taiwo. 2015. *The Cable, Roundtable seeks community policing solution to Boko Haram. .* January 28. Accessed June 21, 2019. https://www.thecable.ng/roundtable-urges-community-policing-solutionboko-haram.

[50] Alemika, Etannibi. & Innocent, Chukwuma. 2004. *The Poor and Informal Policing in Nigeria: A report on people's perception and priorities on safety security and informal policing in A2J focal in Nigeria .* Lagos: Cleen Foundation

[51] George, Ritzer. 2010. *Sociological Theory.* New York: MacGraw Hill

architecture of the Northern states. Thus the introduction of PSCs into fighting the insecurity from insurgents namely Boko Haram in Nigeria.[52]

2.3.1 Boko Haram Security Threat In North Eastern Nigeria

Boko haram activities became full blown after they resisted the law requiring all motorcycle riders to wear helmets. This resistance to the new law led to clashes with the state police and spread to six other neighboring states as the resistance gathered momentum.[53] The intensity of the resistance grew when the group members where attacked by police during a funeral for one of their own. Retaliatory attacks by Boko haram member lead to death of several police men and civilians. Eventually their leader was arrested lead to a pause to hostilities.[54]

Their leader died in police custody in 2009 and this caused the group to transform itself into cells, which were difficult to trace. The reemergence of the group in 2012 came with new techniques of resistance including the bombing of police headquarters and the UN offices in Abuja in 2011.[55]

Boko haram initially focused on resisting western education and graduated to launching military style attacks on its targets and eventually creation of Islamic state. The backlash of this was the US government categorizing the group as a terrorist movement in 2014.

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[52] Watch, Human Rights. 2012. *Spiraling Violence: Boko Haram attacks and security force abuses in Nigeria boko-haram-attacks-and-security-force-abuses-nigeria.* 10 11. Accessed June 26, 2019. https://www.hrw.org/report/2012/10/11/spiraling-violence/.

[53] ibid

[54] Daniel, Agbiboa. 2015. "Resistance to Boko Haram: Civilian joint task forces in north-eastern Nigeria." *Conflict Studies Quarterly, Special Issue:* p5

[55] Mustapha, Abdul,Raufu. 2012. *Boko Haram: Killing in God's name. Mail & Guardian. .* April 5. Accessed June 26, 2019. https://mg.co.za/article/2012-04-05-boko-haram-killing-in-gods-name .

With the group centralizing its headquarters in Gwoza, they then opted to align themselves to the Islamic state, who then declared the town as part of its caliphate and Boko Harams power base and launch pad for its attacks.[56] Further to this the sect solidifies its justification for the attacks by condemning the fact that the state has embraced secularism form of governance. Therefore, it has taken upon its self to purge the Nigerian government of this evil through jihadist movement and the embrace of death as a medium to achieve liberation.[57]

To counter these persistent attacks the state deployed the military to the troubled areas with limited results. The state only began to achieve significant results when it involved the affected communities in their security architecture. This was a step in the direction of the public and state cooperating in matters security and the involvement of private security as a counter measure to terrorism.

2.3.2 Private Security Firms In Counter Terrorism in Nigeria

VGN is a voluntary security operation that deals with a varied number of activities in Nigeria. They are in involved with ensuring the security of the community in which they operate, assisting in accident related incidences, disaster management, intelligence, arresting of law breakers and their subsequently being handed over to the state police for persecution. They are well organized and structured with the national council headed by the commander general. Available 24 hours a day they cooperate with the national police

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[56] Daniel, Agbiboa. 2015. "Resistance to Boko Haram: Civilian joint task forces in north-eastern Nigeria. Op cit p94

[57] Abbah, T. & Idris, Hazma. 2014. *What Boko Haram fighters told me about sect. Daily Trust. .* May 4. Accessed May 28, 2019. https://www.dailytrust.com.ng/news/general/what-boko-haram-fighters-toldme-about-sect/100441.html

force and are empowered to act effectively as the situation demands of them. This includes providing guards for government installations, cooperate organizations, markets and even to individual personalities.[58]

With a presence in seven hundred and seventy four local government areas, the groups has assisted through their security activities in countering insurgencies since their inclusion in the new security architecture of Northern Nigerian states. Proponents of the Nodal system which advocates that Nigeria is too large to have a centrally managed security system and therefore would require the system devolved to the federal states and respective states to enhance efficiency and effectiveness of administration of security.[59] This therefore propagates that todays society would be more effectively managed through multiple centers of security controls and embraces the involvement of different sectors of society and not just different levels of government.[60]

Ibn Fadlallah Vigilante group has been at the fore front of the fight against Boko Haram the Adamwa state. The group was formed, armed with orthodox weapons and mandated to counter these insurgents based on the fact that the state was unable to provide security for those communities. As a mitigation, the state sanctioned this vigilantes group services, as they are familiar with the terrain and were most affected by Boko Harams activities.[61]

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[58] Vigilante,Group. 2012. *About Us.* Kaduna, December 5.

[59] John, Bulus. 2012. *State police: The unending debate. Vanguard. .* August 25. Accessed June 28, 2019. http://www.vanguardngr.com/2012/08/state-police-the-unending-debate/

[60] Shearing, Clifford. 1995. *Reinventing policing: Policing as governance. In F. Sack (ed.),.* Ontario: Academic Press. pp71

[61] ibid

2.3.3 Civilian Joint Task Force (CJFT)

This was formed after youth in the Borno state came together after suffering from indiscriminate attacks Boko Haram and at the same time the Nigerian army in 2013. Led by Lawan Ja'afar the youth of this area decided to cooperate with the states army in order to root out Boko haram from their community.[62] It was very difficult for the army to counter these insurgents as they operated within the community. As a result, the use asymmetrical force in efforts to combat Boko Haram was used as they were entrenched in the society and very difficult to identify as insurgents. CJFT was now they key in identifying the insurgents and collaborating with the army in counter terrorism in a hybrid security system.

Notably the formation of this group which mostly comprises of youth from the areas most afflicted by insurgents attacks, has helped repulse them and it records show that attacks in the same LGAs except states such as Shani in southern Borno, Bayo, where CJTF do not have a presence have drastically reduced. The group was given low level military training and equipped to enable them to effectively deal with this volatile situation and given an allowance of $50.[63] As a measure to prevent these well organized and trained youths from evolving into gangs that may compound the problem, the state formed the Borno youth empowerment scheme (BOYES) with 1850 members including Youth Vanguards. This scheme made the members easy to track and communicate with. The success against the

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[62] Op cit Abbah, T. & Idris, Hazma. 2014. *What Boko Haram fighters told me about sect.*

[63] Group., International Crisis. 2017. *Watchmen of Lake Chad: Vigilante groups fighting Boko Haram. Africa Report No. 244.* Febuary 23. Accessed July 7, 2019. https://www.crisisgroup.org/africa/westafrica/nigeria/244-watchmen-lake-chad-vigilante-groups-fighting-boko-haram.

insurgents was crowned with them pushing Boko Haram out Maidunguri LGA.[64] With

varied levels of education ranging illiterate to degree holders the group was a success.

Similarly is can be noted that whereas government in this case of Nigeria admitted to failure

to protect its own citizens, the formation and training of private security here made all the

difference in the fight against terrorists.

Though these groups have been successful in the fight against the insurgents, they have

paid the price by losing six hundred and eighty of their members who were killed during

counter terror action between the year 2012 and 2017.[65] Losses continued as the Nigerian

National Petroleum cooperation in conjunction with the University of Maidunguri were

prospecting for oil in the Chad basin when they were attacked by Boko Haram insurgents,

twenty seven died that day.[66]

2.3.4 Yobo Vigilante Group

Drawn predominately from other vigilante groups around the state of Yobo, the group was

formed to counter Boko Haram attacks in that region. With the support of the state which

was mostly in the form of equipping the youths with both arms, training and basic financial

sustenance, they would be attached to the army as the fight against insurgents intensified.

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[64]Ukiwo, Ukoha., Henri-Ukoha, A. & Emole, Magdalene. 2012. *Governance and security in Abia State.* Lagos: CLEEN Foundation.p 24

[65] Vanguard. 2017. *Six hundred and eighty (680) civilian JTF members killed by Boko Haram attacks.* June 30. Accessed July 7, 2019. http://www.vanguardngr.com/2017/06/680-civilianjtf-members-killed-boko-haram-attacks-official/.

[66] Haruna, Abdulkareem. 2017. *Boko Haram NNPC ambush: Unimaid ASUU confirms five staff dead, four missing. Premium Times.* July 27. Accessed July 9, 2019. http://www.premiumtimesng.com/news/headlines/238366-boko-haram-nnpc-ambush-unimaid-asuu-confirms-five-staff-deadfour-missing.html.

The driving factor was simply to secure the community against further attacks from Boko Haram which had denied them a livelihood due to fear of attacks.

With the cooperation between state governments, the Military, Nigerian Police force, traditional institutions, International organizations and Civil society organizations, the reality of private security taking control of the fight against terrorists became a reality with much success.

2.4 Community Policing in Chad

Unlike Nigeria chad is heavily reliant on it military and State police as far as counter terrorism is concern. This surprisingly so as the nation is subject to similar attacks by Boko Haram just as Nigeria experiences. The entrenchment of these insurgents in the community has made it very difficult for the both the military and the Police to establish accurate counter terrorism actions. The results have been devastating on the community with Boko Haram destroying both property and economic activities around this Lake Chad region almost at will. [67]

The support of Global Security contingency Fund (GSCF) which has been in support of security measures to counter acts of terror in the region, designed and trained members of the most affected communities in methods of CAPRA (Clients, Acquire /Analyze, Partnership, Response and Assessment of Action taken) a community policing technique. This has resulted in proactive information reaching the security forces prior to any attacks

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[67] Dukarm, Katherine. 2018. *Taking the Fight to Boko Haram.* October 9. Accessed July 11, 2019. https://blogs.state.gov/stories/2018/10/09/en/taking-fight-boko-haram-global-security-contingency-fund-strengthens-chad-s.

by the insurgents.[68] A new dawn in the security architecture of this country had began with the inclusion of the community in assisting the state to counter terrorism in southern Chad.

2.5 Roles of PSC in South Africa

PSC in south African have taken an increasingly significant role in the security architecture of South Africa. With an annual turnover of approximately R10 billion, it is comparable with that of State or public security police annual budget of approximately R15billion. Therefore, these figures may be indicative of the level of influence PSCs have gained in South Africa security system. Currently PSCs ratio to public security is 4:1 generally pointing to the level of coverage provided by Private security companies in the country.[69]

Thus outnumbering public security by a threefold. This was also recorded in America with private security outnumbering the state police by the same margin but with annual earnings which were approximately three times that of state police. This refers to annual earnings $90 billion compared to state turnovers of $40 billion per annum.[70] The indication here is that the citizenry and business institution is tending to rely more on private armed security for their security needs other than that of state police. What remains in this country is the much required legislation require to regulate and empower PSCs to be more assertive in the execution of their duties.

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[68] ibid

[69] Jenny,Irish. 1999. "Policing for Profit." *The future of South Africas Private Security Industry* pp1

[70] Clifford, Rosky. 2004. *The Privatization of Punishment Policing and Military Force in Liberal States.* New York: Routledge p197

2.6 Broader Role of PSCs in China

The new development of internalization of PSCs in China which is actioned by the need for the nation to protect its development agenda through arenas like the Road and Belt initiative. This massive task has occasioned that Chinese personnel would be working and operating in many different countries as the nation strives to complete the project. The result of this has been the requirement for security provision for its workers, therefore the need for PSCs to satisfy this need.[71]

The sensitivity of having another nation have its security personnel in the host country was overcome through the idea of PSCs operating and with the informal encouragement of the Chinese government. This meant that though the PSCs had a means of operating and protecting the companies and Chinese citizens operating in other countries there was no friction between those governments due to security personnel being present.[72] Notably BRI is, designed to run through highly unstable countries ranging from south Asia, Middle East to East Africa. This exposes both the PSC personnel and the employees of the companies that are undertaking the development activities to risk of attacks especially to terrorist attacks.[73]

In as much as domestic terrorism was a concern in china what came to fore was the threat of terror attacks on the development installations along the BRI. This became a reality in 2017 when Salafist Jihadist organization of Jabhat-al Nusra bombed the Chinese embassy

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[71] Helena Legarda and Nouwens Meia. 2018. "Guardians of the Belt and Road." *Internatization of Chinas Private Security Companies* pp 4

[72] ibid

[73] Nan, Zhong. 2016. *Zhong, Nan (2016). "Overseas security to get upgrade." China Daily. April 22. .* April 22. Accessed July 18, 2019. https://www.chinadailyasia.com/nation/2016-04/22/content_15420820.html.

in Bishkek. In June of the same year three Chinese national killed two by ISIS in Pakistan and one in a shooting incident in Karachi in February 2018.[74] Aware of the exposure to its citizens China and the host nations are reluctant that their army personnel would be deployed to provide protection. This mostly due to the fact that the host nations would not be comfortable with having a foreign army on its soil, as well as China's foreign policy of non-interference.

Chinese personnel working on the BRI also have no confidence in the hosts nation ability to provide adequate security which has left an opportunity for PSCs to step and fill this gap.[75] The industry does not well defined operational guidelines both domestically and internationally which could create a loop hole for dishonest operators. This would also be indicative that if the host countries gun regulations are not clearly spelt out then we could soon find scenarios of armed Chinese PSCs in a host country. On the contrary according to the international code of conduct for PSCs, the law does not give provision for PSCs to carry arms in the discourse of their duties but due to the sensitivity of causing a diplomatic fallout between Beijing and the host nation, Chinese PSCs are currently disallowed from carrying arms.

2.6.1 China's Legislation on Armed PSCs

These laws are only been directed at PSCs operating with China, which also meant that any PSC that required to be armed would remain part of the state. It was only in 2010 when

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[74] Catherine,Putz. 2017. *"3 convicted for Chinese embassy attack in Bishkek."* The Diplomat. June 30. Accessed July 18, 2019. https://thediplomat.com/2017/06/3-convicted-for-chinese-embassy-attack-in-bishkek

[75] Erickson, Andrew and Collins, Gabe. 2012. *"Enter China's Security Firms."* The Diplomat. . February 21. Accessed July 18, 2019. https://thediplomat.com/2012/02/enter-chinas-security-firms/. .

the Ministry of Commerce set up regulations on how PSCs operating abroad should be governed, with a simple principal that whoever send them is responsible for their safety.[76] This meant that PSCs sending their personnel abroad must ensure they have received adequate training as well as ensuring relevant security mechanism are established prior to operating in any of the BRI nations.

2.7 Conclusion

The above overview of the role of PSCs in a nations security architecture, there is a clear trend that governments have now began to acknowledge the role these companies can provide in enhancing security and securing the public and their property. This recognition comes with the additional roles and the changes in legislation that some governments around the world making to provide greater cooperation between governments and PSCs.

That not with standing, PSCs are a proven economic force that should not be ignored, as they provide employment and revenue to government through tax collected from their operation. Their greater involvement in the enhancing of security in any nation would most likely create a safer social and economic environment in any nation.

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[76] Commerce, Ministry of. 2010. *People's Republic of China. .* August 13. Accessed July 18, 2019. http://www.mofcom.gov.cn/aarticle/b/bf/201008/20100807087099.html

CHAPTER THREE

COUNTER TERROR MEASURES IN THE WORLD AND IN KENYA TODAY

3.1 Introduction

As the country and the rest of the world continues to grapple with the threat of a terror attack, security experts in many countries have been actioned to provide viable solutions to counter and also preempt terror attacks. With the hindsight that the world is now a global village with nations being inter linked in one way or another that is through trade or regional co-operations or communication technology, then the effort to combat terrorism should be and is from a united front.

The UN General Assembly on counter terrorism in 2006 adopted a common counter terrorism strategy for all its members. These methodologies ranged from strengthening of individual and collective states to effectively combat terror attacks and to ensure well-coordinated security systems with in the UN to enhance the effort.[77] This ideology is informed by four basic pillars which seek to identify the reasons or conditions that are conducive for the growth of terrorism, the methodologies that can be used to combat terrorism, the strengthening of member states capacity in handling terror related issues and finally ensuring human rights and the law are upheld even during this fight against terror.

3.2. Counter Terrorism Measures in Netherlands

The Dutch government has adopted several proactive CT measures. This not only includes the provision of additional protection for targets that have been identified as potential

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[77] Nations, United. 2006. *Office of Counter Terrorism.* May 2. Accessed August 8, 2019. https://www.un.org/counterterrorism/ctitf/en/un-global-counter-terrorism-strategy.

victims but also seeks and monitors potential terrorists who have been identified by their security systems, and those individuals who may be going through a radicalization process. This is informed by the fact that becoming terrorists is a transformative process through radicalization.[78] It is at this point of radicalization that the Dutch governments seeks to arrest the process and dismantle the terrorist network. The bilateral, multilateral counter terrorism cooperation further strengthens the nation capacity to act effectively.

With the outlook of the Dutch government to build CT measure on the principal of repressive and preventative measures it mergers well with the ideology of enhancing social cohesion that is aimed making society responsible for their own security. This translates to creating an enabling in environment in society that the minority communities to actively contribute in the social activities. This means that they would become less of target of radicalization especially because of the feeling of being marginalized.[79] The strategic impact of this would be creation of a form of resistance to radicalization on the basis of belonging to the society.

Repressive methods would entail ensuring that individuals or groups of individuals involved in societal errors of justice that are associate with terrorism as stripped of their social or societal privileges.[80]

[78] Refworld. 2017. *Country Reports on Terrorism.* September 19. Accessed August 8, 2018. United States Department of State, Country Reports on https://www.refworld.org/docid/5bcf1f7a13.html .

[79] Europe, Council of. 2008. "Committee of Experts on Terrorism (CODEXTER)." *Profiles on Counter -Terrorist Capacity* pp 3

[80] ibid

Implementation of the legislation of the United Nation Resolution on counter terrorism has further enhanced its counter terror efforts. Some of these measures include ensuring suspected terrorist to report to the nearest police station at regular intervals, the revoking and implementation of travel bans for the same individuals even without a court order.[81]

The Financial Action Task Force (FATF) which coordinates its activities with the Caribbean FATF of which Netherlands is a member, seeks to ensure that terrorist do not achieve the financial freedoms through its systems to finance their activities. This would include money laundering activities which are commonly used by terrorist groups like al Qaeda, ISIL, as a result the terrorist have less ability to operate in their activities and more so through the Countries financial systems.[82]

3.3 CT Measures in ASEAN

The association of South Eastern Asian Nations have formed a coalition against the spread of terrorism. This united front has taken up very specific CT measures which are based on several key fronts. This are namely, institutional capacity building, inter agency exchange of information and intelligence, inter regional cooperation, legal and law enforcement cooperation. These fronts are aimed at ensuring the adoption of the action plan to combat transnational crime which was adopted in 2002.[83]

The extent of their CT training and preparation included Psychological operation and warfare course for the security forces of the Nation. There seems to be a link between drug

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[81] Op cit. Refworld. 2017. *Country Reports on Terrorism.*
[82] ibid
[83] S, Pushpanathan. 2003. *ASEAN Efforts to Combat Terrorism.* Phuket, August 20th.

trafficking and proliferation of small arms in the region to acts of terror committed. Therefore, the ASEAN CT effort is directed at blockading the flow of these trade, which the terrorist are using as a method to finance their activities.[84]

This is informed by the fact that as Islamic State (IS) which has been active in the Middle East, has come under continued attack. Efforts by western forces to remove them from their power base in Syria, Iraq and Iran have intensified, the terrorist group is now looking for a new front and the South East Asian countries are the target. This means there probably no other way to counter the insurgents but by having a united front and approach against them.[85]

IS plans to operate in a decentralized system through Caliphates similar to those of the Boko Harum and by extension Al Qaida. This means that they would select particular provinces in a nation or nations and take over the entire provinces operation for themselves. This in turns becomes their source of revenue and their launch pads as well as their power base.[86]

The existence of such IS structures are known in countries like Somalia, Philippines, Libya, Egypt, Bangladesh, Yemen, Saudi Arabia, Tunisia, Algeria, Afghanistan. Which to date are notably experiencing protracted spates of terrorist related violence. With the evidence of non South Asian Militants and Uyghurs in the region synergized by the call to local terror groups by IS to join rank with them, the push for a common CT front with specific

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[84] ibid

[85] Marguerite, Borelli. 2017. "ASEAN Counter Terrorism Weakness." *Counter Terrorists Trends and Analysis, Vol 9 No.9* pp14

[86] Rohan,Gunaratna. 2016. "RSIS Commentary." *Global Threat Forcast 2017* pp1

attention to these facts is of great importance. This should be before the insurgents are able to take root as they had previously done in countries like Syria[87]

3.4 CT in Measures Singapore

Despite the fact that this country hasn't experienced terror attacks in the last ten years, it has experienced various terror attacks on its soil. This include the killing of the terrorists who had hijacked international airliner. Moreover, the series of bombings targeting American interests in the country, which prompted the Singapore government, made effort to ensure the country and its security systems are more than prepared of any attacks in the future.[88]

This was in hindsight that the nation is multiethnic as well as multi religious nation which security experts have identified as the weak points in society that terror groups take advantage of to gain access to society. The government of Singapore has ensured the reduction of these societal gaps by involving the community in counter terrorism community policing combined with the stressing on social harmony.[89] The possibility of the terrorists doing more harm to their own kind due to the existing multi cultural diversity in this society is so great that the Jemaah Ismaliya (JI) terrorist group would not take the chance.

The additional CT measure the government put in place was establishing an expansion of the Police Mass rapid transit to create public Transport Security Command. This initiative is focused on the increase in the number of police personnel presence at the highly

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[87] Ho Ben, Yee May Chen. 2017. *Danger Close: Mindanao and the terrorist next door.* Marawi, June 10.

[88] National Security Coordination Center. 2004. *The Fight Against Terror.* Geylang: Atlas Associates PTE Ltd.

[89] Toh, Chuan Yong. 2017. "Racial Harmony in Singapore 20 years on." *The Straits Times* p1

populated bus stations and MRT stations as both a deterrent and a quick response mechanism in case of an attack.[90] Additional CT measures include preventative tactics against cyber attacks. this is in the wake of global terrorism trends that have been directed at cyber terrorism and cyber espionage where the terrorist can acquire sensitive information through hacking of a countries or individual or a company's secret and use the same to cause much information distortion.[91]

3.5 CT measures in South Africa

The south African approach to CT tends to vary from the measures taken in other nations around the world. This is so because the country lays more emphasis on the financial aspect of CT with major effort in eliminating the ability of the terror groups to finance their operations with the necessary legislation to support this.[92] The inclusion of *salus Republicae suprema lex*, which enables the state to act on cases especially terror related without regard to human right issues, was an added advantage in the pursuit of effective CT measures in South Africa.

This was modified to embrace the fact that certain human rights laws should be applied instead of the total disregard to them. Therefore resulting to enforcing of the constitution, which embraces obedience to certain democratic values, achievement of equality and the advancement of freedoms and human rights.[93]

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[90] Adrian, Lim. 2017. "Keeping Trains and Buses Secure." *The Straits Times* p1

[91] Cyber Agency of Singapore. 2016. *Singapores Cyber Security Strategy.* Pulau Ujong: Ministry of Communication and Information.

[92] Dion, Basson, and Viljoen Henning. 2010. *South African constitutional law (1988).* Cape Town: Law Library.

[93]Government of South Africa. 1988. "Prevention of Organised Crime Act." *Government Gazette* pp 2

The Financial Intelligence Center Act (FICA) is informed by the new constitution. This references different aspects of financial transactions which are related to terrorism activities. Which include actual cash and movable asset transactions and transactions related to properties that are suspected to be owned by terrorists. This means that as soon as any of these are moved or transacted with a specific mechanism would be applied to trace the players' involved and subsequent inquiry or arrests would be made.[94]

Notably the reason why South Africa's CT measures are directed at covert methodologies of fighting terrorism is due to that fact that the country is used as a springboard to launch attacks on other countries. [95]

This has been extended to terrorists seeking asylum in South Africa after conducting their attacks in other countries. The South African authorities in reaction to this have set out to ensure no suspicious financial transaction or asset transfer or asylum seekers who have terrist affiliations of are terrorist would find refuge in the country.[96] The country's efforts extended to the emphasis of pushing for the formation of a broad based counter terrorism coalition with international dimension to it. The Johannesburg declaration was declared in the BRICS leaders conference in support of this ideology.[97]

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[94] United Nation Security Council. 2003. "Universal Anti Terrorism Conventions and Protocals." *UN Legislative Guide* pp1

[95] Solomon, Hussein. 2012. *Eight steps to improve counter-terrorism measures in South Africa.* Febuary 22. Accessed August 14, 2019. https://www.tandfonline.com/doi/abs/10.1080/10246029.2011.629447

[96] Op cit *South African constitutional law (1988)*

[97] Defenceweb. 2018. "Fighting terrorism a priority in BRICS Johannesburg Declaration." *DefenceWeb* p1

3.6 CT measures in Tanzania

Tanzania has only been exposed to one terror attack in 1998 and this was against the US embassy. The general trend in Tanzania, concerning terrorism and violent extremism is one based on Islamic religious leaders calling for violence against other religions. Despite having counter terrorism legislation since 2002, which prohibited anyone from assisting or financing or having any affiliation to terrorists, there are unconfirmed reports that indicate the presence of al Shahab in the country since 2008.[98]

The phenomenon of weak states and powerful states comes into focus as far as counter terrorism methodologies are implemented in East Africa. This is informed by the fact that the donor nations which Tanzania, Kenya and Uganda depend on for most of the economic sustenance are compelled to comply with the international terrorism standards as set out in the UN Counter terrorism Committee schedule.[99]

This has resulted in a slow implementation process within the said states which could expose them to further terror attacks. Tanzania has been reputed to have adopted most of the standards as required by the UN though has a weak implementation process. After pressure from the US the nation pass the Prevention of Money laundering act which came into law in July 2007 also forming the financial intelligence unit (FIU) to monitor any suspicious financial transactions. Money laundering was one of the methodologies terrorist were using to infiltrate Tanzania. Under the impetus of aiding their Muslim brothers to

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[98] Op cit *Country Reports on Terrorism p1*

[99] Eric, Rosand. 2003. "Security Council 1373 the Counter Terrorism Commitee and the Fight Against Terrorism." *American Journal of International Law* p333

build mosques terrorists had found legitimate ways of financing their activities and even entering the banking industry.[100] These accounts were eventually frozen by the FIU.

3.7 CT measures in Uganda

Uganda has had numerous violent terrorist attacks throughout its history. There could be numerous reasons as to why the nation is venerable to these attacks. This ranging from its porous borders along the Uganda – Congo side which the Allied Democratic Front (ADF) infiltrated and attacked a technical school killing eighty students,[101] to the Liberation Army of Rwanda (ALIR) attack to tourist in Bwindi National park to the bombing of the fans watching world cup football matches the attacks have been very persistent.[102]

The country experiences multifaceted types of terrorist attacks. This is informed by local terror acts from insurgents like the LRA in the North and the ADF to the west of the country, to the threats and attacks from al Qaeda and el Shahab. In order to effectively deal with this situation the anti terrorism bill was passed into law in 2002.[103]

This law has greatly contributed to the country's CT efforts. The reason being since the law distinctly ensure that terrorist are not persecuted under the normal criminal law. Further to this efforts the government made a decision to ensure not only the police were involved with CT efforts. The creation of Joint Anti-Terrorism taskforce (JAT), which consists of

[100] Shinn, David. 2003. "Terrorism in East Africa And The : An Overview." *Journal Of Conflict Studies* p89

[101] Watch, Human Rights. 1998. *HRW Condemns Deadly Attack By Ugandan Rebels On School Children.* June 10. Accessed August 17, 2019. https://www.hrw.org/news/1998/06/10/hrw-condemns-deadly-attack-ugandan-rebels-school-children.

[102] Justice, Department of. 2003. *Justice Department Announces Indictment, Arrests Of Three Rebel Group Members For Brutal Murders Of Two American Tourists In Uganda.* Verdict, Washington DC: US Department of Justice.

[103] David, Munyua. 2012. "Combating Terrorism A Ugandan Perspective." *Global ECCO* p34

the police, military, private security firms and intelligence services, working together and reporting to the inspector general of police. The new security architecture has been effective in both CT measures and efficiency of use of resources. The push to enhance CT measure in the country was the inclusion of the ideology of community policing. The need for this was realized when intelligence pointed to the fact the insurgents are entrenched in the community. Therefore, in order to root them out the community was encouraged to report suspicious neighbors.[104]

The aspect of cooperation with regional states as a CT strategy is applied effectively in Uganda's scenario. This is so because the need to deal with the rural aspect of CT had to involve the neighboring countries of DRC, South Sudan, Rwanda which the terrorists where using as a launch pad for attacks. As such the Ugandan government requested its neighboring states to facilitate their army Ugandan Peoples Defense Forces (UPDF) to identify and destroy the terrorist bases in the said countries and in doing so cut off their supplies. The result of this was cooperation between these countries which caused insurgents like the LRA and ADFs operations to be severally crippled lessening their ability to commit terror attacks at will.[105]

In addition to being the biggest contributor to AMISOM troops who have taken the CT battle to Al shabab base in Somalia, regional cooperation led to the extradition from Kenya

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[104] ibid
[105] ibid

and Tanzania of suspected terrorists to stand trial in Uganda for the 2012 Kampala terror attacks.[106]

The realization by the Ugandan authorities that the CT battle cannot be won by an individual nation is vital for the mapping of effective CT measures for other nations. Informed by the fact that the neighboring states could be used as the ground where the terrorists thrive, plan and make their attacks, a unified front against a common enemy could prove to be the winning strategy against terrorists.[107]

3.8 Regional and Sub Regional Organizations Role In CT

It is notable to state with the realization by African leaders that the continents peace and security as well as its counter terrorism measures and mechanisms can only be developed by Africa that is they must be institutionalized in order to create an African solution to African Issues. This is so because the continents Economic, Social and political development is directly tied to each individual nations effective security architecture and this includes the necessary counter terrorism mechanisms.[108]

Incidences like those reported on the Dar es Salaam and Nairobi 1998 bombing which where organized by Khalfan Khamis Mohammed, after he crossed from his native Tanzania and settled in South Africa for an year on a tourist visa before he was discovered.

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[106] Ambassordor, Adonia Aybare. 2017. *Measures to Eliminate International Terrorism.* Statement, New York: Permanent Mission of Uganda to the United Nations.

[107] Nations, United. 2018. *Cooperation, Collaboration between Countries Crucial in Combating International Terrorism, Sixth Committee Speakers Stress, Hailing 'Code of Conduct'.* Meetings Coverage, New York: United Nations.

[108] Abdurrahim,Siradag. 2012. "Africas Regional And Sub Regional Organizations: Challenges and Prospects." *Journal of Academic Inquries* pp1

In addition to this it was well known that minerals from DRC where used to finance Hezbollah activities in the middle east, as well as South Africa being linked to al Qaeda nuclear smuggling. These incidences are all taking place within SADC countries and an intervention is required by the sub regional body. The emphasis here is that terrorism is no longer an individual nations problem but it transverses nations and international borders.[109]

This means SADC being the sub regional organization that has responsibility for the economic, security political and social well being of its member states has to respond positively to the commitment made through UN resolution 1373. Which obligates signatories to this to ensure the disruption of any terrorist activities including providing safe havens, financing and money laundering. Primary to this is the fact that failure of SADC or any other regional or sub regional organizations to act accordingly may have ripple effects of countries that seemingly unconnected and distant.[110] This is exemplified by the South Africa incident where a SADC member country has been hosting a terrorist for a whole year.

It is clear that terrorism is not a phenomenon that affects an individual nation but traverse across regional and international borders. In the same way counter terrorism mechanisms should be designed to enhance regional and international cooperation through regional and sub regional organizations as inaction in anyone member state could cause the down fall of an entire region or severely damage or cartel an international one.[111] With careful attention paid to capacity building for these regional and sub regional organizations, SADC

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[109] US Department of State. 2004. "2004 International Narcotics Control Strategy Report (INCSR)." *Bureau of International Nacotics and Law enforcement Affairs* pp 1
[110]Rifer, Michael. 2005. "SADC And Terrorism." *Africa Security Review Vol 14 No 1* pp2
[111] ibid

has generally been well equipped through the adoption of protocols that enables control firearm and ammunition. Which has enable better monitoring of cross border arms proliferation.[112]

IGAD has also been active in efforts to fight against sub regional peace and security disruptions. Mandated by Article 18(a), which states 'effective collective measures to eliminate threats to regional cooperation peace and stability', this sub regional organization has now focused its strategy to align it to the Africa Peace and Security Architecture (APSA), which requires it to extended the strategy to include prevention and combating of terrorism. This resulted to the formation of IGAD capacity building program against Terrorism (ICPAT).[113] This would be an additional dimension to what the organization was mostly focused on in terms of conflict management with in the horn of Africa.

The organizations strategy for CT are directed at building member states capacities to effectively counter and prevent terror acts. This means through is IGADs security sector program (ISSP), the building of an effective criminal justice system would enhance member states to deal with CT related issues. IGADs center for excellence and prevention and countering violent extremism (ICEPCVE) based in Djibouti would further support this efforts through research, capacity building, and frameworks for civil society to operate in as well as strategic communication mechanisms.[114]

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[112] South African Development Community. 2004. *Protocol on the Control of Arms and Ammunition and Other Related Materials.* Protocol, Blantyre: SADC.

[113] Intergovernmental Authority on Development. 2016. "Al-Shabaab as a Transnational Security Threat." *Fostering Resilience, Regional Integration and Peace for Sustainable Development* p6

[114] The East African. 2018. *IGAD confronting violent extremism in East and Horn of Africa.* Feburary 14. Accessed August 21, 2019. https://www.theeastafrican.co.ke/oped/comment/Igad-confronting-violent-extremism-in-East-and-Horn-of-Africa--/434750-4304626-7edllnz/index.html.

It surprising to note that the African Union does not seem to have any definite mechanisms to enhance member states counter terrorism efforts or capabilities. This maybe because there is no clear distinction between peace keeping efforts and counter terrorism actions in the organizations mandate. Informed by the fact that AMISOMs mission in Somalia is realistically supposed to be a counter terrorism effort but is identified as a peace-keeping mission.[115]

This may pose an issue for member states as the regional organization which has international influence cannot be used as a spring board to fast track counter terrorism support from its international partners or enhance member states counter terrorism capabilities. With terrorism a threat to every African nation's security, the AU may need to act quickly on its policies to specifically focus on methodologies of supporting member nations counter terrorism mechanisms.[116]

3.9 Counter Terrorism Measures in Kenya

In as much as it is deemed the mandate of the Kenya government to ensure the nations' security, section 240 of the Kenya constitution clearly states that it is the responsibility of religious leaders, elected officials, the media and the countries citizen. This provides a clear indication that the above stated persons should be actively contribute to the securitization of the country. With the government reactive method of dealing with the terrorism issue in

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[115] Jide, Martyns Okeke. 2019. "Repositioning the AU's Role in Counter Terrorism." *Institute for Security Studies* p1
[116] ibid

the country, there is possibility that the full breath of closing the security gaps may not yet have been explored.[117]

 In a thrust to ensure the country stay on track with the much required counter terrorism measure there was a push to get the necessary legislation that would enable terror suspects to be persecuted under the anti terror bill 2003. This was rejected as it was too broad in its outlook as well as leaning toward discrimination against certain religions especially the Muslim.[118] This legislative impediment was overcome by enacting new laws such as prevention of organized crime act 2010, proceeds of crime and anti-money laundering act 2011, prevention of Terrorism act 2012, security Laws (amendment) act 2014 as a method of strengthening the legislative angle of counter terrorism.[119]

The formation of the organizations like the National Security Intelligence services, the Anti Terrorism Police Unit (ATPU), Joint Terrorism Task Force (JTTF) in 2003, the National Counter Terrorism Center (NCTC) in 2004. The inclusion of the US Terrorist interdiction program (TIP) designed to screen travelers at airports and border points, was the alterative that was used by the Kenya government to establish credible ways of fighting terrorism.[120]

Kenya's international partners especially the United States of America have supported this counter terror mechanisms by offering training and funding but this primarily directed

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[117] Jonah, Ondieki. 2019. *Two Major Ways To Combat Terrorism In Kenya.* News, Nairobi: Ureport

[118] Andrews, Atta-Asamoah. 2008. "Counter-Terrorism and the National Security of African States: Points of Convergence and Departure." *Journal of Security Sector Management, Vol. 6(1)* pp2

[119] Mwangi, Oscar. 2019. *Counter Terrorism in Kenya: An Interview with Oscar Mwangi.* Febuary 22. Accessed August 24, 2019. https://www.oxfordresearchgroup.org.uk/blog/counter-terrorism-in-kenya-an-interview-with-oscar-mwangi.

[120] Combating Terrorism Center. 2010. "Al Qaid's Mis adventures In The Horn Of Africa." *Harmony Project* p65

government agencies. Commendable measures as building a wall along the Kenya – Somalia border aimed at securing Kenya's porous borders have not been effective as terror attacks in the country still continue. The Kenya army (KDF) has occupied Somalia for the seven years in and effort to dismantle al Shabab's supply lines and ensure that Somalia is no longer a safe haven for terrorists. This has had marginal success as the insurgents have increased their efforts to get KDF out of Somalia by attacking army bases and camps in Somalia.[121]

The Counter terrorism mechanisms in the country are generally divided between three state organs the Kenya Defense Force (KDF), National Intelligence Service and the National Police services. These are the instruments that the government utilizes to legitimately exert counter terrorism measures. It is state centric methodology of handling counter terrorism that could be reviewed or restructured to enable more players as exemplified in countries like the US.[122] Further to this the stalling of the Kenya – Somalia border fence also a very huge negative. This would have enable greater control along Kenya's porous border with Somalia but the project run out of funding leaving the country exposed.

Partnering with international agencies on counter terrorism capacity building was another important step the country took in ensuring the counter terrorism mechanism remain up to date and relevant to this phenomenon that is dynamic in nature. The US and other

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[121] Moshe,Megged. 2015. *Significance of Building Kenya-Somalia Security Wall.* May 12. Accessed August 24, 2019. https://intelligencebriefs.com/tag/kenya-somali-border-security-wall/
[122] ibid

international partners have supported Kenya's anti-terror war by in 2015 alone Kenya received over Two Hundred Million dollars to boost its counter terrorism efforts.[123]

In as much as the Kenyan government has made concerted effort at creating the necessary counter terrorism mechanisms, these have not stopped the terror attacks on the country. Indicating that it is imperative that the security architecture of the country be reexamined to move away from the state centric ideology to one that is inclusive of other security partners.

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[123] Security Assistance Monitor. 2015. "US Counter Terrorism Aid to Kenya." *Focusing On A Military with Motivation And Corruption Problems* pp1

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION AND INTERPRETATIONS

4.0 Introduction

This chapter presents both quantitative and qualitative analysis of data, findings, presentations and interpretations. The data collected was primary and secondary data.

The questionnaires were distributed to the various groups of respondents. The category of respondents selected was to achieve a representation of the population of Nairobi county and the response rate were as follows. In table 4.1 beneath

Table 4.1: Response rate

Category	Frequency	Total
Business owners	38	35
Household representatives	24	22
Officers from CTC	16	15
Private security personnel	30	28
Total	**108**	**100**

Source: Researcher 2019

The majority of respondents were business owners (38%). The private security personnel were 28% household representatives were 22% and the smallest category were officers from counter terrorism unit (15%). The officers from CTC tend to have very tight work schedules and that explains their relative small number.

4.1 Terrorism threat in the world today

The respondents were asked to rate the extent of the terror threat in the world today. Their responses are in table 4.2 beneath

Table 4.2: Extent of terrorism threat in the world today

Category	Frequency	Percent
High extent	43	40
Moderate extent	35	32
Small extent	23	20
None at all	7	8
Total	**108**	**100**

Source: researcher 2019

The extent of terror as a threat in the world today is highly rated with a cumulative majority of 92% indicating that terror is a threat. Only 8% of the respondents do not consider terror a threat in the world today at all.

In the explanations that followed, respondents indicated the rate of terror attack news that they receive over time. Indicating that when it is not happening at home it may be happening in other parts of the world. Further explanations pointed to the international community efforts and expenses on counter terrorism.

Those who did not consider terrorism as a threat in the world today highlighted corruption and income equalities as the reasons for terror attacks.

4.2 Armed private security companies' contribution to counter terrorism in other countries

Respondents were required to use their knowledge to decide whether armed private companies contribute to counter terrorism in other countries. The response are presented in table 4.3 below.

Table 4.3: Armed private companies support counter terrorism

Category	Frequency	Total
Yes	80	74
No	28	26
Total	**108**	**100**

Source: Researcher 2019

The majority of respondents (74%) agreed that armed private companies support counter terrorism in various countries however a minority (26%) disagreed. The majority who agreed reported to having read about private security involvement and others explained that they follow in detail news of terror attacks.

The minority that disagreed indicated not being aware and some referred to security and protection as a preserve of law enforcers. The application of private security in counter terrorism is picking up over time

4.3 Terrorism threat in Kenya today

The respondents were required to rate the extent to which terrorism is a threat to Kenya, the results are presented in table 4.3 beneath

Table 4.3: Extent to which terror is a threat to Kenya

Category	Frequency	Percent
High extent	51	47
Moderate extent	31	29
Small extent	20	18
None at all	6	6
Total	**108**	**100**

Source: Researcher 2019

4.4 Counter terrorism measures in Kenya

Respondent were required to comprehensively list the counter terrorism measures in Kenya. The responses were extensive:

4.4.1 Responsibilization

Respondents indicated the national call for citizens to be alert but not alarmed. Citizens are required to be on aware of their environment so that they can report suspicious activities or individuals in time to help counter terrorism. The individual is under legal obligation to be responsible wherever they are.

The prevention of Terrorism Act (amended 2014), has been a legislative tool used by Kenyas government to tenaciously identify and bring to justice anyone suspected to be involved in terrorism. This is in as much as it may not have fully implemented the proposed 2017 amendments to enable the said suspects a fair access to getting a fair hearing in the justice system. In August, the government launched a National Legal Aid Action Plan but has not funded a public defender service envisioned by law. The Office of the Director of

Public Prosecutions worked to finalize national plea-bargaining rules, which awaited publication in the Kenya Gazette at year's end. The judiciary supported a rule of law-based approach to prosecutions, applying equal legal and evidentiary standards to terrorism cases as in other criminal cases.[124]

4.4.2 Community Policing

The respondents indicated that the community must be responsible about their neighborhood security. The 'nyumba kumi' initiative was mentioned in many filled questionnaires. The ten household units under nyumba kumi is considered a grass root approach in counter terrorism.

The advent of CP in Kenya is not a new phenomenon. This has been in operation since the 1990s though not as widely implemented as expected. The need for CP was especially highlighted during the post-election violence of 2007-2008, whereby the National Task Force on Police reforms clearly stated the need for the involvement of the public in their own security and security related issues. The emphasis for the need for legal and institutional functionality to enable CP to be implemented through the National Community Policing Policy (NCPP) could not be considered as over stated.

4.4.3 Border controls

Many respondents consider terrorist as originating from outside the country. They support strict border controls and specific reference was made to Kenya Somali border.

4.4.4 Corruption Watch

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124 United States Department of State, *Country Reports on Terrorism 2017 - Kenya*, 19 September 2018, available at: https://www.refworld.org/docid/5bcf1f9c11.html [accessed 8 September 2019

Some respondents have linked terror attacks to corruption. They indicated that more strict anti-corruption measures adopted by the government will have an impact in counter terrorism.

4.4.5   Security sector Reforms

Respondents have indicated that the security sector reforms which bring in more departments into anti-terror campaigns also help counter terrorism.

The security sectors reforms in Kenya have met considerable approval of the public, however some of the changes entailed in reforms in the security sector remain disputed. The reforms considered multi facets including legal frameworks, organizational restructuring, professionalizing and increasing accountability of the security agencies. Even with all these efforts, there have been terrorist attacks one after the other with each attack exposing fundamental shortcomings in in the security sector.[125]

4.4.6   Regional co-operations

Respondents indicate that working with regional neighbors also support counter terrorism efforts. A common citation is membership of IGAD.

4.4.7: International treaties

Respondents acknowledged the support of more developed countries in counter terrorism. They indicate that through treaties Kenya gains international support in counter terrorism.

The UN secretary general while attending the African Regional High-Level Conference on Counter-Terrorism and Prevention of Violent Extremism Conducive to Terrorism

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[125] Terror 3

conference in Gigiri, Nairobi, Kenya on July 10, 2019, reiterated that UN was fully committed to work with all countries and organizations in the fight against terrorism. "For terrorism to be defeated, it is essential that African counter-terrorism is holistic, well-funded, underpinned by respect for human rights, and - most importantly - backed by strong political will," said Gutteres.[126]

President Kenyatta called on other African countries to develop strategies to curb violent extremism and counter cross border threats, as terrorism was a pan-African challenge. "I call on the African Union to generate a powerful political consensus for confronting and defeating terrorism and all other forms of violent extremism conducive to terrorism," said the President.

4.4.8   Private sector security

Respondents indicated that individuals owning guns have helped during terror attacks, examples of West gate mall attack and Dusit attack were given.

The Private Security Regulation Act, 2016 that came into force on June 3, 2016 has introduced array of urgently needed reforms in the sector that remained at the mercy of individual entrepreneurs for a long time. The Act defines minimum entry qualifications and expected trainings.

This is a progressive trend considering the deviation from the prior state of affairs where some security firms had internal standards that saw to it that their security guards acquired training on entry and subsequent trainings on a periodic basis; a majority of the security

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[126] East African Online

firms did not put any investment into trainings thereby exposing the general public to untold security risks. It is surprising that a sensitive area such as security has been left in the hands of private individuals without proper regulation for this long.[127]

4.4.9   Income redistribution

Some respondents related terrorism to poverty. They supported government provision of welfare services to poor youth so that they do not engage in terror activities.

4.4.10 Education system

Respondents supported free education to all as a means of countering terrorism. Keeping the youth in school and teaching them life skills.

4.4.11: National cohesion

The commission keep watch on inflammatory remarks or radicalization elements, to counter the lure towards terrorism.

4.5 Private Security firms support in counter terrorism in Kenya

The respondents were required to tick the level to which they agreed that private security firms support in counter terrorism in Kenya. The response are presented in table 4.5 below

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[127] Business Daily Online, April 14, 2019

Table 4.5: Private security firms support counter terrorism in Kenya

Category	Frequency	Percent
Strongly agree	32	30
Agree	37	34
Neutral	16	15
Disagree	12	11
Strongly disagree	11	10
Total	**108**	**100**

Source: Researcher,2019

The majority of respondents (64%) agree that private security firms support counter terrorism while a minority (36%) disagree or are neutral. This findings indicate that the majority of respondents acknowledge the support of private firms in counter terrorism in Kenya.

The respondents who agree cited the potential to win over terror attackers where there are more armed personnel to fight off the terrorists. The respondents who disagreed cited possibility of armed private security firms getting involved in illegal activities and endangering lives of citizens instead of providing security.

The legitimacy of PSC operations has come under constant criticism and enquiry indicating a seemingly instinctive reluctance to relinquish the state's role as the provider of security. To achieve efficient use of PSC and military service providers especially in counter

terrorism there is need to define agreed structures and processes designed to safeguard legitimacy and accountability in military affairs.[128]

4.6 Capacity of private security firms to counter terrorism

The respondents were asked to rate the capacity of private security companies to counter terrorism. The response are represented in table 4.6 below

Table 4.6: Capacity of private security firms to counter Terrorism

Category	Frequency	Percent
High extent	22	20
Moderate extent	46	43
Small extent	37	34
None at all	3	3
Total	**108**	**100**

Source: Researcher, 2019

The findings indicate lack of confidence in the capacity of private security firms to counter terrorism, however there is potential among the private security firms as indicated with only a minority 3% who do not consider the PSCs to have any capacity**.**

Respondents listed lack of training, and structure for the PSCs to be involved in counter terrorism**.**Secondary data indicate that private sector security has significant strengths; the aggregated number of personnel in private security firms makes it a significant force. The ability of this private army to protect small geographic areas with large numbers of civilians

[128] Caroline Holmqvst. 2005. Private security companies: the case for regulation. Sipri policy paper no.9 p8

is something that central law enforcement cannot afford. Furthermore some private security officers, possess specialized technical capacity, not limited to knowledge and ability to protect computer networks, chemical plants, financial institutions, health care institutions, and retail establishments. State Law enforcing officers often do not possess this knowledge or only the largest agencies possess it. More generally, the large and growing security industry "is armed with considerable and often sophisticated resources to deter crime and prevent other losses.[129]

On closer examination on some of the modes of operations some of the PSC have formed in order to boost their effectiveness, is through partnerships with police. Though arrangements like arms for mobility, certain PSCs partner with police and provide transportation for patrols in mostly affluent neighborhoods to benefit from the arms provided by the police. This has worked extremely well especially in scenarios where the government is unable to provide their officers with much needed transport for their routine patrols. On the other hand having police presence in their patrol vehicles increases the PSCs effectiveness and marketability.[130]

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[129] Ade Abolurin, 2009. Positioning private security in anti- terrorism campaign
[130] Francesco Colona and Tessa Diphoorn. 2017. "Eyes, Ears and Wheels." *Policing Partnerships In Nairobi* p3

CHAPTER FIVE

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSIONS

5.1 Introduction

This chapter presents a summary the findings of the study, recommendations and conclusions derived.

5.2 Summary of Findings

This study was anchored on three specific objectives; to establish how other countries have embraced armed private security companies as a counter terrorism measure, to determine the current counter terror measures in Kenya and to find out the capacity of private security companies in handling counter terrorism related issues.

5.2.1 Private Security Services and Counter Terrorism

A review of the concept of terrorism in the world and the experience of Kenya to date indicate that terrorism is a vice that affects many countries of the world and overtime it has metamorphosed to involve the locals. Kenya has had numerous terror attacks which have resulted in loss of lives and economic loses.

Various countries indicate that the involvement of private security firms in counter terrorism is a growing trend. The traditional view of leaving matters of security to law enforcers alone is no longer practical. In the Kenya case, a review of most recent attacks have shown the significance of the requirement armed private security personnel in the first line of response to protect civilians in terror attacks.

A comparison of the functions of private security firms and public law enforcers indicate a close resemblance. To the civilian, they require protection of life and property. There arises a need to put in place structures of partnership of PSCs and law enforcement in providing security.

This study indicate general consensus that terrorism is a threat to the world today with Kenya included. Like the rest of the world, participation of private security in counter terrorism in Kenya is a subject that has to be debated urgently.

5.2.2 The PSCs inclusion in counter terrorism measures adopted by various countries.

The findings indicate different levels of integration of private security companies by different countries in countering terrorism, the participation of PSCs in security roles especially in countering terror attack is here to stay.

The ratio of police to population ratios of various countries were reviewed and the findings indicate major deficiencies in the world over, however a country like Nigeria that is considered over policed still has to grapple with terror attacks from Boko Haram , a terror group in the North eastern part of the country. This confirms that there are yet other factors that account for terror attacks besides police population ratios. Nigeria Military engaged the Boko Haram for a while with dismal results, however when they started involving the civilians in the communities' targeted results improved.

Voluntary security operations have been incorporated in Nigeria to insure the security of communities. In the state of Borno civilian Joint task force was formed by the youth to check the spread of Boko Haram, working with the support of state machinery have resulted in relative success.

In Chad, members of most affected communities have been trained in community policing technique that relay timely information to security enforcement. This partnership is working in southern Chad.

In South Africa private security companies have taken up a significant role in securing the country and in China legislation is in place for regulation of activities of PSCs. They have contracted PSCs both at home and abroad to secure their interests.

5.2.3 Counter terrorism measures adopted by various countries

The Netherlands has adopted measures of preventing radicalization by targeting inclusivity of members in their communities. This has considerably reduced individual space and anonymity that allowed individuals to secretly get radicalized. The financial system is monitored to deter terror funding of security compromising activities.

The ASEAN countries have preferred coalition as a block against the spread of terror. The regional block have sought to block the trades of drug trafficking and small arms to starve the terror groups of funds. Efforts of western support has further propped the Middle East on the war on terror. This indicates that combined efforts can work to deter terror activities.

Singapore adopted community policing and intelligence monitoring to counter terrorism while South Africa lays more emphasis in eliminating the ability of the terror groups to finance their operations. They have in place legislation to support this end the findings indicate the multi-faceted level of counter terrorism measures available.

The East African states of Tanzania and Uganda have had differing experiences with terrorism with Uganda bearing the greater brunt. Uganda Dilemma may be associated with

the porous border with Congo. They have adopted various measure with Tanzania leaning much on community policing while Uganda uses regional blocks cooperation to deter terror attacks. These findings indicate the significance of cooperation both at community levels and at regional levels in countering terrorism.

In Kenya the constitution makes security a responsibility of all Kenyans. The forms that this responsibility takes has varied for various stakeholders. Many measures were listed for counter terrorism in Kenya. The government has supported counter terrorism mechanisms including legislation, community policing and cooperation with other countries. However these have not stopped terror attacks. This findings indicate that there is room for private firms in security provision.

5.2.4 PSCs in counter terror measures in Kenya and their capacity.

The combined efforts of private security firms and central state law enforcement can realize impressive benefits including; Creative problem solving, Increased training opportunities, Information, data, and intelligence sharing, '"Force multiplier" opportunities, Access to the community through private sector communications technology and Reduced recovery time following disasters.

In Kenya, the private security regulations Act of 2016 states that private security service provider shall not use or allow the use of firearms in the rendering of a security service further that a person who contravenes the provisions of this section commits an offence and shall in addition to cancellation of license be liable on conviction to a penalty prescribed in this Act or any other written law, whichever is higher. This indicates the limiting aspect of legislation in inclusion of PSCs to counter terrorism.

5.3 Recommendations

The recommendations are derived from the fore going findings. Various countries are dealing with the threat differently depending on the magnitude of the threat and severity of the consequences of attacks. A common theme is emerging that involving the community in counter terrorism efforts seem to give desired results in spite of the forms applied. The central security system should be restructured to accommodate facets of the communities in their counter terror operations.

Kenya employs various measures in the fight against terrorism however the attacks continue. Structural and legislative reforms are required in the security sector that empower private security companies to actively participate in counter terrorism while holding them responsible and directly accountable for their actions.

In the today's security arena the importance of the level of preparedness cannot be over emphasized. This could determine what the outcomes in volatile situations exemplified by terror attacks. Therefore, it is imperative that the security personnel who are the first line of defense in the area of their jurisdiction have the ability to effectively deal with the circumstance that they face. The Kenyan government has began to address the issue of training by designing a curriculum that will enhance private security personnel.[131]

The term capacity is not well defined as far as security issues are concerned. This is informed by the fact that in generality does capacity make reference to training of security

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[131] Mark Agutu and Elvis Ondieki. 2019. *Private Security Guards to Get Extensive Training.* Feburary 25. Accessed August 27, 2019. https://www.nation.co.ke/news/Private-guards-to-get-extensive-training/1056-4997454-2efuyy/index.html.

personnel to better handle the current threats, or does this tend to suggest that these personnel should be equipped with arms to effectively manage these new hostile environment. Does this make reference to the minimum academic qualification that the personnel need to satisfy prior to employment.

The capacity of private security companies in Kenya today need to be enhanced through training and clear standards operating procedures. The debate of whether or not to arm the private security personnel should be closed by determining qualifications for holding arms. The experience of Kenya in the latest accounts of terror attacks indicated the pivotal role played by armed private individuals and firms in the first line of defense before the law enforcement were able to gain access. The PSCs should be formally trained and equipped to protect citizens in terror attacks.

5.4 Conclusion

The time is due for the partnership of PSCS and Public law enforcement in counter terrorism. Analysis of the practice of various countries indicate the trend of leaning towards the use of PSCs in security provision. The eradication of terrorism is not assured but the severity of effects of terror attacks will drastically reduce with the incorporation of PSCs in counter terrorism, and at the best possible prevention of devastating terror attacks .

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Appendices

Appendix 1: Questionnaire

Instructions: Please answer the questions below in relation to counter terrorism to the best of your knowledge. Where there are multiple choices tick only one. Feel free to list all your responses. Your participation is highly appreciated. Thank you

Please tick the category to which you belong

Business owner ( )

Household ( )

CTC personnel ( )

Private security ( )

To what extent is terrorism a threat in the world today?

High extent ( )

Moderate extent ( )

Small extent ( )

None at all ( )

Explain

…………………………………………………………………………………………………

…………………………………………………………………………………………………

…………………………………………………………………………………………………

2. Do Armed Private Security companies contribute to counter terrorism in other countries?

Yes ( )

No ( )

Explain

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…………………………………………………………………………………………………

…………………………………………………………………………………………………

……………………………………………………………………………………………

3. To what extent is terrorism a threat in Kenya today?

High extent ( )

Moderate extent ( )

Small extent ( )

    None at all ( )

Explain

…………………………………………………………………………………………………

…………………………………………………………………………………………………

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4. What are the current counter terrorism measures in Kenya? List all

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…………………………………………………………………………………………………

5. The private security firms in Kenya support counter terrorism

Strongly agree ( )

Agree   ( )

Neutral ( )

Disagree ( )

Strongly disagree ( )

Explain

…………………………………………………………………………………………………

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…………………………………………………………………………………………………

6. To what extent do the private security in Kenya have capacity to counter terrorism?

High extent ( )

Moderate extent ( )

Small extent ( )

      None at all ( )

Explain

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…………………………………………………………………………………………………

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………………Thank you!.........................

Appendix II: A letter to carry out Research From the University

UNIVERSITY OF NAIROBI
College of Humanities and Social Sciences
Institute of Diplomacy and International Studies

Tel : (02) 318262
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P.O. Box 30197
Nairobi
Kenya
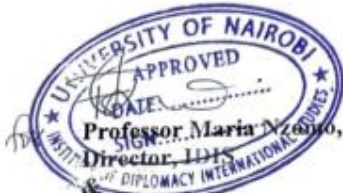
September 3, 2019

TO WHOM IT MAY CONCERN

RE: DAN RIUNGA – R52/9275/2017

This is to confirm that the above-mentioned person is a bona fide student at the Institute of Diplomacy and International Studies (IDIS), University of Nairobi pursuing a **Master of Arts Degree in International Conflict Management**. He is working on a research project titled, **"ARMED PRIVATE SECURITY FIRMS AND COUNTER TERRORISM IN KENYA"**.

The research project is a requirement for students undertaking Masters programmes at the University of Nairobi, whose results will inform policy and learning.

Any assistance given to him to facilitate data collection for his research project will be highly appreciated.

Thank you in advance for your consideration.

Professor Maria Nzomo,
Director, IDIS
&
Professor of International Relations and Governance

Appendix III: Research Permit from NACOSTI

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**NATIONAL COMMISSION FOR
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Ref No: **849220**

Date of Issue: **25/September/2019**

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